

**CONSENT ORDER**

COMES NOW the Oklahoma Board of Governors of Licensed Architects, Landscape Architects and Registered Commercial Interior Designers (the "Board"), and Respondent, Arcturis, Inc. ("Arcturis") ("Respondent") state as follows:

**FINDINGS OF FACTS**

1. At no time has Arcturis possessed a certificate of authority to practice Architecture within the State of Oklahoma.
2. Arcturis prepared preliminary plans and presented them at the Riverfront Design Review Committee meeting on behalf of a client regarding the Bar K OKC Project (the "Project") despite Arcturis not having a certificate of authority to practice Architecture within the State of Oklahoma.
3. During the Riverfront Design Review Committee meeting regarding the Project, Ms. Chrissy Hill Rogers, on behalf of Arcturis, represented that Arcturis was an architect firm working on the subject project despite Arcturis not having a certificate of authority to practice Architecture within the state of Oklahoma.

**CONCLUSIONS OF LAW**

1. The Board of Governors of Licensed Architects, Landscape Architects and Registered Commercial Interior Designers of Oklahoma has jurisdiction of this case pursuant to:
  - a. Oklahoma State Architectural and Registered Commercial Interior Designers Act, 59 Okla. Stat. §46.1 et. seq. (the "Act").
  - b. Rules of the Board as recorded in the Oklahoma Administrative Code 55:10-1-1 (the "Rules").
2. The Act, at 59 Okla. Stat. § 46.7, states:

[T]he Board shall have the power and duty to... [p]romulgate rules of conduct governing the practice of licensed architects and landscape architects.
3. The practice of architecture is defined at 59 Okla. Stat. § 46.3(2) as follows:

rendering or offering to render certain services, in connection with the design and construction, enlargement or alteration of a building or a group of buildings and the space surrounding such buildings, including buildings which have as their principal purpose human occupancy or habitation. The services referred to include planning, providing preliminary studies, designs, drawings, specifications, investigations and other technical submissions, the administration of construction contracts, and the coordination of any elements of technical submissions prepared by other consultants including, as appropriate and without limitation, consulting engineers and landscape architects; provided, that the practice of architecture shall include such other professional services as may be necessary for the rendering of or offering to render architectural services.

4. The practice of architecture is subject to the Act, 59 Okla. Stat. § 46.8a, which provides:

It shall be unlawful for any person to directly or indirectly engage in the practice of architecture in this state or use the title "Architect", "Registered or Licensed Architect", "Architectural Designer", or display or use any words, letters, figures, titles, signs, cards, advertisements, or other symbols or devices indicating or tending to indicate that such person is an architect or is practicing architecture, unless the person is licensed under the provisions of this act. No person shall aid or abet any person, not licensed under the provisions of this act, in the practice of architecture.

5. Moreover, 59 Okla. Stat. § 46.9(A) provides that:

The practice of architecture or landscape architecture or offering to practice these professions for others by persons licensed under this act through a partnership, firm, association, corporation, limited liability company or limited liability partnership as directors, partners, officers, shareholders, employees, managers, members, or principals is permitted, subject to the provisions of the State Architectural and Registered Commercial Interior Designers Act, provided:

- (a) One or more of the directors, partners, officers, shareholders, managers, members or principals of said partnership, firm, association, corporation, limited liability company or limited liability partnership is designated as being responsible for the entity's activities and decisions of said partnership, firm, association, corporation, limited liability company or limited liability partnership;

- (b) Such director, partner, officer, shareholder, manager, member or principal is duly licensed under the State Architectural and Registered Commercial Interior Designers Act;
- (c) All personnel of said partnership, firm, association, corporation, limited liability company or limited liability partnership which act on behalf of the entity for these professions in the state are licensed under the State Architectural and Registered Commercial Interior Designers Act; and
- (d) Said partnership, firm, association, corporation, limited liability company or limited liability partnership has been issued a certificate of authority by the Board.

6. The Rules, at OAC 55:10-15-2(3), provides as follows:

Grounds for probation, denial, revocation, suspension, refusal to renew, orders, injunctions, civil and/or criminal penalties are as follows: . . .

- (3) Violating the Act or any Rule in this Chapter, regulation or order issued by the Board, including the unlicensed practice of architecture or landscape architecture.

7. Respondent was properly notified of the potential violation and acknowledged its right to counsel.

8. The Findings of Facts stipulated to by Respondent, if proven, constitute violations of the State Architectural and Registered Commercial Interior Designers Act and the Rules of the Board as recorded in the Oklahoma Administrative Code 55:10, pertaining to the professional practice of architecture and registered interior design upon which the Board may take disciplinary action against Respondent.

9. Respondent pleads nolo contendere to the alleged violations of the State Architectural and Registered Commercial Interior Designers Act and the Rules of the Board as recorded in the Oklahoma Administrative Code 55:10 and, in lieu of a proceeding of a formal disciplinary action, hereby agree that the Board may enter a final order against it as set forth below.

10. Pursuant to Oklahoma Administrative Code (OAC) 55:10-15-9(4), the Secretary-Treasurer has the authority to seek informal resolution of matters referred to the Board.

11. Pursuant to Oklahoma Administrative Code (OAC) 55:10-15-10, the Secretary-Treasurer submits the following Consent Order to the Board for approval of the informal resolution and final disposition of this matter.

### CONSENT

Respondent, by affixing its signature hereto, acknowledges that:

1. Respondent understands this Consent Order is subject to the approval of the Board and has no force and effect until a final decision based upon it is rendered by the Board.

