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**BEFORE THE
CALIFORNIA ARCHITECTS BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:
JEFFREY STANTON SULKIN
2525 Michigan Ave., Space T-6
Santa Monica, CA 90404
Architect License No. C-20501
Respondent.

Case No. 1402029-01

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about August 7, 2015, Complainant Douglas R. McCauley, in his official capacity as the Executive Officer of the California Architects Board, Department of Consumer Affairs, filed Accusation No. 1402029-01 against Jeffrey Stanton Sulkin (Respondent) before the California Architects Board. (Accusation attached as Exhibit A.)

2. On or about June 30, 1989, the California Architects Board (Board) issued Architect License No. C-20501 to Respondent. The Architect License expired on March 31, 2011, and has not been renewed.

3. On or about August 14, 2015, Respondent was served by Certified and First Class Mail copies of the Accusation No. 1402029-01, Statement to Respondent, Notice of Defense, Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6,

1 and 11507.7) at Respondent's address of record which, pursuant to Business and Professions
2 Code (BPC) section 5558 and California Code of Regulations, title 16, section 104, is required to
3 be reported and maintained with the Board. Respondent's address of record was and is: 2525
4 Michigan Ave., Space T-6, Santa Monica, CA 90404.

5 4. Service of the Accusation was effective as a matter of law under the provisions of
6 Government Code section 11505, subdivision (c) and/or BPC section 124.

7 5. California Government Code section 11506 states, in pertinent part:

8 (c) The respondent shall be entitled to a hearing on the merits if the respondent
9 files a notice of defense, and the notice shall be deemed a specific denial of all parts
10 of the accusation not expressly admitted. Failure to file a notice of defense shall
11 constitute a waiver of respondent's right to a hearing, but the agency in its discretion
12 may nevertheless grant a hearing.

13 6. Respondent failed to file a Notice of Defense within 15 days after service upon him
14 of the Accusation, and therefore waived his right to a hearing on the merits of Accusation No.
15 1402029-01.

16 7. California Government Code section 11520 states, in pertinent part:

17 (a) If the respondent either fails to file a notice of defense or to appear at the
18 hearing, the agency may take action based upon the respondent's express admissions
19 or upon other evidence and affidavits may be used as evidence without any notice to
20 respondent.

21 8. Pursuant to its authority under Government Code section 11520, the Board finds
22 Respondent is in default. The Board will take action without further hearing and, based on the
23 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as
24 taking official notice of all the investigatory reports, exhibits and statements contained therein on
25 file at the Board's office regarding the allegations contained in Accusation No. 1402029-01, finds
26 that the charges and allegations in Accusation No. 1402029-01, are separately and severally,
27 found to be true and correct by clear and convincing evidence.

28 **DETERMINATION OF ISSUES**

1 Based on the foregoing findings of fact, Respondent Jeffrey Stanton Sulkin has
2 subjected his Architect License No. C-20501 to discipline.

3 The agency has jurisdiction to adjudicate this case by default.

1 3. The California Architects Board is authorized to revoke Respondent's Architect
2 License based upon the following violations alleged in the Accusation which are supported by the
3 evidence contained in the Default Decision Evidence Packet in this case.

4 a. Respondent is subject to disciplinary action under sections 5578, 5536, subdivision
5 (a), 5536.1, subdivision (c), and 5537, subdivision (a), for violation of the provisions of the
6 Architects Practice Act, in that, without being licensed as an architect, he prepared plans and
7 specifications for buildings that are not exempt from the Architects Practice Act. On or about July
8 1, 2013, Respondent entered into a contract with Eric Colton to prepare plans and specifications
9 for multiple structures on a site known as Malibu Ranch. Approximately five months later,
10 Respondent submitted plans and specifications for at least fifteen structures, including buildings
11 that were not of wood frame construction. The buildings were not those which the Architects
12 Practice Act permits an unlicensed person to design. Respondent was required to have an active
13 architect's license in order to prepare the plans and specifications for the proposed structures on
14 Malibu Ranch, but he was not licensed at any time after March 31, 2011.

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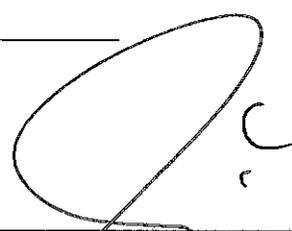
ORDER

IT IS SO ORDERED that Architect License No. C-20501, heretofore issued to Respondent Jeffrey Stanton Sulkin, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on 1/13/2016.

It is so ORDERED 12/10/2015



FOR THE CALIFORNIA ARCHITECTS BOARD
DEPARTMENT OF CONSUMER AFFAIRS

61750862.DOC
DOJ Matter ID:LA2015500200

Attachment:
Exhibit A: Accusation

Exhibit A

Accusation

(JEFFREY STANTON SULKIN)

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2 LINDA L. SUN
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7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 1402029-01

12 **JEFFREY STANTON SULKIN**
2525 Michigan Ave., Space T-6
13 Santa Monica, CA 90404

A C C U S A T I O N

[Gov. Code, § 11503]

14 **Architect License No. C-20501**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

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

22 2. On June 30, 1989, the California Architects Board (Board) issued Architect License
23 Number C-20501 to Jeffrey Stanton Sulkin (Respondent). The Architect License expired on
24 March 31, 2011, and has not been renewed.

