

RIP

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

Department of Business Regulation  
Legal Section

JUL 06 2013

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IN THE MATTER OF: :  
 :  
 :  
 RICHARD PUCCINI, D/B/A :  
 PUCCINI DESIGNS, :  
 :  
 RESPONDENT. :

DBR NO. 18DP002

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 Richard Puccini, d/b/a Puccini Designs, (“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. On or about January 18, 2018, the Board received an anonymous complaint of alleged unlicensed activity, which included an eight-page architectural plan for the construction of a commercial building located in North Smithfield, Rhode Island. “Puccini Designs - Architectural” was on the title block of each page.
2. According to the Board’s licensing records, Respondent is not currently and has never been a licensed architect in the state of Rhode Island.

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3. According to the board's licensing records, Puccini Designs does not currently hold and has never held a Certificate of Authorization ("COA") for architectural services in the state of Rhode Island.

4. At the Board's request, Respondent attended the Board's May 21, 2018 meeting to discuss the allegations of unlicensed activity. During that meeting, Respondent stated that:

- a. He is a resident of Massachusetts;
- b. He is not registered as an architect in any state;
- c. He is primarily employed as a teacher and does residential designs in Massachusetts through the name Puccini Designs;
- d. He was asked by a friend to prepare these plans;
- e. He said that this was the first commercial project he has ever done and he only did the work because the property owner told him that a Rhode Island registered architect would stamp the plans;
- f. He was paid for this work;
- g. He does not believe that the owner will build according to his plans; and
- h. He did not intend to circumvent the laws of Rhode Island relating to the practice of architecture.

5. After reviewing Respondent's plans, the Board identified the following concerns:

- a. Respondent prepared eight (8) pages worth of plans for a new commercial building, which included construction documents that suggest that there was an intent to build this structure.

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- b. Respondent's use of the word "architectural" on his title block and website is misleading to the public because he is not a registered architect.
  - c. Respondent was not working under the supervision of a Rhode Island registered architect in responsible charge.
  - d. Page 5 of the plans refers to the Massachusetts State Building Code when the property was located in Rhode Island.
  - e. The plans fail to address compliance with the state Fire Code, American Disabilities Act, and mechanical and structural engineering as required to protect health, safety and welfare.
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."

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9. The Board's position is that the preparation of these architectural plans for a new commercial building 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 affect a timely and amicable resolution of this matter without an administrative hearing, the parties agree as follows:

- a. Respondent shall immediately cease and desist from any and all unlicensed practice of architecture in the state of Rhode Island;
- ✓ b. Respondent shall pay a civil penalty of \$1,000.00 payable to "General Treasurer, State of Rhode Island," payable in two installments with \$500 paid upon signature and the remaining \$500 to be paid by August 1, 2018; and
- c. Respondent shall correct any business media under his control, including his title block, to remove any and all uses of the term "architect," "architectural," or variations thereof that would improperly convey that he 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.*

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

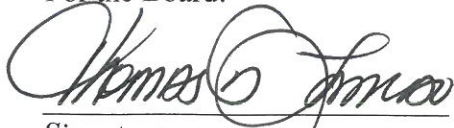
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For the Board:

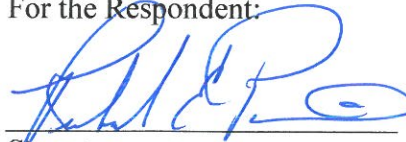


Signature

Date: 7.30.18

Thomas D. Lonardo, NCARB  
Chair  
Board of Examination and  
Registration of Architects

For the Respondent:



Signature

Date: 7-4-2018

Richard Puccini, d/b/a  
Puccini Designs

**CERTIFICATION**

I hereby certify on this 31 <sup>July</sup> day of ~~June~~ 2018, that a copy of the within Consent Agreement was sent by first class mail, postage prepaid, to:

Richard Puccini  
Puccini Designs  
2177 Wellington Street  
North Dighton, MA 02764

**AND BY E-MAIL TO:**

1. Richard Puccini, [puccinidesigns@comcast.net](mailto:puccinidesigns@comcast.net)
2. The Rhode Island Board of Examination and Registration of Architects
3. Brian Riggs, DBR Assistant Director
4. Dawne Broadfield, DBR Architect Board Executive
5. Amy Stewart, Esq., DBR Senior Legal Counsel

RP 7/31/2018

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