

STATE OF MINNESOTA
BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING, LANDSCAPE ARCHITECTURE,
GEOSCIENCE AND INTERIOR DESIGN

In the Matter of

**SETTLEMENT AGREEMENT AND
CEASE AND DESIST ORDER**

Jeffrey James McDowell
Landscape Architect No. 42540 (Expired)

Board File No. 2025-0013

STIPULATION

Jeffrey McDowell ("Respondent") and the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design's Complaint Committee stipulate that, subject to Board's review and discretionary approval, the Board may issue a consent order that imposes the following sanctions:

A. Respondent shall pay to the Board a civil penalty of \$1,500. Respondent shall submit the civil penalty by check to the Board within 60 days of the Board's approval of this Settlement Agreement and Cease and Desist Order.

B. Respondent shall cease and desist from practicing as a Landscape Architect in Minnesota until such time as he becomes licensed as a Landscape Architect in the State of Minnesota.

C. Respondent shall comply with all statutes and rules within the Board's jurisdiction.
See Minn. Stat. §§ 326.02–.15 (2024) and Minn. R. chs. 1800 & 1805 (2023).

D. Respondent shall report in writing within ten days any and all violations of this Settlement Agreement and Cease and Desist Order to the Board's Executive Director.

Respondent and the Committee enter into this settlement agreement based on the following findings of fact, conclusions of law, and other stipulated provisions:

Findings of Fact

1. The Board issued Respondent a Landscape Architect license on April 23, 2003.
2. Respondent's Landscape Architect license expired on June 30, 2012.
3. Respondent emailed the Board on January 4, 2024, requesting instructions for reinstatement because he was "considering getting back into the business."
4. After confirming a mailing address, Respondent was sent the application for reinstatement on January 5, 2024.
5. Respondent emailed the Board on February 8, 2024, requesting the application for reinstatement be re-sent because he was unable to locate it and, as he stated, because "I got the job, and now it's time for me to apply for lisencure. [sic]"
6. Respondent was re-sent the application for reinstatement on February 20, 2024.
7. Respondent began work as the Team Lead for the landscape architecture team at a Minnesota firm on February 22, 2024. Respondent was listed on his employer's website as a Team Lead, Landscape Architecture and as a landscape architect and Minneapolis team lead.
8. Respondent emailed the Board on May 15, 2024, stating: "I have been diligently taking PDHs, and finally have 48 hours of PDHs." He also inquired: "How does the timing of submitting the application for reinstatement work? If I submit the 48 hours and paperwork, do I need to renew by June 30? Or if I submit the application now, does the application count as renewing?"

9. Respondent was informed on May 17, 2024, that if his license was issued prior to June 30, 2024, he would need to renew it.

10. Respondent emailed the Board on July 17, 2024, stating: "I am finally ready to submit my fee and Continuing Education" and inquired about receiving an updated reinstatement form.

11. An updated reinstatement application was sent to Respondent on July 25, 2024.

12. The Board sent a letter to Respondent on July 29, 2024, giving notice that an investigation had begun against him and requesting responses and production of documents by August 14, 2024.

13. After receipt of that letter from the Board, Respondent's employer's marketing department updated its website to list the Respondent as a Project Manager, a landscape designer, and Minneapolis team lead.

14. On August 9, 2024, counsel for Respondent requested a copy of the Complaint and an extension of time to respond. The Board granted Respondent an extension to August 30, 2024.

15. On August 12, 2024, the Board sent Respondent a copy of the Complaint against him.

16. On August 30, 2024, Respondent provided a timely written response to the Board.

17. On February 25, 2025, the Board noted the web page for the Respondent now produces a 404-error message in which the page is no longer found on the server. The Board later learned that Respondent lost his job while this investigation was pending.

18. On March 25, 2025, Respondent received the Board's response to the investigation.

19. Respondent emailed the Board on April 13, 2025, requesting information regarding reinstatement and was sent the application again on April 15, 2025. Respondent has not submitted an application for reinstatement of his Landscape Architect license. His license remains in Expired status.

Conclusions of Law

1. The Board has authority to license and regulate Landscape Architects and to take disciplinary action as appropriate. Minn. Stat. § 326.111 (2024).

