



Governor Brian Schweitzer

Montana Department of Labor and Industry Business Standards Division

SENATE State Admin Exhibit No. 4 Date 4-4-2011 SR-25

MONTANA BOARD OF ARCHITECTS

March 23, 2007

JOHN M. SINRUD JJKG & ASSOCIATES, INC. 303 W MENDENHALL ST BOZEMAN MT 59715

Certified Receipt #7003 3110 0000 6630 6484

Dear Mr. Sinrud:

It has come to the attention of the Montana Board of Architects that JJKG & Associates, Inc. may be engaging in the practice of architecture without the required responsible control and direction of a Montana licensed resident architect. In accordance with the following administrative rule:

- > ARM 24.114.405 QUALIFICATIONS REQUIRED FOR MONTANA BRANCH OFFICE (1) No firm, corporation, partnership or individual may establish or maintain within this state, a branch office to engage in the practice of architecture unless such branch office is under the responsible control and direction of a Montana licensed resident architect who is in the branch office a majority of the time the office is open.

The Board is requesting that you submit a written explanation regarding this matter and/or if you feel that ARM 24.114.405 does not pertain to JJKG & Associates. Your written response must be received in the Board office no later than 10 days of receipt of this letter.

Sincerely,

Brooke T Jasmin Program Manager (406)841-2351



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March 27, 2007

Brooke T. Jasmin, Program Manager
Montana Department of Labor and Industry
P.O. Box 200513
301 South Park
Helena, MT 59620-0513

DRAFT

Dear Ms. Jasmin:

I represent John Sinrud. He forwarded me a letter from you to him dated March 23, 2007.

In your letter you state that "It has come to the attention of the Montana Board of Architects that JJKG & Associates, Inc. may be engaging in the practice of architecture..." Just what exactly is "It?" How can we respond to your request when your letter contains no facts or allegations? Simple due process requires that you describe what "it" is.

Accordingly, by this letter I ask for a full copy of your file which supports your claim that Mr. Sinrud is practicing architecture without a license. I would also like internal letters and emails among the Department of Labor, or other state officials, concerning this matter. I trust that your letter is not inspired by the fact that Mr. Sinrud is a member of the Montana House of Representatives currently locked in a contentious legislative session.

As a general response, and reserving all rights to further respond once you provide the requested documents, and any potential complaints, JJKG & Associates, Inc. is a design and drafting firm. Mr. Sinrud holds himself out as a designer. He is not listed under the Yellow Pages as an architect. By your letter, are you claiming that anyone in Montana who provides design or drafting services is subject to ARM 24.114.405?

I would also like a copy of all other demand letters that you have sent to designers and draftsmen in the State of Montana in the recent past with similar issues. I will not object if you redact their particular name and address, but I would like to better understand your Department's past enforcement history and practices on matters concerning the provision of design and drafting services.

I anxiously await your response. Thank you.

Sincerely,

DRAFT

Arthur V. Wittich
AVW/llb

cc: Client

TRANSCRIPTION FROM OCT '07 HEARING RE: JOHN SINRUD/JJKG
ARCHITECTS - Heard by the Board of Architects, October 15, 2007

Male voice: 4B: Another complaint against John Sinrud.
(2:21:59)

Darci: Okay... I need to ... just give me a minute, okay....
No, its not a complaint.... This is the second of
the...the last two where - we have received
information, um, what - what we got here, hang on
here - I gotta think about this for a second
We... we received Brooke why don't you tell us
how we got the information and what it was, 'cause
it wasn't all this, it was a copy of the... somebody
called us and...

Brooke: Oh! oh no, oh no...um... a city a city planner from
Helena had called and there was an article in the IR
regarding John Sinrud and he... in the article he
was referred to as owning a architect design firm,
and the city planner was, you know, just saying hey
you know he is not licensed and I said yeah we
have read the article and I have met with Darci and
Todd regarding this issue and we felt that we
needed to send JJKG and Associates a letter asking
them to explain the article, pretty much.

Darci: Just like we did with Amy - we received (2:23:10)
information, we didn't get a complaint, and
it's the burden on the department is that we
"shall look into it" basically, it doesn't say
"maybe" so we thought we'll we'll see if we
can get some information and bring
it back - all of it to you like we did with
Amy, response and the initial information,
okay so um that's what you've got here and
then the letter at the beginning is Brooke's
letter to to um rep. Sinrud saying that this is
what we heard, this is, you know, what do
you have to say about it? So, um, you have a
copy of the article, Sinrud is the center of the
budget storm article and that is the one it is
we have print outs from the website. And
lets see here we have the registration, or
some sort of reg. the principal search at um
the secretary of states office, there are
2 pages about that
Principals of what?

Woman's voice:
Males voice: companies

Darci: Of the companies, any company registered at the Secretary of states office

Woman's voice: Principal of the firm?

Darci: Uh huh
Yeah I didn't design their website so...
And then you have their response information as, well, which is at the very end and its only a single page right?

Woman's voice: Um hum.

Darci: Ok. Um, ...again we do not have information that he, that he was holding himself out as an architect um... what we have is the article, which did say that he is the owner or principal or I operate a design firm and um...

Woman's voice: What I am looking at is page one of five on the website which does say architect or design I...Summary of ... I have this um his resume

Darci: Um hum.
Right. Now...
That in itself the fact that he owns what he calls an architectural design firm doesn't necessarily mean that he has violated anything.
Ok... its... no,
Because we can't... we don't have jurisdiction over the firm - so we can't say that all architectural design firms have to be owned by an architect we don't it doesn't say that. (2:25:29)
We - you can't call yourself one you can't hold yourself out and that's very specific its its
The it is kind of hair splitting it really is - but we don't have jurisdiction over the firms so we do have jurisdiction over the practice of licensed individuals and the people who are trying to get licensed obviously we have some exsension exemptions in statute for when you don't need a license, and we do have one rule and the rule that Brooke sited in the letter because the information that we had is that he was an owner of the state that's what we had, we didn't have him saying I'm an architect in this article so the the letter that states that 24141405 which is the branch office requirements ok that says that you can't operate or call yourself basically an architectural design firm unless somebody is an architect working there, you see what I mean I mean that's basically what it says it says um you can't have a branch office to engage in the practice of

architecture unless it is under the responsible control and direction of a Montana licensed resident architect who is in the branch office the majority of the time that it is open um so that's the information we thought we'd get we you know we we reached out and and asked for information regarding the make up and do you have 'cause frankly anybody can own an architectural firm all you if you have an a responsible licensed architect on staff there whos there by like our rule says majority of the time, then you're fine, ah then then our rule would not be violated.

Male voice:

I remember something 'cause I testified in front of this board a couple years ago there was- I'll have to find it, but it was something about two thirds of the owners of the firm licensed doing business had to be licensed or registered architects or engineers
Yeah its not....

Darci:

I remember that...

Male voice:

Um hum

Other male voice:

That's still in here

Male voice:

Darci:

When there is a partnership or other business entity of architects, there's one question,
The individual names and license numbers may appear on one seal, two nothing shall prevent a professional limited liability company or a professional corporation from performing or holding itself as able to perform any of the services involved in the practice of architecture provided that A: 2/3 of the total managers,

Male voice:

Where are you Darci? (2:27:49)

Darci:

Uh 403, 24114403 it's a rule

Other male voice:

Page 41

Darci:

My my.... I don't have the page numbers that you guys use...

So...Ok....

