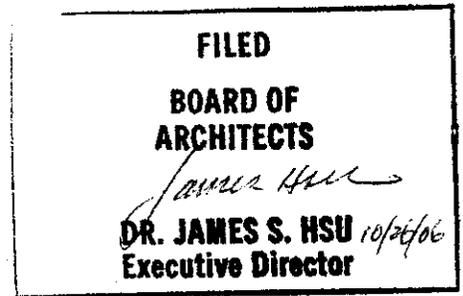


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF ARCHITECTS

IN THE MATTER OF	:	Administrative Action
	:	
BRIAN L. NEWSWANGER, R.A.	:	FINAL ORDER
	:	OF DISCIPLINE
TO PRACTICE ARCHITECTURE	:	
IN THE STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Architects upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent, Brian L. Newswanger, R.A., is an architect licensed in the State of New Jersey.
2. On or about August 11, 2005, the Board forwarded a letter by certified and regular mail to the Respondent requesting information concerning a complaint. Follow-up letters were sent to the Respondent on September 29, 2005 and October 31, 2005 by certified and regular mail. A final follow-up letter dated

December 16, 2005 was personally served at the Respondent's address of record. However, the Respondent has failed to respond.

CONCLUSIONS OF LAW

1. The Respondent's failure to respond to the Board's letters in furtherance of an investigation provides grounds to take disciplinary action against his license to practice architecture in the State of New Jersey pursuant to N.J.S.A. 45:1-21(e) and N.J.A.C. 13:45C-1.3(a)(1) in that Respondent has a duty to cooperate and failed to do so and, further, that Respondent's failure to cooperate constitutes professional misconduct.

DISCUSSION ON FINALIZATION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline ("POD") was entered by this Board on May 25, 2006 and served by regular and certified mail upon Respondent at his address of record. The POD was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Respondent submitted a response to the Board's POD by letter dated September 4, 2006. Respondent explained that he relocated his office and that his files were packed during June and July. He further stated that he had fully intended to comply with all requests for information from the Board, which he did by letter dated June 21, 2006. However, the Board was unpersuaded by his explanation as to why he failed to respond to the Board's numerous requests for information and, therefore, has determined that further proceedings are unnecessary and that there is a sufficient basis to take disciplinary action against Respondent's license.

ACCORDINGLY, IT IS on this 26th day of October, 2006,
ORDERED that:

1. Respondent shall be, and hereby is, reprimanded upon entry of this Final Order of Discipline.
2. Additionally, Respondent shall pay a civil penalty in the amount of \$1,000.00 (One Thousand Dollars and 00/100) within thirty (30) days of the entry of this Final Order of Discipline. If Respondent fails to pay the civil penalty within the stated time period, then a Certificate of Debt shall be issued.

NEW JERSEY STATE BOARD OF ARCHITECTS

By: _____

ALBERT ZACCONE
Board President