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BOARD OF ARCHITECTS
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For the Board

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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 THE LICENSE OF	:	
	:	Administrative Action
JOSEPH M. TINLEY, JR., RA	:	
License No. AI13158	:	CONSENT ORDER
	:	OF VOLUNTARY SURRENDER
TO PRACTICE ARCHITECTURE	:	OF LICENSURE
IN THE STATE OF NEW JERSEY	:	
	:	

THIS MATTER was opened to the New Jersey State Board of Architects ("Board") upon receipt of a consumer complaint filed against Konstantinos Aravantinos, an unlicensed person, and his firm, Kon/Struction, L.L.C. (collectively "Aravantinos"). Upon review of the complaint, the Board had an opportunity to review the

professional conduct of Joseph M. Tinley, Jr., RA ("Respondent") and his relationship with Aravantinos.

More specifically, Respondent testified that he and Aravantinos have worked together for approximately ten (10) years on architectural projects. They work on approximately 4-5 projects per year. Aravantinos is not employed by Respondent; bur rather, he is a registered home improvement contractor in New Jersey.

With regard to the architectural projects, evidence and testimony reveal that Respondent does not meet or communicate with the client and, further, does not visit the project site. Rather, Respondent permits Aravantinos to handle all aspects of the client relationship on architectural projects including, but not limited to: initial meeting with the client to offer and/or provide architectural design and drafting services; meeting and communicating with the client throughout the duration of the architectural project; investigating existing site conditions and determining the scope of architectural design services to be provided; handling of all financial aspects, including preparation of a proposal setting forth a fee schedule with payment to be made directly to Aravantinos for architectural services; and drafting and preparation of the architectural plans, including construction plans. Respondent testified that his role is limited to review of Aravantinos' architectural plans for signature and seal, for which he is paid approximately \$300.00 per project or other nominal rate.

Accordingly, based on the foregoing, the Board has determined that Respondent has engaged in acts of professional misconduct in violation of:

1. N.J.S.A. 45:1-21(e) and N.J.A.C. 13:27-5.1(a) in that Respondent failed to recognize his primary obligation to protect the health, safety and welfare of the public in the performance of professional duties, act with reasonable care and competence, and apply the technical knowledge and skill which are ordinarily applied by architects of good standing, practicing in the same locality.

2. N.J.S.A. 45:1-21(e) and N.J.A.C. 13:27-5.3(a) in that Respondent engaged in acts constituting a conflict of interest by failing to provide professional services to his client competently and independently through contractual arrangements with the client that safeguard the exercise of unprejudiced judgment of the architect. Rather, Respondent has little or no direct contact with his client and instead relies upon Aravantinos, an independent contractor, to handle all aspects of that relationship.

3. N.J.S.A. 45:1-21(e) and N.J.A.C. 13:27-5.5(b) in that Respondent signed and sealed architectural plans for which he did not have direct professional knowledge and direct supervisory control.

4. N.J.S.A. 45:1-21(n) and N.J.A.C. 13:27-5.5(c) in that Respondent engaged in the acts of aiding and abetting the

unlicensed practice of architecture by permitting his name, seal, and signature to be used in connection with Aravantinos, an individual not authorized by law to practice architecture.

5. N.J.S.A. 45:1-21(h) and N.J.A.C. 13:27-7A.2 in that Respondent failed to ensure that the required notice provisions were in the design/build contract between Aravantinos and the owner/client, and N.J.A.C. 13:27-7A.3 in that Respondent did not have a separate written contract between himself and Aravantinos with the required provisions.

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;

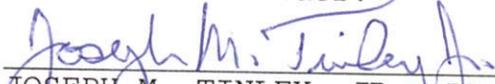
IT IS ON THIS 9th day of July, 2015, ORDERED AND AGREED that Respondent shall immediately and permanently surrender his license to practice architecture in the State of New Jersey to be deemed a revocation of license. Any practice of architecture in this State after the filing date of this Consent Order shall constitute grounds for the charge of unlicensed practice.

NEW JERSEY STATE BOARD
OF ARCHITECTS

By: _____

NICHOLAS J. NETTA, RA
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.



JOSEPH M. TINLEY, JR., RA