State Board of Architects	*	BEFORE THE
v.	*	STATE BOARD OF
Mark Steven Farmer	*	ARCHITECTS
Respondent	*	Agency Case No.: 16-AR-06

* * * * * *

Consent Order

This matter comes before the State Board of Architects ("Board") based on a complaint filed by the Board of Architects against Mark Steven Farmer, license registration number 04-8452, Respondent ("Respondent"). Based on that complaint and upon its own investigation, the Board determined that administrative charges against the Respondent are appropriate and a hearing on those charges should be held. As a means of resolving this matter, without a formal hearing, the Board and the Respondent have agreed to enter into this Consent Order to provide for the imposition of disciplinary measures which are fair and equitable in these circumstances and which are consistent with the best interests of the people of the State of Maryland.

THE PARTIES AGREE AND STIPULATE:

1. The Respondent is a licensed architect (license number 04-8452). At all times relevant to the matters set forth in this Consent Order, the Board has had jurisdiction over the subject matter and the Respondent.

2. The Respondent's current license expires on February 3, 2017.

3. On August 19, 2015, Respondent was convicted of several felonies in the United States District Court for the Northern District of Ohio Eastern Division, including Conspiracy to Commit Mail Fraud, Conspiracy to Commit Wire Fraud, Conspiracy to Commit Theft of Government Property or Records, Conspiracy to Commit Hobbs Act Violation, Wire Fraud, Hobbs Act Violation, Mail Fraud, and Theft of Government Property or Records.

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4. The Respondent admits that based on his convictions as described above, he is subject to sanctions by the Board under Md. Code Ann., Bus. Occ. & Prof. Art. ("BOP"), § 3-311(a)(1)(vii)(1) that provides, in pertinent part:

> **BOP §3-311 Denials, reprimands, suspensions, revocations and penalties. – Grounds**
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> (a) *In general.* – (1) Subject to the hearing provisions of §3-313 of this subtitle, the Board, on the affirmative vote of a majority of its authorized membership, may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if:
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> * * *
>
> (vii) under the laws of the United States or of any state, the applicant or licensee is convicted of:
>
> 1. a felony...

Pursuant to BOP §3-311(a)(2)(i) "[i]nstead of or in addition to reprimanding the licensee or suspending or revoking a license under this subsection, the Board may impose a penalty not exceeding $5,000 for each violation."

5. BOP §3-311 further states that there are certain factors that the Board shall consider:

> **BOP §3-311 Denials, reprimands, suspensions, revocations and penalties. – Grounds**
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> * * *
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> (b) *Facts considered.* – The Board shall consider the following facts in the granting, denial, renewal, suspension, or revocation of a license or the reprimand of a licensee when an applicant or licensee is convicted of a felony or misdemeanor described in subsection (a)(1)(vii) of this section:
>
> (1) the nature of the crime;
> (2) the relationship of the crime to the activities authorized by the license;
> (3) with respect to a felony, the relevance of the conviction to the fitness and qualification of the applicant or licensee to practice architecture;
> (4) the length of time since the conviction; and
> (5) the behavior and activities of the applicant or licensee before and after the conviction.

6. As sanction for these violations, the Respondent agrees to a SUSPENSION of his license from the Board from the date of the execution of this Consent Order through the expiration of his license on February 3, 2017.

7. The Respondent agrees that he will not apply to reinstate the license until after two (2) years have passed since the date that this Consent Order is executed. He further agrees and understands that any application for reinstatement would still be subject to possible denial by the Board at that time.

8. The Respondent, by entering into the Consent Order, expressly waives the right to have the charges reduced to writing, to an administrative hearing on the charges, the making of Findings of Fact and Conclusions of Law, any and all further proceedings before the Board to which the Respondent may be entitled in this matter, and any rights to appeal from this Order.

9. The Respondent recognizes that since his license will be suspended, the Board is required to notify the National Council of Architectural Registration Boards of the suspension of license.

10. The Respondent and the Board understand that this Consent Order will serve as the Final Order in this matter and be a part of the Respondent's licensing record that is maintained by the Board. The Respondent understands that even though this will be the Final Order in this matter, that does not prohibit the Board from denying a future reinstatement application based on the same conviction. The Board's records and publications will reflect the terms of the Consent Order.

11. The Respondent enters this Consent Order freely, knowingly and voluntarily.

WHEREFORE, based on these stipulations and agreements, it is hereby this _15th_ day of _November_, 2016, ORDERED by the State Board of Architects:

I. That the Respondent has been found to have violated Section 3-311, Business Occupations and Professions Article, Maryland Annotated Code;

II. That based on the Respondent's violations, the Respondent's license, number 04-8452, be and hereby is SUSPENDED until the date of its expiration on February 3, 2017;

III. That the National Council of Architectural Registration Boards be notified of the suspension of license; and

IV. That the Respondent shall not apply to reinstate the license for a period of two (2) years from the date this Consent Order is executed and that should he apply for reinstatement of his license, he must appear at a hearing before the Board, or its designee, on the application and that the Board has NOT waived the right to consider the felony convictions in reviewing his qualification for licensure; and

V. That the records of the Board shall reflect that this matter was resolved with this Consent Order.

Signatures on File

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