BEFORE THE CALIFORNIA ARCHITECTS BOARD LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. LA 2016-19

ROBERT DEAN 2419 Erie Street San Diego, CA 92110

Landscape Architect License No. LA 2322

Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the

California Architects Board, Landscape Architects Technical Committee, Department of

Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on July 17, 2018

It is so ORDERED June 13, 2018

FOR THE CALIFORNIA ARCHITECTS BOARD LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE DEPARTMENT OF CONSUMER AFFAIRS

1	XAVIER BECERRA	
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9		
10	CALIFORNIA ARO	RE THE CHITECTS BOARD
11	DEPARTMENT OF C	TECHNICAL COMMITTEE
12		CALIFORNIA
13	In the Matter of the Accusation Against:	Case No. LA 2016-19
14	ROBERT DEAN 2419 Erie Street	STIPULATED SURRENDER OF LICENSE AND ORDER
15	San Diego, CA 92110	LICENSE AND ORDER
16	Landscape Architect License No. LA 2322	
17	Respondent.	
18		
19	IT IS HEREBY STIPULATED AND AGE	REED by and between the parties to the above-
20	entitled proceedings that the following matters are true:	
21	PARTIES	
22	1. Vickie Mayer (Complainant) is the Interim Executive Officer of the Landscape	
23	Architects Technical Committee of the California	a Architects Board (Board) and is represented in
24	this matter by Xavier Becerra, Attorney General	of the State of California, by Alan Macina,
25	Deputy Attorney General. This action was broug	ght by Douglas R. McCauley, former Executive
26	Officer of the Board's Landscape Architects Tec	hnical Committee, and solely in his official
27	capacity.	
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1	2. Robert Dean (Respondent) is represented in this proceeding by attorney Thomas J.
2	Warwick, Jr., whose address is 101 W. Broadway, Suite 810, San Diego, CA 92101.
3	3. On or about March 22, 1983, the Board issued Landscape Architect License No. LA
4	2322 to Respondent. The Landscape Architect License was in full force and effect at all times
5	relevant to the charges and allegations brought in Accusation No. LA 2016-19 and will expire on
6	May 31, 2018, unless renewed.
7	JURISDICTION
8	4. Accusation No. LA 2016-19 was filed before the Board and is currently pending
9	against Respondent. The Accusation and all other statutorily required documents were properly
10	served on Respondent on November 27, 2017. Respondent timely filed his Notice of Defense
11	contesting the Accusation. A true and correct copy of Accusation No. LA 2016-19 is attached as
12	Exhibit A and incorporated by reference.
13	ADVISEMENT AND WAIVERS
14	5. Respondent has carefully read, fully discussed with counsel, and fully understands the
15	charges and allegations in Accusation No. LA 2016-19. Respondent also has carefully read, fully
16	discussed with counsel, and fully understands the effects of this Stipulated Surrender of License
17	and Order.
18	6. Respondent is fully aware of his legal rights in this matter, including the right to a
19	hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
20	the witnesses against him; the right to present evidence and to testify on his own behalf; the right
21	to the issuance of subpoenas to compel the attendance of witnesses and the production of
22	documents; the right to reconsideration and court review of an adverse decision; and all other
23	rights accorded by the California Administrative Procedure Act and other applicable laws.
24	7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
25	every right set forth above.
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	Stinulated Surrender of License (Case No. 1 A 2016 10)