K, 2/3 of the managers if you're a pllc or directors if you're a pc are registered under the laws of the United States jurisdiction or foreign, whatever....
Approved by the board of architecture and or engineers and 1/3 of the total managers or directors like above are registered as architects in Montana
Again you don't have a complaint in front of you... you have information and not very much of it! So, if I mean just because what Brooke and I when we

wrote the letter we focused in on the fact as you you know that the article says that you have an architectural design firm you know give us some information so we can take it back to the board. That's really what we were doing um It doesn't necessarily mean that that's the only that will be the violation found if you file a complaint and it goes to investigation or that's not necessarily that's that letter was a way the to inquire and get more information for you to consider at the you know at your first _____ today.

Male voice:

Right

Darci:

So...

Ok....

There are other statutes and maybe rules that may apply. (2:29:10)

Male Voice:

k... I know what's in front of us and what you're saying theoretically he may be in violation of discipline, but... but we haven't investigated that we haven't got a complaint....

Darci:

We.... no complaint has been filed - this is just a you know...you have what you have in front of you, you have got a copy of the website you've got a copy of that article that was in several newspapers I think and then his responses

Male Voice:

Keep looking at that article article

Darci:

I will say one thing and this may come up - you know um later but - we do not have a definition for branch office

So the rule that Brooke and I sighted, as or as if you know you've got a branch office, you've gotta have a responsible licensed architect in it most of the time we don't have a definition for branch office ,so arguably I don't know what that will mean. And why we would want just out of state- I'm interpreting this - out of state operations that have one or two or three branch offices in the state to have a licensed Montana architect why we would require that of somebody who is headquartered in Cincinnati and not somebody who's only operation is in Billings is beyond me - but we don't have a definition - we never defined that.

I think that's why Mr. Sinrud doesn't think that that rule applies to him, because it's not a branch office, it's his only office, I think that's the argument, again I think that's a legal interpretation basically but we as a board do not have a definition for that term, we have it in rule but we don't have it defined. (2:30:55)

Male Voice:

Can't get it

Women's voice:

This information, sorry this is the question is this information that's from a a....

Darci:

That's for the independent record,

Um hum

the Helena Paper

women's voice:

Okay um

So its not its not linked to this website

Darci:

No

no no

that's that's the information that we've received when we got the call from the city planner who said have you seen this article? And it was on the paper that day, it was big it was right on the front page um hum

Women's voice:

this is the same as the article that was in the paper, yep, um hum yeah that's just the on line version of it

Darci:

Male voice:

question for you - if um if in fact it looks like there may be some violations of other statutes or rules whatever

if and and lets say this ones pretty thin, if we said we want to investigate,

Darci:

um hum

Male voice:

can we go on until all this other stuff comes out

Darci:

oh yeah

Male Voice:

and then then we...

Darci:

- no complaint has been filed, this is a what this is is an opportunity today to file a board generated complaint

Male Voice:

right

Darci:

and you can send it to investigation right away if you want to - that's one of the things you can do with an unlicensed practice that's our burden, but...(2:32:03)

you can you can tailor the complaint you can allege anything it doesn't you know what I mean if you feel that maybe you know what Brooke and I had in that letter is not a complaint, it

was just that article seems lend us to believe that
you've got an architectural design firm
tell us more I mean that's really what it is
so it it wasn't anything, , um but
Male Voice: isn't there a definition in the state statutes er...
Darci: I'm sure there are hundreds of them
Male Voice: I know, I know hold on that
As an architect, you cannot use the word, architect,
architectural, any derivative of the word architect
unless you are licensed
Darci: No you, I've read that definition like 3 times now
today so...that's the one
Male voice: Read it again for us
Darci: You bet.
"Except as provided in this chapter, no person may
practice architecture in this state or use the title
architect or licensed architect or any words, letters,
figures, or other device intending - er I'm sorry
indicating or intending to imply that he is an
architect without having qualified under this
chapter." (2:33:08)
Male voice: So in your opinion - lets see... architectural design
what would you - would you say that is being that is
being intended as architectural work? its Just your
opinion....
Darci: I can see people being mislead by that - but again
that that license member...
we don't license firms we do have some
requirements on the firms where in our licensees
practice the rule that Brooke and I sited is one in the
letter plus that you know 2/3 1/3 I mean we do have
some requirements that we have on our on the
practicing architectural firms in the state - however
that doesn't mean we issue the firms a license and
then we take it away - what it means is that if you're
going to have a firm we want to know and we want
somebody who's and architect there at least in a
branch office um the holding one's self out thing -
that's different, that's that that's a person ok, its
gotta be a person or persons doing it - its not the
firm - we don't have a rule or a statute that says you
can't call yourself an architectural firm unless all
you employee is architects - you see what I mean,
we can't we don't have anything like that.

Woman's voice: So again we ... Before we could have any kind of
 complaint at all we need to know whether or not
 JJKG has a licensed architect on board
 Darci: Well no, no you need to
 you need to file a complaint
 Male voice: right there's no complaint (2:34:48)
 Darci: we can't investigate without having a complaint
 Male: right
 Male voice: so we have to make a motion - or we have to or the
 board has to make a motion to to decide if there is if
 we should take a step further is there going to be an
 investigation
 Darci: that's right
 Other male voice: oh I see - architectural design I see construction
 documents and well but construction documents
 which ultimately uh require a stamp and seal and
 somebody responsible in charge I mean both of
 those things in my mind represent the practice of
 architecture
 Male voice: I agree
 Darci: Well yeah and you know right now you guys are not
 having to find reasonable cause there's been a
 violation you just again this is your your first look
 see at this and if you think there is something that
 needs to be looked at then then you need to your
 step is to file a complaint and then we'll go from
 there
 Woman's voice: Well I think there's reasonable to complain in my
 opinion -
 Male voice: Well do I hear a....
 Other male voice: Is this in the form of a motion?
 Male voice: You guys have a motion to...
 Woman's voice: Yeah I propose ah a motion make a motion
 Um that we would trust um trust an investigation
 No! (2:36:19)
 Darci: Board generated complaint
 Woman's voice: Board generated complaint
 Ah against JJKG, no, John Sinrud
 Male voice: The individual, not the firm?
 That s what?
 Male voice: Well....
 Women's voice: Oh, and an investigative complaint
 Darci: You What, you can do whatever you want
 You have
 Male voice: Can we discuss for a second?

Darci: Well lets get a second on the motion and then you can discuss all you want.

Male voice: Second

Darci: K

Male voice: Discussion

Other Male voice: Well the discussion is if in fact we think he is in violation of the business entity practice, that is back at the business not just he as an individual, so shouldn't the motion say both?

Darci: Ah That's a better way of going about it, he is arguably an owner of the firm, he says he is so um this this board, there are plenty of boards that do both - you know they may register or license some sort of a firm or a business plus they also regulate the practice - so you know if you find one and not the other it doesn't mean that your whole complaint is you know tanked it it just means that it'll go in a different direction, no we didn't find that um JKG misrepresented itself as a lice.. or as an as an architectural firm however we determined that this person was practicing without and architectural license you see what I mean? You don't I don't think we need two complaints

Male voice: No but I,

Darci: Yeah

Male voice: but wouldn't the complaint cover couldn't

Darci: I think that's better (2:37:55)

Male voice: Consider amending her motion then we could we could invoke

Women's voice: Yep to name the firm as well then. Um Yeah I

Darci: JJKG is what it is, right?

Male voice: right

Darci: Ok

Women's voice: Did you get that

male voice: Clear?

Male voice: Alright

Take a vote on this then?

All in favor of this motion, as amended (you mean)

Several voices: I, I

Male voice; K

And ... gets it

Ok great

Other male voice: Now I just wanted to , you had a conversation with him Brooke?

