

**BEFORE THE BOARD OF GOVERNORS
OF LICENSED ARCHITECTS, LANDSCAPE ARCHITECTS
AND REGISTERED COMMERCIAL INTERIOR DESIGNERS OF OKLAHOMA
STATE OF OKLAHOMA**

IN THE MATTER OF THE COMPLAINT
AGAINST:

Case No. 2020-600

JEFFREY G. FRY
108 S. DIVISION STREET, SUITE 201
GUTHRIE, OK 73044

AND

JGF DESIGN STUDIO, LLC
C/O JEFFREY G. FRY
115 N. 2ND STREET
GUTHRIE, OK 73044,

AND

FRY DESIGN COMPANY, LLC
C/O JEFFREY G. FRY
108 S. DIVISION STREET
GUTHRIE, OK 73044

Respondents.

CONSENT ORDER

COMES NOW the Board of Governors of Licensed Architects, Landscape Architects and Registered Commercial Interior Designers of Oklahoma (the "Board") and Respondents, Respondents, Jeff Fry ("Mr. Fry"), JFG Design Studio ("JFG Design"), and Fry Design Company, LLC ("Fry Design") (collectively, Mr. Fry, JFG Design, and Fry Design are referred to as "Respondents") state as follows:

FINDINGS OF FACT

1. At no time has Respondent Mr. Fry possessed a license to practice Architecture within the State of Oklahoma.

2. At no time has Respondent JFG Design possessed a Certificate of Authority to practice Architecture within the State of Oklahoma.

3. At no time has Respondent Fry Design possessed a Certificate of Authority to practice Architecture within the State of Oklahoma.

4. Respondent Mr. Fry has unlawfully practiced architecture, as defined in 59 Okla. Stat. § 46.3 by holding himself out as having the ability to practice architecture in the State of Oklahoma on his LinkedIn page despite the fact Mr. Fry does not possess a license to practice Architecture in the State of Oklahoma.

5. Respondent JGF Design has unlawfully practiced architecture, as defined in 59 Okla. Stat. § 46.3 by holding itself out as having the ability to practice architecture in the state of Oklahoma on its Houzz website page despite the fact JGF Design does not possess a certificate of authority to practice Architecture in the State of Oklahoma.

6. Respondent Fry Design has unlawfully practiced architecture, as defined in 59 Okla. Stat. § 46.3 by holding itself out as having the ability to practice architecture in the state of Oklahoma on its webpage/LinkedIn page despite the fact Fry Design does not possess a certificate of authority to practice Architecture in the State of Oklahoma.

7. Respondent Mr. Fry has committed dishonest practice, as defined in The Rules of the Board, recorded in the Oklahoma Administrative Code, at OAC 55:10-15-7 by representing and holding himself out as having the ability to practice architecture in the state of Oklahoma without having a valid license to practice Architecture in the State of Oklahoma.

8. Respondent Mr. Fry has committed fraud or misrepresentation, as defined in The Rules of the Board, recorded in the Oklahoma Administrative Code, at OAC 55:10-15-4 by knowingly making false and/or misleading statements to the general public, clients, and sub-contractors that Mr. Fry is a licensed Architect and/or using the “AIA” designation after his name in written correspondences without having a valid license to practice Architecture in the State of Oklahoma.

CONCLUSIONS OF LAW

1. The Board of Governors of Licensed Architects, Landscape Architects and Registered Commercial Interior Designers of Oklahoma has jurisdiction of this case pursuant to:

- a. Oklahoma State Architectural and Registered Commercial Interior Designers Act, 59 OKLA. STAT. §46.1 et. seq. (the “Act”).
- b. Rules of the Board as recorded in the Oklahoma Administrative Code 55:10-1-1 (the “Rules”).

2. The Act, at Title 59 Okla. Stat. § 46.7, states:

[T]he Board shall have the power and duty to... [p]romulgate rules of conduct governing the practice of licensed architects and landscape architects.

3. The practice of architecture is subject to the Oklahoma State Architectural and Registered Commercial Interior Designers Act, 59 Okla. Stat. § 46.8a, which states:

It shall be unlawful for any person to directly or indirectly engage in the practice of architecture in this state or use the title "Architect", "Registered or Licensed Architect", "Architectural Designer", or display or use any words, letters, figures, titles, signs, cards, advertisements, or other symbols or devices indicating or tending to indicate that such person is an architect or is practicing architecture, unless the person is licensed under the provisions of this act. No person shall aid or abet any person, not licensed under the provisions of this act, in the practice of architecture.

