

BEFORE THE MISSISSIPPI STATE BOARD OF ARCHITECTURE

IN THE MATTER OF:
DEREK C. WEBB
DEK STUDIO
119 EAST 20TH STREET, SUITE 101
HOUSTON, TEXAS 77008

CAUSE NO. 23-10

CONSENT AGREEMENT

You are hereby notified that:

1. This matter came before the Mississippi State Board of Architecture concerning the entry of a Consent Order with Derek C. Webb. Having considered the matter, the parties, by consent, enter this Order and make the following Findings of Fact and Conclusions of Law, to-wit:
2. The parties to this action are the Mississippi State Board of Architecture (Board), which is a duly constituted Board existing within the executive branch of the government of the State of Mississippi located at 2 Professional Parkway, #2B, Ridgeland, Mississippi 39157, and Respondent is Derek C. Webb.
3. The Board proceeds in its official capacity as the licensing entity as authorized by Title 73, Chapter 1 of the Mississippi Code of 1972, as amended.
4. Derek C. Webb (Respondent) is an applicant of the Board, having applied for a reciprocal license on April 26, 2023.
5. As disclosed by the Respondent in connection with his reciprocal license application, the Respondent "provided conceptual images and renderings to a client" absent a current architectural license in Mississippi.

6. As mitigating factors, the Board considered that the Respondent has not been previously disciplined by the Board and disclosed his practice prior to licensure on his application.

7. Respondent has had the opportunity at all times to seek advice from competent counsel of his choice. No coercion has been exerted upon Respondent, nor have any promises been made other than those reflected in this Consent Order. Respondent has freely and voluntarily entered into this agreement, motivated only by a desire to resolve the issues addressed herein.

8. Respondent is fully aware of his right to contest charges made against him in a formal hearing. These rights include the right to representation by an attorney at Respondent's expense, the right to a public hearing on the charges filed, the right to confront and cross examine witnesses called to testify against him, the right to present evidence in Respondent's own behalf, the right to receive written findings of fact and conclusions of law supporting the decision of the merits of the accusations, and the right to obtain judicial review of the Board's decision. These rights are voluntarily waived by Respondent in exchange for the Board's acceptance of this Consent Order.

9. Having considered all of the information and evidence presented to it, the Board has determined that there is clear and convincing evidence to make a finding that the acts of the Respondent as described above in Paragraph Five constitute a violation of:

- a. *Miss. Code Ann.* § 73-1-1, which provides that no person shall practice architecture in this state unless such person shall have secured from the Board a license as an architect; and
- b. *Miss. Code Ann.* § 73-1-3(c), which defines a person engaging in the practice of architecture as "one who holds himself out as able to

perform any professional service such as planning, design, including aesthetic and structural designs, and consultation in connection therewith, or responsible inspection of construction, in connection with (except as specifically exempted herein) any buildings, structures, or projects, or the equipment or utilities thereof, or the accessories thereto, wherein the safeguarding of life, health or property is concerned or involved, when such professional service requires the application of the art and science of construction based upon the principles of mathematics, aesthetics, functional planning, and the physical sciences;" and

- c. *Miss. Code Ann. § 73-1-13(d)*, which provides that an applicant shall be precluded from registration for violating any of the rules of conduct required of applicants or architects as adopted by the Board or for practicing architecture, or holding oneself out as capable of practicing architecture, in this state in violation of the chapter; and
- d. Rule 2.7, which provides, in part, that an individual offering or proposing architectural services prior to licensure shall be prohibited from rendering additional architectural services beyond the offer or proposal until the individual has an active license.

10. Respondent has consented to a finding of wrongdoing as to the violations cited herein.

11. The Board finds that the Respondent has acknowledged this conduct, expressed regret for any violations of law or regulation arising from it, made efforts to rectify the improper conduct, and has willingly cooperated with the Board in resolving this matter.

12. In consideration of the foregoing admissions, the Board issues a public reprimand to the Respondent and orders that the Respondent is assessed a fine in the amount of one thousand dollars (\$1,000.00), which must be remitted in full within thirty (30) calendar days from entry of this order. Upon fulfillment of these terms and conditions, which shall be accepted by the Board as clear and convincing evidence of rehabilitation and reform, an architectural license shall be granted to the Respondent.

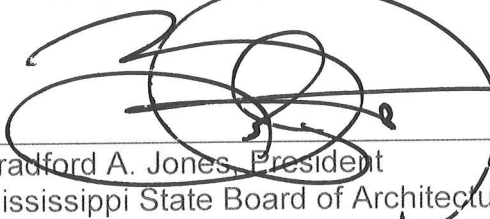
13. The Respondent acknowledges that the Board has jurisdiction over him and the subject matter which precipitated this Consent Order.

WHEREFORE PREMISES CONSIDERED, the Consent Order is submitted, and is the order of the Board in this matter, with the following conditions:


- a. Should the Board decline the entry of this Order, the Respondent by his signature below stipulates and agrees that:
 - i. He is entitled to a fair hearing before the Board on this matter; and
 - ii. This Order is not binding upon the Board or the Respondent, nor is it of any effect or consequence whatsoever, until signed by both parties; and
 - iii. Both the Board and the Respondent are free to either accept or reject this Order prior to their acceptance and signatures.
- b. If accepted and entered by the Board, the Respondent and the Board by their signatures acknowledge and understand that:
 - i. This document is public record. This disciplinary action shall be reported to and posted with the National Council of Architectural Registration Boards, shall be posted in the Board's disciplinary report, and shall be spread upon the Minutes of the Board as its official act and deed; and

- ii. This Order is the final disposition of this matter and no hearing before the Board will be granted or held on this matter; and
- iii. There is no right of appeal.
- c. The Respondent, by his signature, waives any and all objections or legal challenges he may have regarding or arising out of this matter, the entry of this Consent Order or any of its terms. He agrees to and waives any legal objections that may otherwise be available to him as to the Board taking this matter up preliminarily for purposes of considering this Consent Order.

SO ORDERED this the 17th day of October, 2023.



Bradford A. Jones, President
Mississippi State Board of Architecture



Derek C. Webb, Respondent