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FILED
BOARD OF ARCHITECTS
James Hsu 9/18/06
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Executive Director

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF ARCHITECTS

IN THE MATTER OF : Administrative Action
: :
ERIC BAKER, RA : :
: :
TO PRACTICE ARCHITECTURE : :
IN THE STATE OF NEW JERSEY : :
: :
: : CONSENT ORDER

THIS MATTER was opened to the New Jersey State Board of Architects ("Board") upon receipt of information concerning the professional conduct of Eric Baker ("Respondent") in connection with a complaint filed by Guido and Kathy Cipriani ("Complainants").

More specifically, Respondent testified that he was hired by the Complainants in or about 2001 to design and prepare plans in connection with renovations to an existing home. Respondent further served as the contract administrator of the project. As


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contract administrator, Respondent, was the construction progress to ensure that it was in conformity to the design; monitor the contractor's progress and make reports to the Complainants; review shop drawings and prepare a final construction punch list; and provide a field inspection schedule, as the schedule details the progress of construction.

Respondent testified that he lacked experience and technical knowledge in designing a flat roof. As a result, he sought the advice of consultants in connection with his original design and modifications. Further, as the construction administrator, Respondent approved two roof change orders dated January 6, 2004 and June 1, 2004 in connection with recommendations made by consultants/contractors to change Respondent's original design from a flat rubber roof with tapered insulation to a flat roof without tapered insulation using Fibertite. As part of the design modifications, the evidence reveals that Respondent agreed to the elimination of parapets which were no longer necessary since the tapered insulation was removed. To effectuate the design modifications, the change orders were necessary.

Respondent testified that at the end of 2004 there was an issue regarding standing water on the mahogany decks on the roof resulting from improper drainage. From the evidence and testimony, it appears that Respondent's plans were deficient and that he failed to include essential details for construction, such as the

slope/pitch requirements required by law, which resulted in drainage problems. As a result, the mahogany decks have discolored and failed.

As a result of the foregoing, the Board has determined that Respondent's acts constitute a violation of the following:

1. N.J.S.A. 45:1-21(h) and N.J.A.C. 13:27-5.1(b) in that Respondent failed to apply the applicable codes in connection with the design of a flat roof; and

2. N.J.S.A. 45:1-21(h) and N.J.A.C. 13:27-5.1(c) in that Respondent admittedly lacked experience and technical knowledge in designing a flat roof, or obtain the proper advice of consultants.

IT NOW APPEARING that the parties wish to resolve this matter without recourse to formal proceedings; and that the Respondent hereby waives any right to a hearing in this matter; and the Board finding the within Order adequately protects the public's health, safety and welfare; and for good cause shown;

IT IS ON THIS 28th day of September, 2006, **ORDERED AND AGREED AS FOLLOWS:**

1. Respondent shall be, and hereby is, suspended from the practice of architecture in the State of New Jersey for a period of one (1) year, to be stayed and served as a period of probation.

2. Respondent agrees that in the event he violates any provision of this Consent Order, or is determined to be in violation of any statute and/or regulation which the Board

administers during this probationary period, then Respondent's license to practice architecture in the State of New Jersey shall be automatically suspended without hearing for the remainder of the probationary period, in addition to any other disciplinary action as the Board deems appropriate;

3. Respondent shall immediately pay a civil penalty totaling \$2,500.00 (Two Thousand Five Hundred Dollars and 00/100) for violation of N.J.S.A. 45:1-21(h) and N.J.A.C. 13:27-5.1(b);

4. Respondent shall immediately pay a civil penalty totaling \$2,500.00 (Two Thousand Five Hundred Dollars and 00/100) for violation of N.J.S.A. 45:1-21(h) and N.J.A.C. 13:27-5.1(c);

5. Respondent shall immediately pay investigative costs in the amount of \$1,378.50 (One Thousand Three Hundred Seventy Eight Dollars and 50/100);

6. Respondent shall immediately provide proof to the Board's satisfaction that he has successfully completed 24 continuing education hours for the 2005-07 renewal period (which was due in the preceding biennial renewal period);

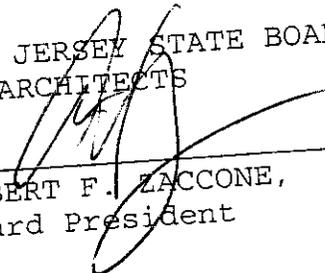
7. Respondent shall provide proof of successful completion, to the Board's satisfaction, of a Board-approved course on codes related to the design of a flat roof and applicable building codes within six (6) months of date of this Consent Order.

8. All payments shall be made by certified check or money order payable to the "State of New Jersey" and forwarded to James

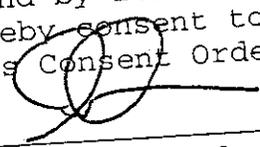
Hsu, Executive Director, State Board of Architects, 124 Halsey Street, P.O. Box 45029, Newark, New Jersey 07101.

NEW JERSEY STATE BOARD
OF ARCHITECTS

By:

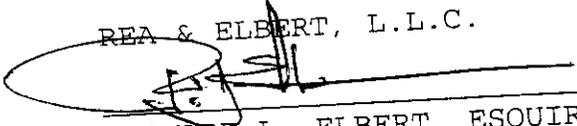

ALBERT F. LACCONE,
Board President

I have read and I understand this Consent Order and agree to be bound by its terms. I further hereby consent to the entry of this Consent Order.


ERIC BAKER, R.A.

I agree to the form and entry of this Consent Order.

REA & ELBERT, L.L.C.


RICHARD L. ELBERT, ESQUIRE
Attorney for Eric Baker, R.A.