That that you related in here and I'm

I'm speculating but it looks like he thought there was that it was politically motivated

Brooke: Um hum
Male voice: Is or is that his concern?
Brooke: Uh huh
And it was during the _____
And yeah and I think he was in disagreement with the governor on his budget at the time
I don't know - but he just thought it was politically um driven and it certainly was not
Male voice: I don't know the guy from Adam
Brooke: Ok (2:39:08)
Male voice: Ok moving right along
Women's voice: Darci, they just want the regular response or do they also want this investigated by our investigator
Darci: Yeah - in you can go ahead and and send it to investigation right away if you want since its already been in front of you know since arguably some has already been in front of you you didn't you know um
Male voice: Well, yeah, I think we should and and your saying its better if we give then a little direction on what sorts of things to look at
Darci: Um hum
Yeah
Bruce always appreciates that
Male voice: I, I'd say
Darci: But we're ok let's you ,they don't they can just make a second motion can't they, yeah let's or you can amend the other one you could just to to file the board generated complaint and move to immediate investigation, that's usually where, I'm sorry I fell apart here,
Women's voice: We could just amend what we have
Darci: Yeah
If you just go ahead and
Women's voice: I ...I did include investigations
Darci: Did you? Okay she might have I didn't write it down but ok,
Women's voice: Which is fine and
Male voice: We just need a scope now for our investigation, exactly what you are looking for
Darci: K so
Women's voice: yeah
Male voice: K so we want to look into ownership
Other male voice: Yes they have kind of done that it looks like ah

employees
womens voice;
Darci:
Male voice:
Other male voice:
Women's voice:
Male voice:
Darci:
Male voice:

Woman's voice:

Male voice:
Darci:
Women's voice:

Darci:

other male voice:
Darci:

Male voice:

Darci:
Woman's voice:
Male voice:
Male voice:
Darci:

Male Voice:
Darci:
Male Voice:
Darci:

Whether or not there are any licensed architects
No
Not right now
So ownership um, ah
employment of licensed architects
right
K
Any any any licensed professionals employed by
the firm
And how many architects are principled
Or or
Well it's the owners
yeah, well and
The managers
Oh Managers
and our rule is is kind of specific as to the types of
entities because
its an LLC (2:40:53)
right, it this isn't Wal-Mart you know what I mean
this is a we're we're supposed to be the that rule is
supposed to be for firms that engage in the
profession of architecture I mean that's what it is
so that's why they are PLLC's or PC's and I don't
know what his is I I mean
well it said Professional
ok and it might be, it might be, I know its in
incorporated, but
its incorporated but it this said professional
corporation
k
I thought is was an LLC?
No, its not
It says or a Professional Corporation
Right but a PC is the same thing though that's I
mean that's different
A corporation and a professional corporation are
different you see what I mean?
Oh yeah - you're right it's a a a
They are formed for different things
A c corporate yeah your right
Yeah
So we don't know that, I I don't know that and I
didn't look you know in detail at at the secretary of
state stuff and I don't know um if it would take
more than that to get that information from them I'm

not sure if they have it , but um - he's got, I mean
Mr .Sinrud arguable has several other businesses
those are not you know im implicated or anything
by this but the one just says corporation so -I I don't
know but we can certainly look into that too you
want to we already put ownership so (2:42:02)

Male Voice: Yep
Darci: um
And if we if we get arguably if we get the number
of employees and who's employed there we'll know
if it's a 2/3 1/3 we can also approach it that way
too, um

Male Voice: So with that motion we have a second then we have
the amended motion right?

Darci: yeah
Woman's voice: she did one too to include the investigation
Darci: yeah
Woman's voice: so we'll just keep it as the amended with
investigation

Male voice: ok so then do then do we have a second on that
motion

Other male voice: seconded
Male voice: yeah we did
Male voice: so now can I go to discussion or do we have to vote
on it first?

Darci: No, we're the discussion usually usually comes
before the final motion
Motion, second discussion, vote

Male voice: Okay, we have the and public can be in on this?
Darci: Well, no, the discussion, I'm sorry that is
misleading - the the discussion is board discussion

Male voice: Oh ok
Darci: It
Male voice: So no public discussion
Darci: Right
It's its discussion for um you know what you what
you want to achieve with the motion
You know and and the...and usually

Male voice: I just that's ok, I understand I just thought that we
had

Darci: I know
Male voice: Ok so lets vote on this... motion
Darci: Is there anything else you want to find out, um
Now i'm just trying to think of for other other
complaints that we've had if if if there are if there
are I mean if you guys hope to either find out or

discredit allegations of the practice occurring without licensure then we probably need something I mean what you need is proof that the practice did occur, if its more of a holding I mean its its totally um has only to do with the allegations and the the case specifics , if it's a advertisement one, then it's more of a "let me see what's in print or when did he call himself an architect" you see what I mean? But if your looking if your thinking that it might be the practice... (2:43:57)

Male voice:

....Projects?

Darci:

I don't know that's why I'm saying there you know this you guys have looked at that kind of stuff in the past on unlicensed practice where we've looked at because we've obtained documents or copies of plans or I I don't if that's the way you want to go or if or if your focus in this investigation is solely regarding the constitution of the firm and potential violations of not having and architect in that firm or on that site

Other male voice:

Well if some idea of completed projects we'd have an idea if it was knocking up against a public building or....

Male voice:

Well let me ok, this is going to get really ugly now, because I was hired, my firm to do a project that this individual submitted drawings to the city and I had to take it over because it was a joke, so now where to I stand being I mean, I

Darci:

Well

Other male voice:

This could I mean, its ah... I've received a.. You might have to recuse him

Darci:

Yeah you might have to you know I don't know if there is anything in the in the public employee ethics or in those things you've already disclosed that there's a potential conflict and and it might be the you know the wiser move to go ahead and and not participate in any votes or you know what I mean um but this discussion is held in public open session so you know there's nothing um there's nothing wrong with you being here obviously right (2:45:15)

Male voice:

Darci:

um so that you know the board appreciates that and that's noted in the in the records for that, so um if that should come up, it doesn't mean that you are recused for everything you know what I mean just

Male voice: sure no. right. I mean I with everything being said
just want to be on the right track

Other Male Voice: so lets add some I I don't know how to

Darci: I don't either um

Other male voice: But um
If if there were there were some photos or some
representation I think off this website on projects so
that'll probably suffice initially um
I...

Darci: We have obtained I know, documents on some old
uh other cases, not anything having to do with this
one, but from our from the building code
department you know the public documents there
not um and I
And Bruce has had some luck doing that before, as
long as we I mean I don't know how they're
organized over there I don't know if they're done by
We've been able to give them names and firms and
stuff and they've been able to do checks for us

Brooke: Yeah Bruce might be able to find some information
that way

Darci: Ok

Woman's voice: Through building codes

Other male voice: Um hum , yeah

Darci: Through building codes

Brooke: That's you know the state level, so um well I can
certainly.....