2. Respondent violated Minn. Stat. § 326.02, subds. 1 and 4a (2024).

3. Respondent is subject to discipline pursuant to Minn. Stat. § 326.111, subds. 3 & 6 (2024).

4. This Settlement Agreement and Cease and Desist Order is in the public interest.

Other Stipulated Provisions

1. This Settlement Agreement and Cease and Desist Order must be approved by the Board to become effective.

2. Respondent agrees that the Committee may move the Board *ex parte*, with or without advance notice to the Respondent, to approve this Settlement Agreement and Cease and Desist Order. Respondent understands that the Board may either approve the Settlement Agreement and Cease and Desist Order or not approve it. This settlement agreement and the

files, records, and proceedings associated with this matter may be reviewed by the Board in its consideration of the Committee's motion.

3. If approved by the Board, this Settlement Agreement and Cease and Desist Order shall be classified as public data. Minn. Stat. § 13.41, subd. 5 (2024). The Board will post a copy of this order on its website. The Board will also send a summary to the national discipline data bank pertaining to the practice of landscape architecture.

4. If the Board does not approve this Settlement Agreement and Cease and Desist Order, then the matter remains unresolved and the Committee may either seek to negotiate a revised Settlement Agreement and Cease and Desist Order with Respondent to present to the Board or issue an order commencing a contested-case hearing before an Administrative Law Judge at the Office of Administrative Hearings. *See* Minn. Stat. §§ 14.57–.62, 214.10, subd. 2 (2024) (describing administrative hearing process).

5. Respondent agrees that if this case comes before the Board again after it reviews and discusses this Settlement Agreement and Cease and Desist Order, Respondent waives any claim that the Board was prejudiced by its review and discussion of this Settlement Agreement and Cease and Desist Order and any records relating to it.

6. Respondent acknowledges that they were advised by the Committee of their right to a contested-case hearing in this matter before an Administrative Law Judge, to file exceptions and make argument to the Board after the hearing, and to seek judicial review from any adverse decision rendered by the Board. Respondent hereby expressly waives those rights. Respondent was further advised by the Committee of their right to be represented by counsel and that they are represented by council.

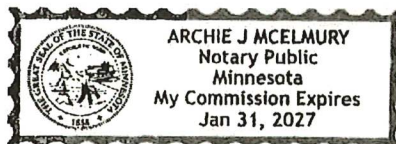
7. Respondent has read, understands, and agrees to this settlement agreement and has voluntarily signed it. It is expressly understood that this settlement agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise. If approved by the Board, a copy of the final Settlement Agreement and Cease and Desist Order shall be served personally or by first class mail on Respondent. The Board's order shall be effective when it is signed by the Chair of the Board or the Chair's designee.

8. Pursuant to Minn. Stat. § 16D.13 (2024), any civil penalty imposed by this Settlement Agreement and Cease and Desist Order shall begin to accrue simple interest in accordance with that section thirty days after the civil penalty is due. Pursuant to Minn. Stat. § 16D.17 (2024), thirty days after any civil penalty imposed by this Settlement Agreement and Cease and Desist Order is due, the Board may file and enforce any unpaid portion of the civil penalty as a judgment against Respondent in district court without further notice or additional proceedings.

STATE OF Minnesota Jeffrey McDowell
COUNTY OF Dale Jeffrey James McDowell, Landscape Architect
(Expired)

This instrument was acknowledged before me on 6-16-2025 by Jeffrey McDowell.


(stamp)



Archie J McElmury
(Signature of notary officer)

My commission expires: 1-31-2027

COMPLAINT COMMITTEE



DANIEL HUNTER, PG
Chair

Dated: July 16, 2025

CONSENT ORDER

Upon consideration of this Settlement Agreement and Cease and Desist Order, and based upon all the files, records, and proceedings herein, all terms of the Settlement Agreement and Cease and Desist Order are approved. Accordingly, the Board hereby ADOPTS the stipulation and issues the ORDER described above.

MINNESOTA BOARD OF ARCHITECTURE,
ENGINEERING, LAND SURVEYING, LANDSCAPE
ARCHITECTURE, GEOSCIENCE AND INTERIOR
DESIGN

Dated: 8-13, 2025



DANIEL KELSEY, PE
Board Chair