CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
New Jersey State Board of Architects
124 Halsey Street, 3rd Floor, Newark, NJ 07102

JOHN J. HOFFMAN
Acting Attorney General

ERIC T. KANEFSKY
Director

Mailing Address:
P.O. Box 45001
Newark, NJ 07101
(973) 504-6385

CERTIFIED TRUE COPY

August 19, 2013

By Certified and Regular Mail

FILED
BOARD OF ARCHITECTS
September 6, 2013
CHARLES F. KIRK
For the Board

2013 SEP -6 A 11:28
ARCHITECTS

Calisto J. Bertin, PE
Jasvinder Arjani, RA
Retail Design Studio
66 Glen Avenue
Glen Rock, NJ 07452

RE: I/M/O Calisto J. Bertin, PE
Jasvinder Arjani, RA
Bertin Engineering Associates, Inc.
d/b/a Retail Design Studio

Complaint # 89929
Offer of Settlement In Lieu of Filing a Formal Disciplinary Complaint

Dear Messrs. Bertin and Arjani:

This letter is to advise you that the New Jersey State Board of Architects and New Jersey State Board of Professional Engineers and Land Surveyors (hereinafter "Boards") have had an opportunity to review information that you and/or your firm, Bertin Engineering Associates, Inc., (collectively "you") offered and provided architectural services without a Certificate of Authorization in violation of N.J.S.A. 45:3-18.

More specifically, you admittedly offered and provided architectural services in New Jersey through Bertin Engineering Associates, Inc., d/b/a Retail Design Studio, from 2003 through November 2012 without a Certificate of Authorization. Thereafter, you formed a corporation, Bertin Design Studio Corp., d/b/a Retail Design Studio, and received a Certificate of Authorization on December 28, 2012 to offer and provide architectural services in New Jersey.

Upon review of all available information, the Boards have preliminarily found that probable cause exists to support a finding that you are in violation of N.J.S.A. 45:3-18 in that you admittedly failed to obtain the required Certificate of Authorization for Bertin Engineering Associates, Inc. from 2003 through 2012.

As a result of the foregoing, the Boards have preliminarily determined that the above violation is sufficient to warrant the initiation of formal proceedings against you. Notwithstanding that decision, the Boards have determined that it will first offer you an opportunity to settle this matter in an attempt to avoid the initiation of more formal proceedings if you consent to the following terms:

1. Agree to immediately **CEASE AND DESIST** from offering and/or providing architectural services through Bertin Engineering Associates, Inc.; and

2. Payment of a civil penalty totaling **$9,000.00** to be paid **immediately** upon your signing of the acknowledgment at the bottom of this letter in connection with your violation of N.J.S.A. 45:3-18.

In making a determination, you should know that pursuant to N.J.S.A. 45:1-25 any person who engages in conduct which is in violation of any provision of the statutes and regulations administered by the Boards shall, in addition to any other sanctions provided by statute, be liable for a civil penalty of not more than $10,000.00 for the first violation and not more than $20,000.00 for the second and each subsequent violation. However, in an effort to resolve this matter amicably, the Boards offer to settle on the terms stated above. If you are willing to resolve this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter and returning it to the Board office within 15 days. In such event, this letter shall be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of a disciplinary proceeding. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted, the Boards will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Boards may assess civil penalties in an amount greater than that herein offered in settlement should any charges against you be sustained. Additionally, the Boards may, if the facts herein or any additional facts are found to so warrant, enter an order requiring you to reimburse certain monies and/or requiring you to pay costs incurred by the Boards.

If you elect to settle this matter, you should sign the acknowledgment at the bottom of this letter and return it to the Boards within fifteen (15) days following your receipt of this letter. In the event that the Boards receive no response from you within fifteen (15) days, the Boards' settlement offer shall be considered withdrawn and the matter will be referred to the Attorney General's Office for the initiation of a formal disciplinary proceeding.

NEW JERSEY STATE BOARD OF ARCHITECTS

By: _____ August 19, 2013
CHARLES KIRK
Acting Executive Director

NEW JERSEY STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

By: _____ Aug 19, 2013
KARL W. REIDEL
Executive Director

cc: B. Michelle Albertson,
Deputy Attorney General

ACKNOWLEDGMENT: We, Calisto J. Bertin, PE and Jasvinder Arjani, RA, hereby acknowledge that we have read and reviewed the settlement proposal set forth in the above letter. We acknowledge the conduct which has been charged. We are aware that, by signing this acknowledgment, we are waiving any rights we may have to defend ourselves against any charges of wrongdoing at an administrative hearing. We are also aware that the action taken against us by the Boards herein is a matter of public record and that this letter is a public document. We hereby agree to immediately cease and desist from offering and/or providing architectural services through Bertin Engineering Associates, Inc. and agree to the immediate payment of a civil penalty of $9,000.00.

Calisto J. Bertin, PE

Jasvinder Arjani, RA

Dated: 9/4/2013