4. The Act, at Title 59 Okla. Stat. § 46.9, states:

The practice of architecture or landscape architecture or offering to practice these professions for others by persons licensed under this act through a partnership, firm, association, corporation, limited liability company or limited liability partnership as directors, partners, officers, shareholders, employees, managers, members or principals is permitted, subject to the provisions of the State Architectural and Registered Commercial Interior Designers Act, provided: ... (4) Said partnership, firm, association, corporation, limited liability company or limited liability partnership has been issued a certificate of authority by the Board.

5. The Rules, at OAC 55:10-15-7 provide the following:

Dishonest practice means the following practices, among others, may be deemed dishonest practice:

- (1) Acts which evidence violation, or attempts to violate, any laws or Rules of this or any other state relating to licensing or the practice architecture or landscape architecture....
- (3) Acts which evidence attempts through commission or omission, to mislead or defraud any party....
- (8) Acts evidenced by exaggerated, misleading, deceptive or false statements or claims about professional qualifications.

6. The Rules, at OAC 55:10-15-4 provide the following:

Any Architect, Landscape Architect, Registered Commercial Interior Designer, Entity or any other party who shall make oral or written fraudulent, false or misleading statements on any document, report, statement, examination, investigation, plans or specifications shall, upon conviction, be deemed guilty of fraud or misrepresentation.

7. Respondent was properly notified of potential violation and acknowledged his right to counsel.

8. The Findings of Fact stipulated to by Respondent, if proven, constitute violations of the State Architectural and Registered Commercial Interior Designers Act and the Rules of the Board as recorded in the Oklahoma Administrative Code 55:10, pertaining to the professional practice of architecture and registered interior design upon which the Board may take disciplinary action against Respondent.

9. Respondent admits guilt to each of the five counts contained in the First Amended Notice of Complaint and Hearing and, in lieu of a proceeding of a formal disciplinary action, hereby agrees that the Board may enter a final order against him as set forth below.

10. Pursuant to (OAC) 55:10-15-9(4), the Secretary-Treasurer has the authority to seek informal resolution of matters referred to the Board.

11. Pursuant to (OAC) 55:10-15-10, the Secretary-Treasurer submits the following Consent Order to the Board for approval of the informal resolution and final disposition of this matter.

CONSENT

Respondent, by affixing his signature hereto, acknowledges that:

1. Respondent understands this Consent Order is subject to the approval of the Board and has no force and effect until a final decision based upon it is rendered by the Board.

2. Respondent has been specifically advised to seek the advice of counsel prior to signing this Consent Order, and

3. Respondent acknowledges that he has the following rights, among others:

- a. The right to a formal fact-finding hearing before the Board;
- b. The right to reasonable notice of said hearing;
- c. The right to compel the testimony of witnesses;
- d. The right to cross-examine witnesses against themselves;
- e. The right to obtain judicial review of the Board's decisions; and,
- f. The right to counsel.

4. Respondent waives his right to the representation of counsel in this matter.

5. Respondent waives all other rights to a formal hearing as set forth above in paragraph three (3).

6. Respondent understands in order to make a decision relative to approving this Consent Order discussions must take place between Board members, Board Staff and Board Counsel. These discussions may include the Board's review of any and all previously enumerated exhibits or referenced project materials. Respondent understands that these discussions will take place at the Board's next regularly scheduled meeting in Oklahoma City, Oklahoma. Respondent understands he has the right to be present when this matter is discussed, but hereby waives that right.

7. Respondent, for the purpose of avoiding further administrative action with respect to this cause, executes this Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation in or

resolution of these proceedings. Likewise, if this Consent Order is not accepted, the Board shall not take into consideration the contents of this Order as evidence of an admission.

8. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and the final decision of the Board incorporating said Consent Order.

9. This Consent Order contains the entire agreement between the parties. Respondent is not relying on any other agreement or representation of any kind, verbal or otherwise.

10. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Consent Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

11. This Consent Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Consent Order may not be altered, amended, modified, supplemented or otherwise changed except by a writing executed by an authorized representative of each of the parties.

12. Respondent consents to the entry of this Consent Order.

ORDER

In accordance with the foregoing findings of facts and conclusions of law, and the agreement and consent of the Respondent IT IS THEREFORE ORDERED:

13. Respondent Mr. Fry is REPRIMANDED by the Board for his actions in holding himself out as having the ability to practice architecture in the State of Oklahoma on his LinkedIn page despite the fact Mr. Fry does not possess a license to practice Architecture in the State of Oklahoma.

