

Before the West Virginia Board of Architects

RECEIVED

John M. Sakoian, Jr.

FEB 07 2020

Complainant,  
v.

WV Board of Architects  
Certificate No. 4691

West Virginia Board of Architects,

Respondent.

**Consent Agreement and Order**

The West Virginia Board of Architects (“Board”), considered John M. Sakoian, Jr.’s application for reinstatement in accordance W. Va. Code R. § 2-1-8.7 (Inactive Status - Renewal of Registration). Mr. Sakoian disclosed that he engaged in the practice of architecture while there was a lapse in his registration which is a violation W. Va. Code § 30-12-11 and W. Va. Code R. § 2-1-8.9. The parties have reached an agreement as to the disposition of this matter in controversy, and do hereby agree to the following.

**Findings of Fact**

1. The Board is a state entity charged with regulating the practice of architecture pursuant to W. Va. Code § 30-12 *et seq.*
2. The Board is empowered to review and act upon license/registration applications, renewals, and reciprocity registrations pursuant to W. Va. Code § 30-12 *et seq.*, and W. Va. Code R. § 2-1 *et seq.*
3. The Board may deny an application for reinstatement upon satisfactory proof that the applicant engaged in conduct, practices or acts constituting professional negligence or a willful departure from accepted standards of professional conduct, or has violated the provisions of W. Va. Code § 30-12 *et seq.*, or applicable rules. See W. Va. Code R. § 2-1-10.

4. Mr. Sakoian was a licensed or registered architect (Certificate No. 4691) in the State of West Virginia. He allowed his license or registration to lapse. He was placed on inactive status.

5. Mr. Sakoian is seeking reinstatement of his license or registration.

6. Mr. Sakoian disclosed that he practiced architecture while there was a lapse in his license or registration.

7. The Board alleges that by practicing architecture while on inactive status, Mr. Sakoian violated W. Va. Code § 30-12-11 and W. Va. Code R § 2-1-8.9, and therefore is subject to disciplinary action pursuant to W. Va. Code R. § 2-1-10.

#### **Conclusions of Law**

1. The Board has jurisdiction to take disciplinary action against Mr. Sakoian.

2. The Board is mandated by W. Va. Code § 30-12-1 *et seq.* to safeguard the life, health, proper and public welfare of the people of this State and to protect the people against the unauthorized, or improper practice of architecture.

3. A registered architect shall comply with the registration laws and rules governing his or her professional practice in this state and other jurisdictions in which he or she practices. W. Va. Code R. § 2-1-9.4.3

4. The Board may deny an application for reinstatement upon satisfactory proof that the applicant engaged in conduct, practices or acts constituting professional negligence or a willful departure from accepted standards of professional conduct, or has violated the provisions of W. Va. Code § 30-12-1 *et seq.*, or applicable rules. See W. Va. Code R. § 2-1-10.

5. An architect shall not make misleading, deceptive or false statements or claims. W. Va. Code R. § 2-1-9.5.5

6. The conduct alleged against Mr. Sakoian, if proven at a hearing of this matter, constitutes a violation of W. Va. Code R. § 2-1-10, W. Va. Code § 30-12-11, and W. Va. Code R. § 2-1-8.9, in that he practiced architecture while on inactive status.

**Consent of Licensee**

Complainant, John M. Sakoian, Jr., by affixing his signature hereto, acknowledges the following:

1. Mr. Sakoian has been given the opportunity to consult with counsel of his choice with regard to this matter.

2. Mr. Sakoian executes this Consent Agreement and Order voluntarily, freely, without compulsion or duress and mindful that it has legal consequences.

3. No person or entity has made any promise or given any inducement whatsoever to encourage Mr. Sakoian to make this settlement other than as set forth herein.

4. Mr. Sakoian acknowledges that he is aware he may pursue this matter through appropriate administrative and/or court proceedings, and is aware of his legal rights regarding this matter, but intelligently, knowingly and voluntarily waive such rights.

5. Mr. Sakoian acknowledges that he is aware this Consent Agreement and Order is a public document, available for inspection at any time by any member of the public under W. Va. Code § 29B-1 *et seq.*, Freedom of Information Act, and may be reported to other governmental, professional Boards or organizations.

6. Mr. Sakoian waives any defense of laches, statute of limitations, estoppel, lack of jurisdiction, lack of due process, and waiver that he may have otherwise claimed as a condition of this Consent Agreement and Order.

7. Without admitting that his conduct violates W. Va. Code §30-12 *et seq.*, or applicable rules, Mr. Sakoian consents to this Consent Agreement and Order; however, this is not an admission by Mr. Sakoian to the Board's allegations, findings of fact or conclusions of law and shall not be construed as such.

8. Mr. Sakoian, by affixing his signature hereon, consents and agrees to the following terms and conditions:

**ORDER**

On the basis of the foregoing, the Board does hereby **ORDER** and **DECREE**:

1. The Board shall reinstate Mr. Sakoian's license or registration upon execution and entry of this Consent Agreement and Order;

2. Respondent agrees that this Consent Agreement and Order shall serve as a written reprimand.

3. Mr. Sakoian shall pay a reinstatement fee of \$250.00, which has already been paid.

4. Mr. Sakoian shall pay a late renewal fee of \$150.00.

5. Mr. Sakoian shall pay a civil penalty of \$1,200.00.

6. Mr. Sakoian shall reimburse the Board for administrative cost in the investigation and disposition of this matter in the amount of \$650.00.

7. Fees, penalties, and costs shall be paid within 30 days of the execution and entry of this Consent Agreement.

8. Mr. Sakoian's failure to comply with the terms and conditions of this Consent Agreement and Order hereby imposed shall be deemed a violation of this Consent Agreement and Order, and should Mr. Sakoian violate any of the terms of this Consent Agreement and

Order, the Board may take further disciplinary action against Mr. Sakoian's license or registration.

Entered this 7<sup>th</sup> day of FEBRUARY, 2020.

  
\_\_\_\_\_, President  
West Virginia Board of Architects


Reviewed and Agreed to by:

  
\_\_\_\_\_  
John M. Sakoian, Jr.

2-6-2020  
Date

Sworn and subscribed before me this 6 day of February 2020.

My Commission expires: 03-28-2023.

  
\_\_\_\_\_  
Notary Public

Commonwealth of Pennsylvania - Notary Seal  
Brian Ickes, Notary Public  
Allegheny County  
My commission expires March 28, 2023  
Commission number 1232201  
Member, Pennsylvania Association of Notaries