

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 KAREN R. DENVIR
Deputy Attorney General
4 State Bar No. 197268
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-5333
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case Nos. 12-12-288; 13-01-006

12 **JOSEPH A. ACEVEDO AKA**
13 **JOSEPH ANTHONY ACEVEDO**
14 **8825 Thornton Road, Suite B**
Stockton, CA 95209

ACCUSATION

Accusation No. 030100601

15 **Architect License No. C-26875**

16 Respondent.

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 or about April 15, 1997, the California Architects Board issued Architect License
23 Number C-26875 to Joseph A. Acevedo aka Joseph Anthony Acevedo (Respondent). The
24 License expired on December 31, 2011, and has not been renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the California Architects Board (Board),
27 Department of Consumer Affairs, under the authority of the following laws. All section
28 references are to the Business and Professions Code unless otherwise indicated.

1 REGULATORY PROVISIONS

2 10. California Code of Regulations, Title 16 (Regulations), section 160 states, in pertinent
3 part:

4 A violation of any rule of professional conduct in the practice of architecture constitutes a
5 ground for disciplinary action. Every person who holds a license issued by the Board shall
6 comply with the following:

7 ...

8 (b)(2) Whenever the Board is conducting an investigation, an architect or a candidate for
9 licensure shall respond to the Board's requests for information and/or evidence within 30 days of
10 the date mailed to or personally delivered on the architect or a candidate for licensure.

11 ...

12 COST RECOVERY

13 11. Section 125.3, subdivision (a), states, in pertinent part:

14 Except as otherwise provided by law, in any order issued in resolution of a disciplinary
15 proceeding before any board within the department . . . upon request of the entity bringing the
16 proceedings the administrative law judge may direct a licentiate found to have committed a
17 violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the
18 investigation and enforcement of the case.

19 OUR LADY OF GUADALUPE CATHOLIC CHURCH PROJECT

20 12. On or about March 11, 2011, Respondent entered into a contract with Our Lady of
21 Guadalupe Catholic Church ("Church"), in Lathrop, California, to design a new church.
22 Respondent agreed to design a new church in the mission style with a small chapel, including a
23 suite for the priest to use as a dwelling, and quoted \$28,000 for the design work. By October 12,
24 2012, the Church had paid Respondent \$21,500, yet Respondent had only completed
25 approximately 55%-70% of the design work. On or about October 16, 2012, Respondent sent a
26 letter to the attorney for the Church, in which he stated he would need an additional two months
27 to substantially complete the drawings and to satisfy the requirements for the architectural portion
28 of the design. At the time Respondent sent the letter, his license was expired and invalid.

1 Respondent's letter was on his architecture firm's letterhead, and Respondent placed his signature
2 above his name, "J. Anthony Acevedo AIA, Architect." Respondent failed to complete the
3 project. On or about December 4, 2012, a complaint against Respondent was filed with the Board
4 on behalf of the Church, alleging violations of the Architects Practice Act.

5 13. On January 4, 2013, the Board sent Respondent a letter setting forth the allegations
6 against him and requesting a written response to the allegations as well as relevant documents,
7 including copies of all design and construction plans and copies of all invoices. No response was
8 received by the Board. On February 5, 2013, the Board sent Respondent a final request by
9 certified mail for the requested information and documents. The certified mail receipt that was
10 returned to the Board showed the letter was delivered on February 6, 2013. To date, Respondent
11 has not provided a written response, nor has he provided the supporting documents requested by
12 the Board.

13 **FIRST CAUSE FOR DISCIPLINE**

14 **(Unlicensed Practice)**

15 14. Respondent is subject to disciplinary action under section 5578, for violation of Code
16 section 5536, subdivision (a), in that he engaged in the practice of architecture and used the terms
17 "architect," and "architecture" without being currently licensed to do so, as set forth in paragraph
18 12.

19 **SECOND CAUSE FOR DISCIPLINE**

20 **(Negligence)**

21 15. Respondent is subject to disciplinary action under section 5578, for violation of Code
22 section 5584 in that he was negligent in the practice of architecture when he abandoned the
23 Church project, as set forth in paragraph 12.