14. Respondent JGF Design is REPRIMANDED by the Board for its actions in holding itself out as having the ability to practice architecture in the State of Oklahoma despite the fact JGF Design does not possess a certificate of authority to practice Architecture in the State of Oklahoma.

15. Respondent Fry Design is REPRIMANDED by the Board for its actions in holding itself out as having the ability to practice architecture in the State of Oklahoma despite the fact Fry Design does not possess a certificate of authority to practice Architecture in the State of Oklahoma.

16. Respondent Mr. Fry is REPRIMANDED by the Board for his actions in representing and holding himself out as having the ability to practice architecture in the state of Oklahoma without having a valid license to practice Architecture in the State of Oklahoma.

17. Respondent Mr. Fry is REPRIMANDED by the Board for his actions in knowingly making false and/or misleading statements to the general public, clients, and sub-contractors that Mr. Fry is a licensed Architect and/or using the “AIA” designation after his name in written correspondences without having a valid license to practice Architecture in the State of Oklahoma.

18. Respondents are assessed, jointly and severally, a civil penalty in the amount of five thousand dollars (\$5,000.00), which shall be paid within sixty (60) days from the date of the entry of this Consent Order.

DISCLOSURE

Pursuant to the Oklahoma Open Records Act, 51 O.S. § 24-A.1 through 24-A.21, the signed original of this Consent Order shall remain in the custody of the Board as a public record and shall be made available for public inspection, publication, and copying upon request, and may make any use it deems appropriate of the contents of this Consent Agreement, which shall include the Board's ability to share the content of this Consent Agreement with any state or federal governmental or professional board or organization, publication of a summary in the Board newsletter, posting on the Board website, reporting to state and national databanks, including databanks maintained by associations to which the Board is a member.

[Signature page to follow]

JEFFREY G. FRY

Signature: Jeffrey G Fry
Date: 9/7/21

JGF DESIGN STUDIO, LLC

Signature: Jeffrey G Fry
By: Jeffrey G Fry
Jeffrey G. Fry, Member
Date: 9/7/21

FRY DESIGN COMPANY, LLC

Signature: _____
Jeffrey G. Fry

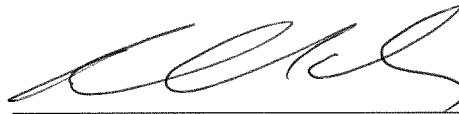
By: _____
Jeffrey G. Fry
Jeffrey G. Fry, Member

Date: _____
9/7/21

CERTIFICATION OF BOARD ATTORNEY

I believe this Consent Order to be in the best interests of the Board of Governors of Licensed Architects, Landscape Architects and Registered Commercial Interior Designers of Oklahoma and the State of Oklahoma for the violations as alleged in the First Amended Notice of Complaint and Hearing.

Dated this 23rd day of September 2021.



Michael D. McClintock, Prosecuting Attorney
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Oklahoma City, OK 73102-7103
Telephone: (405) 235-9621
Facsimile: (405) 235-0439

***Attorneys for Board of Governors of Licensed
Architects, Landscape Architects and
Registered Commercial Interior Designers of
Oklahoma***

ORDER OF THE BOARD

NOW on this _____ day of _____, 2021, Respondents have agreed voluntarily, with knowledge of his rights under law, to the entrance of this Consent Order for his purported actions which, if proven, violate the State Architectural and Registered Commercial Interior Designers Act as defined in 59 OKLA. STAT. § 46.1 et. seq., and the Rules of the Board recorded in the Oklahoma Administrative Code (OAC) 55:10-1-1 et. seq. It further appears that the foregoing Consent Order is just and equitable in order to safeguard life, health, and property, and to promote the public welfare in the State of Oklahoma.

IT IS THEREFORE ORDERED that the Respondents' stipulation to the alleged violations of the State Architectural and Registered Commercial Interior Designers Act as defined in 59 OKLA. STAT. § 46.1 et. seq., and the Rules of the Board recorded in the Oklahoma Administrative Code (OAC) 55:10-1-1 et. seq., are accepted, and the above Consent Order incorporated herein shall be the order of the Board of Governors of Licensed Architects, Landscape Architects and Registered Commercial Interior Designers of Oklahoma.

Dated this _____ day of _____, 2021.

BOARD OF GOVERNORS OF LICENSED
ARCHITECTS, LANDSCAPE ARCHITECTS
AND REGISTERED COMMERCIAL INTERIOR
DESIGNERS OF OKLAHOMA

By: _____