Darci: Is there not a list of businesses that

Other Male voice: Yeah there are some on the website I mean its very
clear (2:46:29)

Darci: Yeah but residential projects won't be the state it
has to be a state project outside of a county or you
know city jurisdiction

Male voice: Um hum

Other Male voice: That's

Male voice: Yeah there are some exceptions I mean there's
exceptions to the

Darci: And I would I would think the city might be able to
do a quick search according to the say in the last 3 -
4 years - there were projects done by this firm or
individual

Other male voice: Ok Do you do want you want to go 4 years, 3, 4
years - this is good for him so he can you know
tailor his search what he what he asks

Darci: Ah Some of these buildings were completed and
occupied in 2001

Woman's voice:

Male voice:
Other male voice:
Male voice:

Other male voice:
Darci:
Woman's voice:
Darci:

Male voice:

So that'd be back 8 years - 7?
Say 10
Well lets start at 10 and see how big a search there
is
Yeah
K
I think it's mostly in Bozeman then?
I'm sure its they'll do be county wouldn't it?
I mean the building codes is anything state, so it'll
go broader than that, but I I would think, k
I'll have him call the you know he knows he's done
investigations for unlicensed practice with us before
so its not his um his first attempt this so
K, and that's on an individual or firm type basis, 10
years, k k
Ok
Next (2:48:18)

Next item on the agenda (not pertaining to Mr. Sinrud)

Darci:

Male voice:

Darci:

Ok we have architects application here, um
What?
No cuz we already voted it was the we were just
planning to scope the investigation
Yeah, I think we were done, we were done Vicki
weren't we? On the mot... yeah.
Um, I don't know I I , this on a side kind of but I I
don't think we should be using the term reciprocity
because we don't have it.
It's a it's a term that that's used when you are in a
rec recipicol agreement with another state or
licensing body and we don't this board there are
boards that have em - we don't. we have a rule um
about licensure of applicatants who are registered in
another state, and its its pretty close to true
reciprocity but the board itself does not have an
agreement with say Colorado where their licensee's
all they have to do is give us an application or
something and we take em - that's what reciprocity

Arthur V. Wittich

Admitted MT & CO

Frederick P. Landers, Jr.

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October 18, 2007

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Deputy Chief Legal Counsel
Montana Department of Labor and Industry
P.O. Box 1728
Helena, MT 59624-1728

Dear Mr. Gorov:

I am in receipt of your October 15, 2007 "Cease and Desist Order." First, I question whether the Montana Board of Architecture even has legal authority to issue such a document. If it has such authority, the procedures actually employed by your Board clearly violated my clients' legal rights. You have provided no proof as to your conclusion that my client, John Sinrud and JJKG and Associates, Inc. violated any Montana law or administrative rule concerning the practice of architecture. And you have provided my client no real defense opportunities before reaching such a conclusion. The Board's actions were the result of a political witch hunt, plain and simple.

If the Board decides to subsequently take any additional action, please notify me immediately. We would welcome a forum where the Rules of Civil Procedure (and Evidence) apply, versus the Kangaroo Court that is the current Board. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arthur V. Wittich".

Arthur V. Wittich
AVW/llb

cc: Client

~~Agenda~~ from meeting Oct 15, 2007

New Business

Request to consider a "rule change" Carol Mavros

Ms. Mavros sent a letter to the Board requesting a rule change for the reciprocity requirements. Ms. Mavros stated she would like the Board to review applications on a case by case basis for those applicants that do not have an accredited degree. Ms. Mavros explained she meets all the requirements except for the education requirement. Ms. Moe stated it would take a rule change if the Board wanted to consider those applicants that do not meet the education requirement. Ms. Bik stated she would look at the language to possibly be changed and stated the Board does not want to inhibit anyone from working, but they must ensure they are protecting the public.

Calligraphy Services Ron Baker

Mr. Ron Baker, calligrapher from Maryland, sent a letter to the Board asking if they needed a professional calligrapher. Ms. Jasmin stated current certificates issued to licensees are cost efficient and computer generated. The Board instructed Ms. Jasmin to thank Mr. Baker and to inform him the current process is more cost effective.

Letter from NCARB President, Doug Engebretson Public Buildings

The Board reviewed a letter from Mr. Engebretson regarding his concern for the assurance of competent architects in light of the recent tragedy of the Minneapolis Bridge collapse. Mr. Ward requested the letter be included in the book as a starting point for fighting for the definition of a public building to ensure the public's safety.

Revisited Business

Complete Investigative Reports JJKG & Associates/ John Sinrud

Mr. Ward recused himself from the matter since he took over the project involving Mr. Sinrud. Mr. Gorov, Chief Deputy Legal Counsel stated if Mr. Ward could be impartial, he would not have to recuse himself. The Board reviewed the completed investigation report for complaint 2008-001-ARC. A complaint was filed against Mr. Sinrud by the Board of Architects alleging Mr. John Sinrud may have engaged in unlicensed architectural practice.

Motion: Mr. Shepard moved to find reasonable cause that Mr. John Sinrud is practicing architecture without a license. Ms. O'Neill seconded the motion. Mr. Ward abstained from voting. The motion carried.

Mr. Gorov recommended a Cease and Desist order be issued to Mr. John Sinrud.

As a result of reviewing Mr. Sinrud's investigation, material was discovered regarding Mr. Larry Pearson and the possibility of unlicensed practice.

Motion: Ms. Wilson moved to file a Board generated complaint against Mr. Larry Pearson for possible unlicensed architectural practice. Mr. Shepard seconded the motion. Ms. O'Neill abstained from voting. The motion carried.

Quick Draw Associates/Robert Kavajecz

Ms. Bair stated the investigative report would be reviewed at the next meeting.

Revisited ARM 24.114.501

Ms. Bik provided clarification for the proposed rule change ARM 24.114.501(1).

Motion: Ms. O'Neill moved to accept the proposed rule change ARM 24.114.501 (1) as amended by Ms. Bik. Mr. Shepard seconded the motion. The motion carried.

Proctoring the LARE exams in Montana

Mr. Boucher stated it would depend on the number of candidates and budgetary projections to determine whether or not Montana could proctor the LARE exams. He will look into the matter and report back to the Board in January.

CLARB

Ms. Engler stated they would like to seek approval to send a member to the CLARB conference. Ms. Engler further stated if budgetary constraints do not allow for attendance, they could back out at that time.

Motion: Ms. Engler moved to send one representative to the CLARB conference. Mr. Thuesen seconded the motion. The motion carried.

Examinee Questionnaire Changes

CLARB has improved its online score reporting system. In order to avoid redundancy, the examinee questionnaire information has been eliminated at the time of testing. Questionnaire data will now be collected when a candidate chooses to review their score results on the CLARB website.

CLARB'S Newly Elected Board of Directors

Ms. Jasmin stated the newly elected CLARB Board of Directors was provided for informational purposes only.

Presidential Recognition Award

Mr. Boucher stated the Landscape Architects received the Presidential Award from CLARB at the Annual Meeting in Cleveland based on their significant contributions in the past year.

NCARB

Board of Directors Meetings Minutes August 16-18, 2007

Ms. Jasmin stated the Board of Directors Meeting Minutes from August 16-18, 2007 was provided for informational purposes only.

News Clips/Fast Facts FYI

The Board reviewed the News Clips and Fast Facts. Ms. Jasmin stated it was for informational purposes only.

The NCARB Prize

The Board reviewed the process and requirements for individuals interested in applying for the NCARB Prize. Ms. Jasmin stated it was for informational purposes only.

Adjournment

There being no further information to come before the Board, Mr. Ward adjourned the meet at 4:30 p.m.

Adopted this _____ day of _____, 2008

Bayliss Ward, President



Montana

Department of Labor and Industry

COPY

Office of Legal Services

BRIAN SCHWEITZER, GOVERNOR

TELEPHONE: (406) 444-4493
FAX: (406) 444-1394
TDD: (406) 444-0532

P.O. BOX 1728
HELENA, MT 59624-1728

October 15, 2007

John Sinrud and
JJKG and Associates, Inc.
303 West Mendenhall Street
Bozeman, MT 59715

CERTIFIED AND REGULAR MAIL

Complaint No. 2008-001-ARC

CEASE AND DESIST ORDER

Mr. Sinrud:

The Montana Board of Architecture has reviewed a complaint brought against you with regard to the services you have performed in the State of Montana. The Board has determined that the services you have performed in the State of Montana are such that require you to obtain a license to do so under the provisions of §37-65-301, *et seq.*, Montana Code Annotated. In lieu of proceeding in the District Court to obtain an injunction, the Board is issuing this **Cease and Desist Order**. However, should the Board receive information in the future that you are continuing to perform such services in the State of Montana, contrary to Montana statutes, the Board will immediately seek such injunctive relief in the District Court.

