

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
BOARD OF EXAMINATION AND REGISTRATION OF ARCHITECTS
JOHN O. PASTORE CENTER, BLDGS 68-69
1511 PONTIAC AVENUE
CRANSTON, RHODE ISLAND 02920

Business Regulation
Director's Office

MAY 23 2017

Received

IN THE MATTER OF: :
 :
KRISTIN VAUGHN, D/B/A :
VAUGHN & SHERMAN :
ARCHITECTURAL SERVICES, :
 :
RESPONDENT. :

DBR NO. 17DP001

CONSENT AGREEMENT

The Board of Examination and Registration of Architects (“Board”), which is part of the Division of Design Professionals of the Rhode Island Department of Business Regulation (“Department”), enters into this Consent Agreement with Kristin Vaughn, d/b/a Vaughn & Sherman Architectural Services, (“Respondent”) to resolve the above-captioned matter pursuant to its authority under R.I. Gen. Laws § 42-35-9(d) and § 5-84-5.

It is hereby agreed by and between the Board and the Respondent that:

1. The Board received a copy of an architectural plan for a yoga studio in Westerly with the name “Vaughn & Sherman” on the title block.
2. A follow up inquiry to the Westerly Building Official produced a building permit application and a title block page with the name of Vaughn & Sherman Architectural Services on it and an email address for Respondent.

MAY 23 2017

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3. According to the Board's licensing records, Respondent is not currently and has never been licensed architect in the state of Rhode Island.
4. According to the board's licensing records, Vaughn & Sherman Architectural Services does not currently hold and has never held a Certificate of Authorization ("COA") for architectural services in the state of Rhode Island.
5. At the Board's request, Respondent attended the Board's July 25, 2016 meeting to discuss the allegations of unlicensed activity. During that meeting, Respondent stated that:
 - a. She does not work as an architect;
 - b. Vaughn & Sherman is not a going concern and was never registered as a corporate entity with the Connecticut Secretary of State;
 - c. She prepared the architectural plans in question for the owner of the yoga studio, for whom she was working as a yoga instructor;
 - d. She did not submit the plans to the Town of Westerly and did not receive any compensation for preparing this plan.
6. R.I. Gen. Laws § 5-1-7(a) provides that no individual shall:
 - (1) Practice or offer to practice architecture in this state;
 - (2) Use any title, sign, card, or device implying that the individual is an architect or is competent to practice architecture in this state;
 - (3) Use in connection with his or her name or otherwise any title or description conveying or tending to convey the impression that the individual is an architect or is competent to practice architecture in this state; or
 - (4) Use or display any words, letters, figures, seals, or advertisements indicating or implying that the individual is an architect or is competent to practice architecture in this state, unless that individual holds a currently valid certificate of registration/authorization issued pursuant to this chapter or is specifically exempted from holding a certificate under the provisions of this chapter.

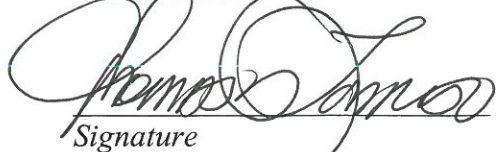
7. R.I. Gen. Laws § 5-84-5(a) provides: “In addition to any other provision of law, if a person or business practices or offers to practice architecture . . . in the state without being registered or authorized to practice as required by law, the board[] . . . may recommend that the director of the department of business regulations issue an order imposing a fine.”
8. R.I. Gen. Laws § 5-84-5(b) provides that: “A fine ordered under this section may not exceed two thousand five hundred dollars (\$2,500) for each offense.”
9. The Board’s position is that the preparation of architectural plans for a yoga studio, a commercial business, does not fall within the exemptions set forth in R.I. Gen. Laws § 5-1-14 and, thus, constituted the unlicensed practice of architecture in state of Rhode Island.
10. To effect a timely and amicable resolution of this matter without an administrative hearing, the parties agree as follows:
 - A. The Respondent shall pay a fine of \$250.00 payable to “General Treasurer, State of Rhode Island” on the date of this Agreement.
 - B. The Respondent shall immediately cease and desist from any and all unlicensed practice of architecture in the state of Rhode Island.
 - C. The Respondent shall correct any business media under her control to remove any and all uses of the term “architect,” “architecture,” or variations thereof that would improperly convey that she is licensed to practice architecture in the state of Rhode Island.
11. By agreeing to enter into this Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Acts, R.I. Gen. Laws § 42-35-1, et seq.

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12. If Respondent fails to abide by the requirements of this Consent Agreement, the Board and/or the Department may initiate further administrative proceedings against the Respondent.

For the Board:


Signature

Date: 5.26.17

Thomas D. Lonardo, NCARB
Chair of the Board

For the Respondent:


Signature

Date: 5/20/17

Kristin Vaughn, d/b/a
Vaughn & Sherman Architectural Services

CERTIFICATION

I hereby certify on this 31 day of May 2017, that a copy of the within Consent Agreement was sent by first class mail, postage prepaid, to:

Kristin Vaughn
42 Clift Street
Mystic, CT 06355

AND BY E-MAIL TO:

1. The Rhode Island Board of Examination and Registration of Architects
2. Brian Riggs, DBR Assistant Director
3. Dawne Broadfield, DBR Architect Board Executive
4. Amy Stewart, Esq., DBR Senior Legal Counsel