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1 **JURISDICTION**

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

4 4. Section 118 states, in pertinent part:

5 (b) The suspension, expiration, or forfeiture by operation of law of a license
6 issued by a board in the department, or its suspension, forfeiture, or cancellation by
7 order of the board or by order of a court of law, or its surrender without the written
8 consent of the board, shall not, during any period in which it may be renewed, restored,
9 reissued, or reinstated, deprive the board of its authority to institute or continue a
disciplinary proceeding against the licensee upon any ground provided by law or to
enter an order suspending or revoking the license or otherwise taking disciplinary
action against the licensee on any such ground.

10 5. Section 5560 states:

11 The board may upon its own motion, and shall upon the verified complaint in
12 writing of any person, investigate the actions of any architect and may temporarily
13 suspend or permanently revoke, the license of any architect who is guilty of, or
14 commits one or more of, the acts or omissions constituting grounds for disciplinary
15 action under this chapter.

15 **STATUTES**

16 6. Section 5500 states:

17 As used in this chapter [Chapter 3 (commencing with Section 5500)], architect
18 means a person who is licensed to practice architecture in this state under the authority
19 of this chapter.

20 7. Section 5536 states, in pertinent part:

21 (a) It is a misdemeanor, punishable by a fine of not less than one hundred dollars
22 (\$100) nor more than five thousand dollars (\$5,000), or by imprisonment in a county
23 jail not exceeding one year, or by both that fine and imprisonment, for any person who
24 is not licensed to practice architecture under this chapter to practice architecture in this
25 state, to use any term confusingly similar to the word architect, to use the stamp of a
26 licensed architect, as provided in Section 5536.1, or to advertise or put out any
27 sign, card, or other device that might indicate to the public that he or she is an
28 architect, that he or she is qualified to engage in the practice of architecture, or that he
or she is an architectural designer.

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8. Section 5536.1 states, in pertinent part:

(c) The preparation of plans, specifications, or instruments of service for any building, except the buildings described in Section 5537, by any person who is not licensed to practice architecture in this state, is a misdemeanor punishable as provided in Section 5536.

9. Section 5537 states, in pertinent part:

(a) This chapter does not prohibit any person from preparing plans, drawings, or specifications for any of the following:

(1) Single-family dwellings of woodframe construction not more than two stories and basement in height.

(2) Multiple dwellings containing no more than four dwelling units of woodframe construction not more than two stories and basement in height. However, this paragraph shall not be construed as allowing an unlicensed person to design multiple clusters of up to four dwelling units each to form apartment or condominium complexes where the total exceeds four units on any lawfully divided lot.

(3) Garages or other structures appurtenant to buildings described under subdivision (a), of woodframe construction not more than two stories and basement in height.

(4) Agricultural and ranch buildings of woodframe construction, unless the building official having jurisdiction deems that an undue risk to the public health, safety, or welfare is involved.

10. Section 5578 states:

The fact that the holder of a license is practicing in violation of the provisions of this chapter constitutes a ground for disciplinary action.

COST RECOVERY

11. Section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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1 FIRST CAUSE FOR DISCIPLINE

2 (Unlicensed Practice)

3 12. Respondent is subject to disciplinary action under sections 5578, 5536, subdivision
4 (a), 5536.1, subdivision (c), and 5537, subdivision (a), for violation of the provisions of the
5 Architects Practice Act, in that, without being licensed as an architect, he prepared plans and
6 specifications for buildings that are not exempt from the Architects Practice Act. On or about July
7 1, 2013, Respondent entered into a contract with Eric Colton to prepare plans and specifications
8 for multiple structures on a site known as Malibu Ranch. Approximately five months later,
9 Respondent submitted plans and specifications for at least fifteen structures, including buildings
10 that were not of woodframe construction. The buildings were not those which the Architects
11 Practice Act permits an unlicensed person to design. Respondent was required to have an active
12 architect's license in order to prepare the plans and specifications for the proposed structures on
13 Malibu Ranch, but he was not licensed at any time after March 31, 2011.

14 PRAYER

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

- 17 1. Revoking or suspending Architect License Number C-20501, issued to Jeffrey
18 Stanton Sulkin;
- 19 2. Ordering Jeffrey Stanton Sulkin to pay the California Architects Board the reasonable
20 costs of the investigation and enforcement of this case, pursuant to Business and Professions
21 Code section 125.3; and,
- 22 3. Taking such other and further action as deemed necessary and proper.
- 23
- 24

25 DATED: August 7, 2015

26 Douglas R. McCauley
27 DOUGLAS R. McCAULEY
28 Executive Officer
California Architects Board
Department of Consumer Affairs
State of California
Complainant