Section 37-65-301 Montana Code Annotated provides that no person may engage in the practice of Architecture or hold themselves out as an architect in the State of Montana without a current license issued by the Department. Further, §37-65-322 MCA indicates that the violation of any provision of the statutes on the licensing of architects is a misdemeanor.

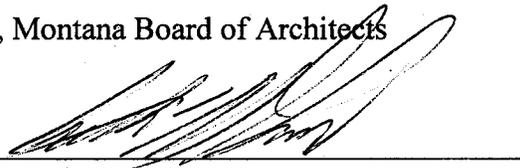
YOU ARE HEREBY ORDERED TO CEASE AND DESIST FROM PERFORMING ANY ARCHITECTURAL SERVICES OR HOLDING YOURSELF OUT TO BE AN ARCHITECT IN THE STATE OF MONTANA UNLESS AND UNTIL YOU OBTAIN A LICENSE TO DO SO ISSUED BY THE DEPARTMENT OF LABOR AND INDUSTRY.

As indicated, if the Board should receive information that you have failed to comply with this **Cease and Desist Order** the Board will seek injunctive relief from the District Court. The Board may also request the County Attorney to prosecute a misdemeanor action under §37-65-322 MCA.

The Board hopes that you will guide your actions in the future in accordance with this **Cease and Desist Order**.

Chair, Montana Board of Architects

By



Arthur M. Gorov
Deputy Chief Legal Counsel
Acting Board Counsel
(406) 841-2371

cc: Chair, Board of Architects
Vicki Bair, Compliance Specialist

Arthur V. Wittich
602 Ferguson Avenue, Suite 5
Bozeman, MT 59718

Arthur V. Wittich

Admitted MT & CO

Frederick P. Landers, Jr.

Admitted MT & GA

Margot E. Barg

Admitted MT, CA & AR

Hertha L. Lund

Admitted MT



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wlf@law-advisor.com

August 29, 2007

DELIVERED VIA MAIL

Mr. Bruce Duenkler
Investigator
Business Standards Division
Department of Labor and Industry
301 S. Park
Helena, MT 59620

Re: John M. Sinrud

Dear Mr. Duenkler:

Thank you for the telephone call this morning. As you requested, I am providing a written response to your investigation of the Board of Architects complaint against John Sinrud. Mr. Sinrud continues to maintain that there is no basis for an enforcement action by the Board of Architects against his business practices.

Clearly this complaint was inspired from Mr. Sinrud's activities as a member of the State House of Representatives. The sum total of your evidence against Mr. Sinrud engaging in the "practice of architecture" is the description of his business from the Copper Book prepared by lobbyists to be used during the Legislative session, as well as a newspaper article concerning Mr. Sinrud's legislative activities on the State budget. In addition, the complaint may be the result of his opposition to House Bill 640, which would have greatly expanded the definition of "public building" in current law as it related to the necessity to hire a licensed architect.

As for Mr. Sinrud's and JJKG, Inc.'s past references to "architectural design" services, under your interpretation of MCA § 37-65-301, any business in the state would be prohibited from using "architectural" in their business name, including architectural audio services, architectural lighting services, architectural illustrators, architectural supply, etc. These businesses clearly include "words, letters, figures, or other device" which under your definition would require them to obtain a license from the Board. Clearly this is not what is intended in the Code, nor should it be selectively enforced against my client.

It appears that, as it concerns Mr. Sinrud, the Board of Architects desires that all plans submitted to a city or state building code agency by a designer, draftsman, or anyone else, be stamped by a licensed architect. While this may be desired from a protectionist standpoint, it simply does not reflect current

law. If the Board desires such a requirement, I encourage them to work through the legislative process to change the law, as well as the definition of "practice of architecture" found in MCA § 37-65-102. If the Board continues with this investigation and issues a Cease and Desist Order to my client, I assume that it will be issuing similar orders to every other person engaging in design or drafting services, or any business with the root word "architecture" in its business name. If such a broad enforcement action is not undertaken, I can only conclude that the selective enforcement against my client is politically inspired, and will be defended accordingly.

Sincerely,



Arthur V. Wittich
AVW/sj

cc: Client

Arthur V. Wittich

Admitted MT & CO

Frederick P. Landers, Jr.

Admitted MT & GA

Margot E. Barg

Admitted MT, CA & AR

Hertha L. Lund

Admitted MT



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August 2, 2007

VIA FACSIMILE: (406) 444-1394

Arthur M. Garov
Deputy Chief Legal Counsel
Mont. Dept. of Labor
P.O. Box 1728
Helena, MT 59624-1728

Re: John Sinrud Complaint

Dear Mr. Garov:

I am in receipt of your July 30, 2007 letter. I believe I clearly understood the "tenor" of the letter sent by Ms. Bair to my client John Sinrud. Your complaint involves alleged violations of two administrative rules of Montana, neither of which seem applicable to my client. Curiously, the first correspondence from Ms. Bair only cited one potential violation of an administrative rule.

Your letter now cites a third potential issue, namely that of practicing architecture without a license. You then cite to hearsay from a newspaper article, and a listing from a third party publication as to the work activities of my client.

My client has already responded in writing that he is not practicing architecture in the State of Montana. I reiterate my request for information on past enforcement actions by the Department of Labor for those practicing architecture without a license. I also request the names of the people involved with this proceeding and their respective roles. Political motivations obviously exist.

Unfortunately, you and Ms. Bair have clearly stated that we are not able to participate in your proceeding, yet you then go on to imply that we should attempt to try to essentially prove a negative with your Board. This is untenable, and a clear breach of due process. I frankly fail to understand how you believe our concern over the inability to defend the charges is "unwarranted," then you go on to state that we may only be present and observe without participating. Clearly, your concepts of due process differ from mine (and statutory and case law).

In conclusion, my client believes that the facts will clearly show (when he is able to "participate") that he has been engaged in design, drafting and development services, and that none of these rise to the statutory definition of "practice of architecture" needing a license. If further legal action is taken after your "hearing," please notify me immediately.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur V. Wittich", written over a horizontal line.

Arthur V. Wittich

AW/rj

cc: John Sinrud

Transmission Report

Date/Time 08-02-2007 12:08:58
Local ID 1 4065852811
Local ID 2

Transmit Header Text Wittich Law Firm
Local Name 1 WITTICH LAW FIRM
Local Name 2

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

Arthur V. Wittich
Admitted MT & CO
Frederick P. Landers, Jr.
Admitted MT & GA
Margot E. Berg
Admitted MT, CA & AR
Hertha L. Lund
Admitted MT



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CONFIDENTIAL-ATTORNEY/CLIENT PRIVILEGED

FAX COVER SHEET

DATE: August 2, 2007
DELIVER TO: Arthur M. Garov
FACSIMILE NO: (406) 444-1394
FROM: Arthur V. Wittich
TOTAL PAGES: 2 (including cover sheet)

If you do not receive all pages, please call (406) 585-5598 at your earliest convenience.

This fax contains legally confidential and privileged communication. If you receive this fax in error, please call the above sender immediately, and destroy your faxed copy. Thank you.

