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8 **BEFORE THE**
CALIFORNIA ARCHITECTS BOARD
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 14-03-46

12 **TIEN HSI CHU**
3354 E. Colorado Blvd.
13 Pasadena, CA 91107

A C C U S A T I O N

14 Architect License No. C-15558

15 Respondent.

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18 Complainant alleges:

19 **PARTIES**

20 1. Douglas R. McCauley (Complainant) brings this Accusation solely in his official
21 capacity as the Executive Officer of the California Architects Board, Department of Consumer
22 Affairs (Board).

23 2. On or about March 13, 1985, the Board issued Architect License No. C-15558 to Tien
24 Hsi Chu (Respondent). The Architect License was in full force and effect at all times relevant to
25 the charges brought herein and will expire on January 31, 2017, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board, under the authority of the following
28 laws. All section references are to the Business and Professions Code unless otherwise indicated.

1 qualifications, functions, and duties of the licensee in question.

2 "As used in this section, 'license' includes 'certificate,' 'permit,' 'authority,' and 'registration.'"

3 7. Section 498 states:

4 "A board may revoke, suspend, or otherwise restrict a license on the ground that the licensee
5 secured the license by fraud, deceit, or knowing misrepresentation of a material fact or by
6 knowingly omitting to state a material fact."

7 8. Section 5500 states: "As used in this chapter [Chapter 3 (commencing with Section
8 5500)], architect means a person who is licensed to practice architecture in this state under the
9 authority of this chapter."

10 9. Section 5555 states: "Licenses to practice architecture remain in full force until
11 revoked or suspended for cause, or until they expire, as provided in this chapter [Chapter 3
12 (commencing with Section 5500)]."

13 10. Section 5577 states:

14 "The conviction of a crime substantially related to the qualifications, functions, and duties of
15 an architect by the holder of a license constitutes a ground for disciplinary action. The record of
16 conviction, or a certified copy thereof certified by the clerk of the court or by the judge in whose
17 court the conviction is obtained, is conclusive evidence of the conviction.

18 "A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to
19 be a conviction within the meaning of this section. The board may order the license suspended or
20 revoked, or may decline to issue a license, when the time for appeal has elapsed, the judgment of
21 conviction has been affirmed on appeal, or an order granting probation is made suspending the
22 imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4
23 of the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a plea of
24 not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or
25 indictment."

26 11. Section 5578 states: "The fact that the holder of a license is practicing in violation of
27 the provisions of this chapter constitutes a ground for disciplinary action."

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Conviction of a Substantially Related Crime)**

3 16. Respondent is subject to disciplinary action under sections 490 and 5579, in
4 conjunction with Regulations section 110, in that on or about August 25, 2014, after pleading nolo
5 contendere, Respondent was convicted of a crime substantially related to the qualifications,
6 functions and duties of an architect which to a substantial degree evidences his present or potential
7 unfitness as an architect to perform the functions authorized by his license in a manner consistent
8 with the public health, safety or welfare. The circumstances are as follows:

9 a. On or about August 25, 2014, after pleading nolo contendere, Respondent was
10 convicted of one misdemeanor count of violating Penal Code section 472 [counterfeit seal] in the
11 criminal proceeding entitled *The People of the State of California v. Tien Hsi Chu* (Super. Ct. Los
12 Angeles County, 2014, No. 4AH01921. The Court placed Respondent on 36 months probation,
13 and ordered him to complete 25 hours of community service.

14 b. The circumstances underlying the conviction are that on and between 2004 through
15 2013, Respondent had a business relationship with E.G.L. a licensed civil engineer. E.G.L.
16 provided consulting services for Respondent on his projects with the express condition that E.G.L.
17 would not stamp or sign on any drawings or calculations. Without E.G.L.'s knowledge or
18 authorization, Respondent obtained a civil engineer's seal using E.G.L.'s name¹ and civil engineer
19 license number C56706. Further, without E.G.L.'s approval or knowledge, Respondent used the
20 counterfeit engineer seal on structural drawings, plans and specifications, and submitted the
21 counterfeit engineer stamped documents to municipal building departments for reviews and
22 approvals. In addition, within the seal impression on all documents that Respondent used the
23 counterfeit seal, Respondent made a forgery of E.G.L.'s initials.

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27 ¹ E.G.L.'s true seal had his full name and truncated expiration date. Respondent's
28 counterfeit seal had E.G.L.'s abbreviated name and no truncated expiration date.

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SECOND CAUSE FOR DISCIPLINE

(Obtain License by Fraud or Misrepresentation)

17. Respondent is subject to disciplinary action under sections 498 and 5579, in that Respondent obtained the renewal of his Architect's License by fraud or misrepresentation when he answered "No" to question 2 on his January 31, 2015 Renewal Application. Respondent represented on the Renewal Application that he had not been convicted of a crime during the preceding renewal period when in fact, on or about August 25, 2014, Respondent sustained a criminal conviction as set forth above in paragraph 16. On or about January 25, 2015, Respondent certified under penalty of perjury that all representations on the Renewal Application were true, correct, and contained no material omissions of fact. Complainant refers to and by this reference incorporates the allegations set forth above in paragraph 16, inclusive, as though set forth fully.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board issue a decision:

1. Revoking or suspending Architect License No. C-15558, issued to Tien Hsi Chu;
2. Ordering Tien Hsi Chu to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED: 8/31/2015


 DOUGLAS R. MCCAULEY
 Executive Officer
 California Architects Board
 Department of Consumer Affairs
 State of California
 Complainant

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