1	CULPABILITY	
2	8. Respondent admits the truth of each and every charge and allegation in Accusation	
3	No. LA 2016-19, agrees that cause exists for discipline, and hereby surrenders his Landscape	
4	Architect License No. LA 2322 for the Board's formal acceptance.	
5	9. Respondent understands that by signing this stipulation he enables the Board to issue	
6	an order accepting the surrender of his Landscape Architect License without further process.	
7	<u>CONTINGENCY</u>	
8	10. This stipulation shall be subject to approval by the Board. Respondent understands	
9	and agrees that counsel for Complainant and the staff of the Board may communicate directly	
10	with the Board regarding this stipulation and surrender, without notice to or participation by	
11	Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he	
12	may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board	
13	considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,	
14	the Stipulated Surrender and Disciplinary Order shall be of no force or effect, and except for this	
15	paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not	
16	be disqualified from further action by having considered this matter.	
17	11. The parties understand and agree that Portable Document Format (PDF) and facsimile	
18	copies of this Stipulated Surrender of License and Order, including Portable Document Format	
19	(PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.	
20	12. This Stipulated Surrender of License and Order is intended by the parties to be an	
21	integrated writing representing the complete, final, and exclusive embodiment of their agreement.	
22	It supersedes any and all prior or contemporaneous agreements, understandings, discussions,	
23	negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order	
24	may not be altered, amended, modified, supplemented, or otherwise changed except by a writing	
25	executed by an authorized representative of each of the parties.	
26	13. In consideration of the foregoing admissions and stipulations, the parties agree that	
27	the Board may, without further notice or formal proceeding, issue and enter the following Order:	
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1	<u>ORDER</u>	
2	IT IS HEREBY ORDERED that Landscape Architect License No. LA 2322, issued to	
3	Respondent Robert Dean, is surrendered and accepted by the California Architects Board.	
4	1. The surrender of Respondent's Landscape Architect License and the acceptance of	
5	the surrendered license by the Board shall constitute the imposition of discipline against	
6	Respondent. This stipulation constitutes a record of the discipline and shall become a part of	
7	Respondent's license history with the Landscape Architects Technical Committee.	
8	2. Respondent shall lose all rights and privileges as a landscape architect in California as	
9	of the effective date of the Board's Decision and Order.	
10	3. Respondent shall cause to be delivered to the Board his pocket license and, if one was	
11	issued, his wall certificate on or before the effective date of the Decision and Order.	
12	4. If Respondent ever files an application for licensure or a petition for reinstatement in	
13	the State of California, the Board shall treat it as a petition for reinstatement. Respondent must	
14	comply with all the laws, regulations and procedures for reinstatement of a revoked or	
15	surrendered license in effect at the time the petition is filed, and all of the charges and allegations	
16	contained in Accusation No. LA 2016-19 shall be deemed to be true, correct and admitted by	
17	Respondent when the Board determines whether to grant or deny the petition.	
18	5. Respondent shall pay the agency its costs of investigation and enforcement in the	
19	amount of \$2,240.00 prior to issuance of a new or reinstated license.	
20	ACCEPTANCE	
21	I have carefully read the above Stipulated Surrender of License and Order and have fully	
22	discussed it with my attorney, Thomas J. Warwick, Jr. I understand the stipulation and the effect	
23	it will have on my Landscape Architect License. I enter into this Stipulated Surrender of License	
24	and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and	
25	Order of the California Architects Board, Landscape Architects Technical Committee.	
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27	DATED: MAPCH 7, 2018	
28	ROBERT DEAN Respondent	
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'n

Stipulated Surrender of License (Case No. LA 2016-19)

1	I have read and fully discussed with Respondent Robert Dean the terms and conditions and	
2	other matters contained in this Stipulated Surrender of License and Order. I approve its form and	
3	content.	
4	DATED: 12 MARCH 2018	
5	THOMAS J WARWICK, JR. Attorney for Respondent	
6	ENDORSEMENT	
7	The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted	
8	for consideration by the California Architects Board, Landscape Architects Technical Committee	
9	of the Department of Consumer Affairs.	
10	Dated: March 13, 2018 Respectfully submitted.	
11	Dated: March 13, 2018 Respectfully submitted, XAVIER BECERRA	
12	Adview Becerka Attorney General of California HARINDER K. KAPUR	
13 14	Supervising Deputy Attorney General	
14	ALAN MACINA	
15	Deputy Attorney General Attorneys for Complainant	
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