Total Pages Scanned : 2			Total Pages Confirmed : 2						
No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	894	406-444-1394	12:07:32 08-02-2007	00:00:51	2/2	1	EC	HS	CP14400

Abbreviations:
HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
CP: Completed
FA: Fail

TU: Terminated by user
TS: Terminated by system
RP: Report

G3: Group 3
EC: Error Correct



Montana

Department of Labor and Industry

Office of Legal Services

BRIAN SCHWEITZER, GOVERNOR

TELEPHONE: (406) 444-4493
FAX: (406) 444-1394
TDD: (406) 444-0532

P.O. BOX 1728
HELENA, MT 59624-1728

July 30, 2007

Arthur V. Wittich
602 Ferguson Avenue
Suite 5
Bozeman, Mt 59718

Re: John Sinrud

Mr. Wittich:

Your letter of July 26th addressed to Vicki Bair has been forwarded to me for review and response. Unfortunately you do not seem to understand the tenor of the letter sent to Mr. Sinrud with which you take some exception.

The letter from the Department makes it clear that Mr. Sinrud is being investigated to ascertain if he has been practicing architecture in the State of Montana without having first obtained from the Department a license to do so as required under the terms of 37-65-101, *et seq.* MCA. I am sure that you can agree that both the newspaper article sent to Mr. Sinrud and Mr. Sinrud's listing in the 2007 legislature's "copper book" clearly raise the question at issue. All that has been requested of Mr. Sinrud at this time is, if he desires to submit it, a response to the information contained in those publications.

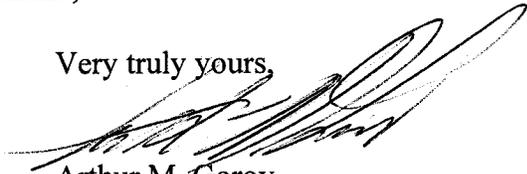
At this point the matter has been ordered investigated by the Board of Architects and will come back before the full board after the investigation is completed. At that time, the full board will consider all of the materials it has before it, including the report of investigation and any response submitted by Mr. Sinrud. After consideration of those materials the full board will decide whether or not there is probable cause to believe that Mr. Sinrud practiced architecture without a license. If such probable cause is found, the board will likely order that a Cease and Desist Order issue to Mr. Sinrud. If that order is not complied with the board may then order that its attorneys proceed to the District Court to seek an injunction against Mr. Sinrud. The board may also forward the matter to the appropriate county attorney for prosecution. See 37-1-317 and 37-65-322 MCA

As a protection to your client, and others similarly situated, unless and until there has been a

finding of probable cause all matters are considered confidential and not subject to disclosure to any one. Since your client already has a transcript of the last board meeting, there is nothing further that I can furnish to you at this time. Your concern about Mr. Sinrud's ability to defend himself before the board is unwarranted. At the board meeting, Mr. Sinrud and you, as his attorney, have the right to be present and observe the proceedings. However neither Mr. Sinrud nor you have the right to participate. The only time at which Mr. Sinrud or you may address the panel is if one of the panel members should ask you a direct question.

I hope that this clarifies the procedure being followed in this matter which is the same procedure followed in all similar matters before the Department.,

Very truly yours,



Arthur M. Gorov
Deputy Chief Legal Counsel
Montana Department of Labor and Industry
406-841-2387

Arthur V. Wittich

Admitted MT & CO

Frederick P. Landers, Jr.

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July 26, 2007

DELIVERED VIA MAIL

Vicki Bair
Compliance Specialist
Montana Department of Labor and Industry
PO Box 200513
Helena, MT 59620

Re: John M. Sinrud, Complaint No. 2008-001-ARC

Dear Ms. Bair:

I represent John M. Sinrud, who recently received your Complaint No. 2008-001-ARC dated July 19, 2007. At the outset, I object to the process being employed by the Montana Board of Architects in this matter. While you state that Mr. Sinrud has the "right to observe" the future Board deliberations, there is no real opportunity to know the specific charges or complaints (or complainants) against him, nor any real ability to defend. It also seems that the same people who have filed the complaint (i.e., the Board of Architects) will also decide the outcome of the complaint. This fails any constitutional due process test, and also fails even the due process afforded to people coming before your Board under the Montana Code.

In your complaint you state that Mr. Sinrud "may" have violated ARM 24.114.405 and 24.114.403. However, Mr. Sinrud is neither a branch office for a national architecture firm, nor is his company a professional corporation or professional limited liability company. Nothing in your "list of witnesses and evidence" attached to your complaint shows anything other than these facts.

Instead you include copies of Mr. Sinrud and JJK & Associate, Inc.'s website pages, the Montana Secretary of State's records, and as a newspaper article on Mr. Sinrud's political activities from the Helena Independent Record. Nowhere in your complaint do you offer any evidence on how Mr. Sinrud or his company's activities relate to the ARM violations.

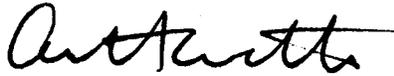
Before responding further, please provide to me at your earliest convenience:

1. Name of the original complainant and actual complaint filed.
2. Names of the Board of Architecture who brought Complaint No. 2008-001-ARC.
3. Names of the Board of Architecture who will decide any disposition from the complaint.

4. Any public files concerning other people who have been charged with similar violations, and the final disposition.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur V. Wittich". The signature is written in a cursive style with a prominent initial "A" and a long horizontal stroke at the end.

Arthur V. Wittich
AVW/sj

Montana Board of Architects & Landscape Architects

July 16, 2007 Meeting

New Business, Section 4(b): John Sinrud – JJKG & Associates

2:20:53

4(b) – Another complaint against John Sinrud.

Okay. I need to – just give me a minute. Okay?

Oh – it's not a complaint.

Darcy: No. It's not a complaint. This is the second of those - the last two where we have received information. Um. What- what we got here – hang on [papers shuffling]. We – we received – Brooke, why don't you tell us how we got the information and what it was, cuz it wasn't all of this – it was a copy of the – somebody called us –

Brooke: A City Planner from Helena had called and there was an article in the IR regarding John Sinrud, and he – in the article, he was referred as owning an architect design firm. And the City Planner was, you know, just saying, hey, you know he's not licensed. And, I said, yeah, we had read the article, and I had met with Darcy and Todd regarding this issue, and we felt that we needed to send JJKG & Associates a letter asking them to explain the article, pretty much.

2:23:08

Darcy: Just like we, with Amy, we received information, we didn't get a complaint it's the burden on the Department is that we shall look into it, basically. It doesn't say maybe. So we thought, we'll see if we can get some information, bring it back – all of it – to you like we did with Amy, response and the initial information. Okay? So, um, that's what you've got here, you've got – and then the letter at the beginning is just Brooke's letter to – to, um, to Representative Sinrud saying that this is what we heard, and this is, you know, what do you have to say about it? So. Um.

2:23:42

Darcy (cont.): You have a copy of the article that "Sinrud at center of budget storm" article is the one it is. And the, we have print outs from the, um, the website. And, let's see here. You have the registration or some sort of reg – or the principal search at the Secretary of State's office, there's two pages about that.

2:24:03

Woman 2: Principals of what?

2:24:06

Darcy: Of the companies. Any company registered at the Secretary of State's office.

2:24:11

Woman 2: Principal of-

Darcy: Mmm hmm. Yeah, I didn't design their website, so.

2:24:16

Darcy (cont): And then you have the response information as well, which is at the very end. And it's only a single page, right? Um. Again, there- there- we do not have information that - that he was holding himself out as an architect. Um. What we have is the article, which did say that he's the owner or principal or I operate a design firm. And, um.

2:24:48

Woman 3: Well, I'm looking at page 1 of 5 on his website, which does say architectural design. Right after his summary of - right after his resume.

