



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, 3<sup>rd</sup> Floor, Newark, NJ 07102



JOHN J. HOFFMAN  
Acting Attorney General

STEVE C. LEE  
Acting Director

**CERTIFIED TRUE COPY**

November 17, 2014

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

By Certified and Regular Mail

David A. Gaffin, RA  
Richard Tagland  
Studio Tagland Designs, L.L.C.  
3 West Delaware Avenue  
Beach Haven, NJ 08008



RE: I/M/O David A. Gaffin, RA  
Richard Tagland, Unlicensed  
Studio Tagland Designs, L.L.C.  
Complaint # 98103

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

Dear Messrs. Gaffin and Tagland:

This letter is to advise you that the New Jersey State Board of Architects (hereinafter "Board") has had an opportunity to review information alleging that from in or about 2007 through to September 2014, you and/or your firm, Studio Tagland Designs, L.L.C., (collectively "you") offered and provided architectural services without a Certificate of Authorization in violation of N.J.S.A. 45:3-18. In addition, you failed to include the name and license number of the architect in your advertisements as defined in N.J.A.C. 13:27-3.1, including, but not limited to professional stationary, in violation of N.J.S.A. 45:1-21(h) and N.J.A.C. 13:27-3.2.

As a result of the foregoing, the Board has preliminarily determined that the above violations are sufficient to warrant the initiation of formal proceedings against you. Notwithstanding that decision, the Board has 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. Payment of a civil penalty totaling **\$7,000.00** to be paid **within 30 days** of your signing of the acknowledgment at the bottom of this letter in connection with your violation of N.J.S.A. 45:3-18. Failure to make the required payment shall result in the issuance of a Certificate of Debt.
2. Payment of a civil penalty totaling **\$2,000.00** to be paid **within 30 days** of your signing of the acknowledgment at the bottom of this letter in connection with your violation of N.J.S.A. 45:1-21(h) and N.J.A.C. 13:27-3.2. Failure to make the required payment shall result in the issuance of a Certificate of Debt.

Additionally, the Board strongly recommends that you utilize written contracts with clients and, further, ensure that the clients are informed of, and provided with, the contact information for Mr. Gaffin as the architect handling the project. Finally, the Board strongly recommends that you review the title block requirements for compliance and include the Certificate of Authorization number in the title block.

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 Board 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 Board offers 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 Board 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 Board may assess civil penalties in an amount greater than that herein offered in settlement should any charges against you be sustained. Additionally, the Board 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 Board.

If you elect to settle this matter, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's 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: \_\_\_\_\_

CHARLES KIRK  
Acting Executive Director

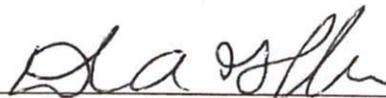
cc: B. Michelle Albertson,  
Deputy Attorney General

Cc: (Brian M. Adams, Esq.)

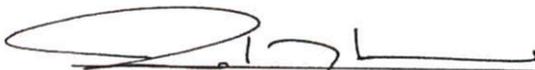
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ACKNOWLEDGMENT: We, David A. Gaffin, RA and Richard Tagland, hereby acknowledge that we have read and reviewed the settlement proposal set forth in the above letter. We acknowledge the conduct which has been charged. We are aware that, by signing this 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 the payment of a civil penalty of \$9,000.00 as outlined herein above.



David A. Gaffin, RA



Richard Tagland

Dated:

11/25/14