



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

STEVE C. LEE
Acting Director

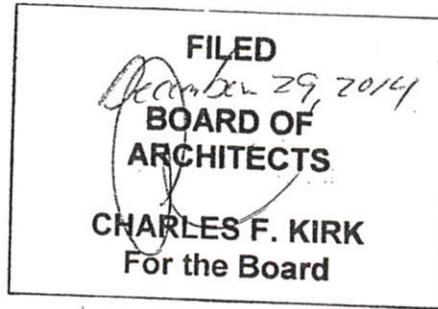
Mailing Address:
P.O. Box 45001
Newark, NJ 07101
(973) 504-6385

CERTIFIED TRUE COPY

December 17, 2014

By Certified and Regular Mail

James S. McNeight, RA
James S. McNeight P.C.
260 Ninth Street
Hoboken, NJ 07030



RE: James S. McNeight, RA - 21AI00862600
Complaint # 102281

Offer of Settlement In Lieu of Filing a Formal Disciplinary Complaint

Dear Mr. McNeight:

This letter is to advise you that the New Jersey State Board of Architects (hereinafter the "Board") has had an opportunity to review information concerning your professional conduct in connection with plans prepared by you for a project in Hoboken, New Jersey. More specifically, you admittedly removed a title block from Sheet A-2 of a set of architectural plans prepared by Daniel J. Krulac, RA dated January 8, 2013. Thereafter, you incorporated Sheet A-2 into your architectural plans with your title block and signed and sealed them, thus representing that Sheet A-2 was prepared by you.

Upon review of all available information, the Board has preliminarily found that probable cause exists to support a finding that you are in violation of:

1. N.J.S.A. 45:1-21(h) and N.J.A.C. 13:27-6.1(e) in that you admittedly removed a title block from Sheet A-2 which was not prepared by you.
2. N.J.S.A. 45:1-21(b) in that by incorporating Sheet A-2 into your architectural plans as indicated herein above, you misrepresented that you prepared Sheet A-2.

Finally, the Board **strongly recommends** that you review that title block rules at N.J.A.C. 13:27-6.2 and advertising rules at N.J.A.C. 13:27-3.2 to ensure your compliance with those requirements, including, but not limited to, ensuring that your license number appears in your title block and on any advertisement, as defined at N.J.A.C. 13:27-3.1, including professional stationary.

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:

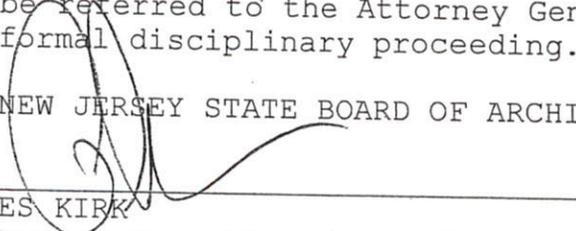
1. Agree to a formal reprimand upon your signing of the acknowledgment at the bottom of this letter in connection with the above violations.
2. Payment of a civil penalty totaling **\$3,000.00**, \$1,000.00 for violation of N.J.S.A. 45:1-21(h) and N.J.A.C. 13:27-6.1(e) and \$2,000.00 for violation of N.J.S.A. 45:1-21(b), to be paid **immediately** upon your signing of the acknowledgment at the bottom of this letter.
3. Provide proof of successful completion, to the Board's satisfaction, of a minimum of nine (9) hours of continuing education in the area of ethics, **which must be pre-approved by the Board**, within ninety (90) days of your signing of the acknowledgment at the bottom of this letter. **Said continuing education shall not count towards the fulfillment of the requirements for any biennial renewal period.**

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

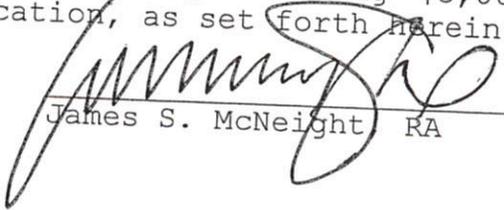
By: 

CHARLES KIRK

Acting Executive Director

cc: B. Michelle Albertson,
Deputy Attorney General

ACKNOWLEDGMENT: I, James S. McNeight, RA, hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record and that this letter is a public document. I hereby agree to a formal reprimand, the immediate payment of a civil penalty totaling \$3,000.00 and completion of the continuing education, as set forth herein above.


James S. McNeight RA

Dated: 26 DEC 14