

**BEFORE THE ARKANSAS STATE BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS**

Complainant:

Arkansas State Board of Licensure for
Professional Engineers and Professional
Surveyors

Case #2010-13

Respondent:

Christopher S. Shirley
Ozarchitecture, Inc
1999 South Van Hoose Drive
Fayetteville, AR 72701-9107

CONSENT AGREEMENT AND ORDER

The Arkansas Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter “the Board”) and Christopher S. Shirley (non-licensee, hereinafter “Shirley”), representing Ozarchitecture, Inc (hereinafter "Ozarchitecture"), agree as follows in full settlement of the charges in this disciplinary matter.

FINDINGS OF FACT

1. At the time of the complaint, Shirley was not a registered Professional Engineer in Arkansas.
2. At the time of the complaint, Ozarchitecture did not hold a valid Certificate of Authorization to offer or provide engineering services in Arkansas.
3. A set of plans to construct a retail liquor store called “On the Border Liquors” was submitted for code review to the City of Fort Smith by Shirley, on the drawing layout for Ozarchitecture.

4. The results of engineering practice were depicted on a number of the sheets in the plan set, but were not sealed by a licensed Professional Engineer.

CONCLUSIONS OF LAW

1. The conduct of Shirley, as set forth above in the Findings of Fact, constitutes one count of practicing or offering to practice engineering in Arkansas without being a licensee of the Board, in violation of Arkansas Code Annotated §17-30-102(b).

2. The conduct of Ozarchitecture, as set forth above in the Findings of Fact, constitutes one count of providing or offering to provide engineering services without holding a valid Certificate of Authorization, in violation of Arkansas Code Annotated §17-30-303.

CONSENT AGREEMENT

In the interest of a prompt and speedy settlement, consistent with the public interest and the responsibilities of the Board, the undersigned parties enter into this Consent Agreement as a final disposition of these matters presently before the Board.

1. The Respondent has been afforded an opportunity to obtain legal counsel and has chosen to proceed with the understanding that he is admitting the facts and conduct described above in the Findings of Fact.

2. In lieu of a formal hearing on these issues, the Respondent agrees to issue of the following Order and waive all rights to a hearing, appeal or judicial review relating to the Order.

3. The Respondent understands that all investigative materials prepared or received by the Board concerning these allegations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter. The signed original of this document shall remain a public record in the custody of the Board, and shall be made available for public inspection and copying upon request.

ORDER

1. Shirley shall pay a \$500.00 civil penalty for the violation noted in Item 1 of the Conclusions of Law as listed above. Payment shall be made to the Board within fifty (50) days of the date this Order is served.

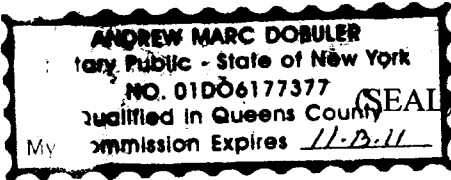
2. Ozarchitecture shall pay a \$500.00 civil penalty for the violation noted in Item 2 of the Conclusions of Law as listed above. Payment shall be made to the Board within fifty (50) days of the date this Order is served.

AGREED TO BY: *Christine Christy*
Signature of the Respondent

Sworn to and subscribed before me this 29th day of December, 2010

Andrew Marc Dobuler
Notary Public

My commission expires: 11-13-11



AGREED TO AND ORDERED BY: *[Signature]*
Board President

CERTIFICATE OF SERVICE

I, James Atchley, investigator for the Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors, do hereby certify that I have served a copy of the attached order by mailing copies of same, by first class mail and certified mail, with return receipt requested and postage prepaid, on this 17th day of February, 2011, to:

Mr. Christopher S. Shirley
 Ozarchitecture, Inc
 1999 South Van Hoose Drive
 Fayetteville, AR 72701-9107

James H. Atchley

 James Atchley, Board Investigator

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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1. Article Addressed to:
 Mr. Christopher S. Shirley
 Ozarchitecture, Inc
 1999 South Van Hoose Drive
 Fayetteville, AR 72701-9107

2. Article Number: 7002 0510 0001 8878 7310

3. Service Type:
 Certified Mail
 Registered
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 Restricted Delivery? (Extra Fee) Yes No
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4. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

A. Signature: *Chris Shirley* Agent Addressee
 B. Received by (Printed Name): Shirley *2-18-11*
 C. Date of Delivery: *2-18-11*

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