24 **THIRD CAUSE FOR DISCIPLINE**

25 **(Willful Misconduct)**

26 16. Respondent is subject to disciplinary action under section 5578, for violation of
27 Regulations section 160, subdivision (b), in that he failed to respond to the Board's requests for
28 information and evidence, as set forth in paragraph 13.

S.S. PROJECT

1
2 17. On or about February 23, 2012, while his architect's license was expired, Respondent
3 contracted with S.S. to work on a proposed project to convert a multi-family residence into a
4 single family dwelling. Respondent contracted to provide the following services: investigate the
5 site for current code requirements; prepare a letter of evaluation for the life safety and analysis of
6 the building as a single family dwelling to submit to the City of Stockton (City); and, develop the
7 construction documents necessary for the issuance of a building permit from the City. The
8 contract price was \$375 for the initial site investigation and letter of evaluation, and \$2,000 for
9 the construction documents. The contract was on the letterhead of Respondent's architecture firm
10 and stated that the construction documents will contain "Architectural Details," and Respondent
11 placed his signature above his name, "J. Anthony Acevedo AIA, Architect." On or about August
12 20, 2012, Respondent prepared and stamped drawings for the project; however, they were
13 rejected by the City for failing to meet requirements. The plans contained a title block stating, "J.
14 Anthony Acevedo & Associates Architecture" and "J. Anthony Acevedo AIA, Architect." The
15 plans also contained the subject's stamp which states "Licensed Architect" and a renewal date
16 "12/31/2013."

17 18. On or about September 7, 2012, S.S. notified Respondent that the construction
18 documents had been rejected by the City and detailed the missing information required by the
19 City. On or about October 17, 2012, S.S. requested Respondent to revise and complete the
20 construction documents so that the building permit could be obtained. As of December 31, 2012,
21 S.S. had paid Respondent \$1,675, but Respondent did not complete the project and failed to
22 return S.S.'s telephone calls and email messages. S.S. then hired someone else to complete the
23 construction documents, which delayed completion of the project and caused S.S. to incur
24 monetary damages. On or about December 31, 2012, S.S. filed a complaint with the Board
25 against Respondent, alleging violations of the Architects Practice Act.

26 19. On January 4, 2013, the Board sent Respondent a letter setting forth the allegations
27 against him and requesting a written response to the allegations as well as relevant documents,
28 including copies of all plans designed by Respondent for the project and copies of all invoices.

1 No response was received by the Board. On February 5, 2013, the Board sent Respondent a final
2 request by certified mail for the requested information and documents. The certified mail receipt
3 that was returned to the Board showed the letter was delivered on February 6, 2013. To date,
4 Respondent has not provided a written response, nor has he provided the supporting documents
5 requested by the Board.

6 **FOURTH CAUSE FOR DISCIPLINE**

7 **(Unlicensed Practice)**

8 20. Respondent is subject to disciplinary action under section 5578, for violation of Code
9 section 5536, subdivision (a), in that he engaged in the practice of architecture and used the terms
10 "architect," "architecture," and "architectural" without being currently licensed to do so, as set
11 forth in paragraphs 17 and 18.

12 **FIFTH CAUSE FOR DISCIPLINE**

13 **(Negligence)**

14 21. Respondent is subject to disciplinary action under section 5578, for violation of Code
15 section 5584 in that he was negligent in the practice of architecture when he abandoned the S.S.
16 project, as set forth in paragraphs 17 and 18.

17 **SIXTH CAUSE FOR DISCIPLINE**

18 **(Willful Misconduct)**

19 22. Respondent is subject to disciplinary action under section 5578, for violation of
20 Regulations section 160, subdivision (b), in that he failed to respond to the Board's requests for
21 information and evidence, as set forth in paragraph 19.

22 **PRAYER**

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

25 1. Revoking or suspending Architect License Number C-26875, issued to Joseph A.
26 Acevedo; aka Joseph Anthony Acevedo;

27 ///

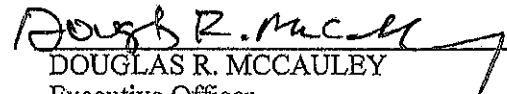
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2. Ordering Joseph A. Acevedo, aka Joseph Anthony Acevedo, to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and

3. Taking such other and further action as deemed necessary and proper.

DATED: 6/10/2015



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