Darcy: Right. Now, that in itself - the fact that he owns what he calls an architectural design firm, doesn't necessarily mean he has violated anything. Okay? No. Because we can't - we don't have jurisdiction over the firm, so we can't say all architectural design firms have to be owned by an architect. We don't - it doesn't say that. We - you can't call yourself one, you can't hold yourself out, and that's very specific. It's - it is kind of hair splitting, it really is. But we don't have the jurisdiction over the firms. So, we do have jurisdiction over the practice of licensed individuals, and the people who are trying to get licensed, obviously. We have some exemptions in statute for when you don't need a license. And we do have one rule, and the rule that Brooke cited in the letter - because the information that we had was that he was an owner of this firm. That's what we had. We didn't have him saying, I'm an architect in this article. So.

2:26:04

Darcy (cont): The letter that states that 24.114.405, which is the branch office requirements, okay? That says that you can't operate or call yourself, basically an architectural design firm unless somebody is an architect working there. Do you see what I mean? I mean, that's basically what it says. It says, um, you can't have a branch office to engage in the practice of architecture unless it is under the responsible control and direction of a Montana licensed resident architect who is in the branch office a majority of the time the office is open. Um. So that's the information we thought we'd get. We- you know, we reached out and asked for information regarding the makeup and do you have - I mean cuz frankly, anybody can own an architectural firm. All you - if you have a responsible licensed architect on staff there who's there by like our rule says, a majority of the time, then you're fine. I mean, then our rule would not be violated.

2:26:58

Man: I remember something because I testified in front of this board a couple years ago - there was, and I'll have to find it, but it was something about 2/3 of the owners of a firm licensed to do business in Montana had to be registered architects or engineers.

2:27:12

Darcy: Yeah, that's -

Other woman: I remember that too ...

Group: Mmm Hmm.

Man 2: That's still in here.

2:27:22

Darcy: When there is a partnership or other business entity of architects – there's one question – the individual names and license numbers may appear on one seal. Two: Nothing shall prevent a professional limited liability company or a professional corporation from performing or holding itself out as able to perform any of the services involved in the practice of architecture provided that (a) two-thirds of the total managers

2:27:48

Man: Where are you, Darcy?

2:27:49

Darcy: uh – 403. 24.114.403 It's a rule.

Man 2: Page 41.

Darcy: My – I don't have the page numbers that you guys do. So.

2:28:05

Darcy: two-thirds of the managers if you're a PLLC, or directors if you're a PC are registered under the laws of the United States jurisdiction or foreign – whatever - approved by the board as architects or engineers; and one third of the total managers or directors, like above, are registered as architects in Montana. Again – you don't have a complaint in front of you. You have information. And not very much of it. So – I mean, just because what Brooke and I when we wrote the letter, we focused in on the fact as you know, the article says that you have an architectural design firm, you know, give us some information so that we can take it back to the Board. That's really what we were doing. Um. It doesn't necessarily mean that that's the only – that that will be the violation found if you file a complaint and it goes to investigation. Or – that's not necessarily –that- that letter was a way that – to inquire and get more information for you to consider at the, you know, at your first blush today.

2:28:05

Man: Right.

Darcy: So. There are other statutes and maybe rules that may apply.

2:29:08

Man: I know what's in front of us, and what you're saying. Theoretically, he may be in violation of this one. But – we haven't investigated that, we haven't got a complaint –

2:29:19

Darcy: Right. No complaint has been filed. This is just an – you know, you have what you have in front of you. You've got a copy of the website, you've got a copy of that article that was in several newspapers, I think, and then, his responses.

[Others talk in background about article – inaudible.]

2:29:46

Darcy: I will say one thing – and this may come up, you know, um, later, but, we do not have a definition for branch office. So the rule that Brooke and I cited as – are as if you've got a branch office, you need to have a responsible licensed architect in it most of the time – we don't have a definition for branch office. So, arguably, I don't know what that will mean. And why we would want just out of state – I'm interpreting this – out of state operations that have one or two or three branch offices in the state to have a licensed Montana architect – why we would require that of somebody who's headquartered in Cincinnati and not somebody whose only operation is in Billings is beyond me. But we don't have a definition – we've never defined that.

2:30:38

Darcy (cont.): I think that's why Mr. Sinrud doesn't think that that rule applies to him. Because it's not a branch office, it's his only office. I think that's the argument. Again, it's not, that's a – that's a legal interpretation, basically, but we as a board do not have a definition for that term. We have it in a rule, but we don't have it defined.

2:30:55

Woman: This information – sorry – just question – this information that's from, uh, -

Darcy: That's from the Independent Record. The Helena Paper.

Woman: Okay. So it's not – it's not linked to his website.

Darcy: No. No, no. That's the information that we received – when we got the call from the City Planner, who said, have you seen this article? And it was on the paper that day, it was big – it was right on the front page.

Woman: This is the same as the article from the paper?

Darcy: Yup. Mmm hmm. That's just the online version of it.

2:31:28

Man: Question, [inaudible]. If in fact it looks like there may be some violations of other statutes or rules, whatever, and let's say this one's pretty thin, if we said we want to investigate – can we go on – all this other stuff comes out?

Darcy: Oh, yeah.

Man: And then, and we

Darcy: No complaint's been filed. This is a – what this is today is an opportunity to file a Board generated complaint, and you can send it to investigation right away if you want to. That's one of the things we can do with unlicensed practice – that's our burden. But, you can tailor the complaint – you can allege anything. It doesn't – you know what I mean? You can – if you feel that maybe, you know, what Brooke and I had in that letter is not a complaint. It was just – that article seems to lend us to believe that you've got an architectural design firm. Tell us more. I mean, that's really what it is. So. It – it wasn't anything. But.

2:32:24

Man: Isn't there a – is there a definition in the state statutes or –

Darcy: Oh, I'm sure there's hundreds of them.

Man: Well, I know – hold on. That as an architect, you cannot use the word architect, architectural, any derivative of the word architect unless you are licensed?

Darcy: No, you – I've read that definition like three times now today. So, that's the one. You bet. Except as provided in this chapter, no person may practice architecture in this state or use the title architect, or licensed architect or any words, letters, figures or other device intending – or, I'm sorry – indicating or intending to imply that he is an architect without having qualified under this chapter.

2:33:09

Man: Now, in your opinion, architectural design – what would you? Would you say that is being – that is being, uh, intended as architectural work?

2:33:31

Darcy: I can see people being misled by that. But again, that – the licensed member – we don't license firms. We do have some requirements on our firms wherein our licensees practice. The rule that Brooke and I cited is one in the letter, plus that 2/3 1/3 – I mean we do have some requirements that we have on our – on practicing architectural firms in the state. However, that doesn't mean we issue the firms a license and we can take it away. What it means is – if you're going to have a firm, we want to know, and we want somebody who is an architect there, at least in a branch office. Uh. The holding one self out thing, that's different. That's a person, okay, it's gotta be a person, or persons doing it, it's not the firm. We don't have a rule or a statute that says you can't call yourself an architectural firm unless all you employ is architects. You see what I mean? We can't – we don't have anything like that.

2:34:32

Woman: So can we – before we could have any kind of complaint at all, we need to know whether or not JJKG has a licensed architect on board.

Darcy: Well, no. You need to – you need to file a complaint. We can't investigate without having a complaint.

Man: Right. So we have to make a motion – or we have to – the Board has to make a motion to decide if there is – if we should take a step further. Is there going to be an investigation here?

2nd Man: Will we move to have a Board generated complaint?

Several people: That's right.