2. Respondent has been specifically advised to seek the advice of counsel prior to signing this Consent Order, and

3. Respondent acknowledges that it has the following rights, among others:

- a. The right to a formal fact-finding hearing before the Board;
- b. The right to reasonable notice of said hearing;
- c. The right to compel the testimony of witnesses;
- d. The right to cross-examine witnesses against themselves;
- e. The right to obtain judicial review of the Board's decisions; and,
- f. The right to counsel.

4. Respondent waives its other rights to a formal hearing as set forth above in paragraph three (3).

5. Respondent understands in order to make a decision relative to approving this Consent Order discussions must take place between Board members, Board Staff and Board Counsel. These discussions may include the Board's review of any and all previously enumerated exhibits or referenced project materials. Respondent understands that these discussions will take



place at the Board's next regularly scheduled meeting in Oklahoma City, Oklahoma. Respondent understands it has the right to be present when this matter is discussed, but hereby waives that right, provided that Counsel for the Board shall notify counsel for Respondent of when this matter will be discussed in order to allow the same to be present for any such discussions should they so desire.

6. Respondent, for the purpose of avoiding further administrative action with respect to this cause, executes this Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation in or resolution of these proceedings. Likewise, if this Consent Order is not accepted, the Board shall not take into consideration the contents of this Order as evidence of an admission.

7. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and the final decision of the Board incorporating said Consent Order.

8. This Consent Order contains the entire agreement between the parties. Respondent is not relying on any other agreement or representation of any kind, verbal or otherwise.

9. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Consent Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

10. This Consent Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and

commitments (written or oral). This Consent Order may not be altered, amended, modified, supplemented or otherwise changed except by a writing executed by an authorized representative of each of the parties.

11. Respondent consents to the entry of this Consent Order.

### **ORDER**

In accordance with the foregoing findings of facts and conclusions of law, and the agreement and consent of the Respondent IT IS THEREFORE ORDERED:

12. Respondent Arcturis is REPRIMANDED by the Board for its actions in holding itself out as having the ability to practice architecture in the State of Oklahoma despite the fact Arcturis does not possess a certificate of authority to practice Architecture in the State of Oklahoma.

13. Respondent Arcturis is assessed a civil penalty in the amount of five thousand dollars (\$5,000.00), which shall be paid within thirty (30) days from the date of the entry of this Consent Order.

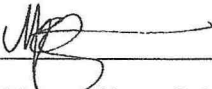
14. The Board agrees that in consideration of the Consent Order entered into by Respondent, it shall take no further action as to Arcturis or any of its employees or agent, including but not limited to Ms. Hill Rogers, with regard to this matter.

### **DISCLOSURE**

Pursuant to the Oklahoma Open Records Act, 51 Okla. Stat. § 24-A.1 through 24-A.21, the signed original of this Consent Order shall remain in the custody of the Board as a public record and shall be made available for public inspection, publication, and copying upon request, and may make any use it deems appropriate of the contents of this Consent Order, which shall include the Board's ability to share the content of this Consent Order with any state or federal governmental

or professional board or organization, publication of a summary in the Board newsletter, posting on the Board website, reporting to state and national databanks, including databanks maintained by associations to which the Board is a member.

**ARCTURIS, INC.**

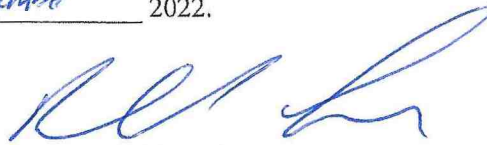
Signature:  \_\_\_\_\_  
Name: Megan Nasrallah Ridgeway  
Position: President  
Date: 8/1/2022

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**CERTIFICATION OF BOARD ATTORNEY**

I believe this Consent Order to be in the best interests of the Oklahoma Board of Governors of Licensed Architects, Landscape Architects and Registered Commercial Interior Designers and the State of Oklahoma for the alleged violations of the State Architectural and Registered Commercial Interior Designers Act and the Rules of the Board as recorded in the Oklahoma Administrative Code 55:10.

Dated this 12<sup>th</sup> day of September 2022.



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*Attorney for the Oklahoma Board of Governors of  
Licensed Architects, Landscape Architects and  
Registered Commercial Interior Designers*

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**ORDER OF THE BOARD**

NOW on this 12<sup>TH</sup> day of September, 2022, Respondent has agreed voluntarily, with knowledge of its rights under law, to the entrance of this Consent Order for his purported actions which, if proven, violate the State Architectural and Registered Commercial Interior Designers Act as defined in 59 Okla. Stat. § 46.1 et. seq., and the Rules of the Board recorded in the Oklahoma Administrative Code (OAC) 55:10-1-1 et. seq. It further appears that the foregoing Consent Order is just and equitable in order to safeguard life, health, and property, and to promote the public welfare in the State of Oklahoma.

IT IS THEREFORE ORDERED that the Respondent's stipulation to the alleged violations of the State Architectural and Registered Commercial Interior Designers Act as defined in 59 Okla. Stat. § 46.1 et. seq., and the Rules of the Board recorded in the Oklahoma Administrative Code (OAC) 55:10-1-1 et. seq., are accepted, and the above Consent Order incorporated herein shall be the order of the Oklahoma Board of Governors of Licensed Architects, Landscape Architects and Registered Commercial Interior Designers.

Dated this 12<sup>TH</sup> day of September, 2022.

OKLAHOMA BOARD OF GOVERNORS OF  
LICENSED ARCHITECTS, LANDSCAPE  
ARCHITECTS AND REGISTERED  
COMMERCIAL INTERIOR DESIGNERS

By:   
Executive Director