Man: Well, I see architectural design, I see construction documents, and – well, but construction documents which ultimately require a stamp, and a seal, and somebody responsible in charge. I mean both of those things in my mind represent the practice of architecture.

I agree.

2:35:32

Darcy: Yeah, and you know, right now you guys are not having to find reasonable cause there's been a violation, you're just – again, this is your first looksy at this and if you think that there's something that needs to be looked at then – then you need to file – your step is to file a complaint, and then go from there.

2:35:56

Woman: Well, I think that's reasonable...[inaudible].

2:36:06: Is that in the form of a motion?

2:36:07: Yeah, is that a motion?

2:36:09:

Woman: Yeah, I propose a motion – make a motion that we request an investigation. No.

Darcy: Board generated complaint.

Woman: Board generated complaint against –

Man: JJKG

Woman: No –John Sinrud.

Man: Individual. [inaudible]

Woman: Oh, and to investigate [inaudible]?

2:36:37

Darcy: You can do whatever you want. You have –

Man: Can we discuss for a second?

Darcy: Well, let's get a second on the motion, and then you can discuss all you want.

Man: Second.

2:36:47

Discussion.

Well, the discussion is, if in fact we think he's in violation of the business entity practice, that is back at the business. Not just he as an individual. So, shouldn't the motion say both?

2:37:04

Darcy: That's a better way of going about it. I mean, he is arguably an owner of the firm, he said he is. So, um, this – this board – there are plenty of boards that do both. You know, they may register or license some sort of a firm or business, plus they also regulate the practice. So, you know, if you find one and not the other, it doesn't mean your whole complaint is, you know, tanked. It just means that it'll go in a different direction. No, we didn't find that JJKG misrepresented itself as a license – or as an architectural firm, however, we determined that this person was practicing without an architectural license. Do you see what I mean? You don't – I don't think we need two complaints.

Man: No, but I – but wouldn't the complaint cover – couldn't the c-

Darcy: I think that's better.

Man: Could [inaudible] consider amending her motion? Then we could – we could name both?

Woman: Yeah. To name the firm as well then? Yeah. I –

Darcy: JJKG is what it is, right?

2:38:12

[inaudible talking at the same time]

Woman: Did you get that?

Other woman: Mmm hmm.

2:38:19

Man: Alright. We're going to take a vote on this, then. All in favor of the motion?

2nd Man: As amended?

Man: As amended.

Aye. [several]

Man: Okay. Anybody against it? Okay, great.

Another man: I just wanted to - you had a conversation with him, Brooke, that you related to [someone].

Brooke: Mmm hmm.

Another man (cont.): And I'm speculating that it looks like he thought there was - that it was politically motivated? Is that his concern?

Brooke: Mmm hmm. And it was during the staff meeting [?]. And it was -

Man (cont): I see.

Brooke: yeah. And I think he's in disagreement with the governor on this project. [inaudible - laughs]. I don't know, he just thought it was politically driven and it certainly was not.

2:39:11

Man: Okay. Moving right along.

Woman: Darcy, do they just want the regular response or do they also want this investigated by our investigator?

2:39:22

Darcy: yeah. You can go ahead and send it to investigation right away if want. Since it's already been in front - you know, since, arguably, something has been in front of you, you didn't, you know, um,

Man: Well, yeah. I think we should. And you're saying it's better if we give them a little direction on what sort of things to look at?

Darcy: Yeah, Bruce always appreciates that.

Man: I'd say, yeah -

Darcy: But - okay, let's -

They can just make a second motion, can't they?

Yeah, or you can amend the other one. To file a board generated complaint and move to immediate investigation, that's usually where - I'm sorry -

We can just amend it like that, that's fine.

Yeah. That's fine.

I did include investigation.

Did you?

Yes – she did.

Okay. She might have. I didn't write it down, but okay.

And we just need a scope now for our investigation. Exactly what you're looking for.

2:40:09

So we want to look into ownership –

Well, they've kind of done that it looks like.

[inaudible] – Whether or not there are any licensed architects.

[inaudible] No.

So, ownership, -

-licensed architects –

yeah, any licensed professionals employed by the firm.

And how many architects are principals.

Owners.

Well, yeah, or managers.

2:40:46

In our rule, is kind of specific as to the types of entities because –

-it's an LLC

Right, this isn't Wal Mart. You know what I mean? This is – we're supposed to be – that rule is – is supposed to be for firms that are engaged in the profession of architecture. I mean that's what it is, so that's why they're PLLCs or PCs. And I don't know what his is. So.

Well, it said professional –

And it might be – it might be. I know it's Inc- it's incorporated. But.

It's incorporated, but this said professional corporation.

2:41:15

I thought it was an LLC –

It says or a professional corporation.

Right, but a PC is the same thing, though. That's, I mean that's different. A corporation and a professional corporation are different.

Oh, right –

You see what I mean? They're formed for different things.

A C- corporation. Yeah, you're right.

So we don't know that – I don't know that. And I didn't look, you know, in detail at the Secretary of State stuff and I don't know if it would take more than that to get that information from them. I'm sure they have it, but um. He's got – I mean, Mr. Sinrud arguably has several other businesses. Those are not, you know, implicated or anything by this, but the one just says corporation, so I don't know. But we can certainly look into that too. We want to – we already put ownership, so, um. And if we get, arguably if we get the number of employees and who's employed then we'll know if it's 2/3 1/3, we can also approach it that way, too.

2:42:17

So with that motion do we have a second then, cuz we have an amended motion, right?

She did one to include the amended motion.

Right.

So we'll just keep it as the amended with investigation.

Okay, so, do we have a second on that motion?

Second.

So, do I go to discussion or vote [slightly inaudible]?

No, the discussion usually – usually comes before the final motion. Motion, second, discussion, vote.

Okay. Do we have – can the public be on this? [?]

Well, no. I'm sorry, that is misleading. The discussion is Board discussion.

Oh. Okay. So no public discussion.

Right, it's discussion for you know, what you want to achieve with the motion. You know, and usually.

I just – that's okay, I understand. I just saw that we had [inaudible]

I know.

Okay. So, let's vote on this motion –

Darcy: Is there anything else you want to find out? I'm just trying to think of – for other – other complaints that we've had. If there are – if there are – I mean if you guys hope to either find out or discredit allegations of the practice occurring without licensure, then we probably need something, what you'd need is proof that the practice did occur. If it's more of a holding – I mean it's – it's totally has only to do with the allegations in this – the case specifics. If it's a advertisement one, then it's more of a – let me see what's in print. Or, when did he call himself an architect, do you see what I mean? But if you're looking, if you're thinking that it might be the practice –

[inaudible] the projects?

2:43:57

Darcy: I don't know. That's what I'm saying. They're – you know, you guys have looked at that kind of stuff in the past on unlicensed practice, where we've looked at – because we've obtained documents, or copies of plans, or I don't know if that's the way you want to go, or if your focus in this investigation is solely regarding the constitution of the firm and potential violations of not having an architect in that firm, or on that site or

Well, I guess if we had some idea of completed projects, we'd have some idea of completed projects, we'd have an idea if it was knocking up against public building [unclear]

Well – this is going to get really ugly, now because I was hired, my firm, to do a project that this individual submitted drawings to the city, and I had to take it over because it was a joke. So now, where do I stand – I mean – it's

Does he have to recuse himself?

2:44:49

Darcy: yeah, you might have to – it might – I don't know if there's anything in the public employee affects, or in those things. You've already disclosed that there's a potential conflict and it might be – you know, the wiser move to go ahead and not participate in any votes or, you know what I mean. But, this discussion is held in public open session, so, you know there's nothing, there's nothing wrong with you being here, obviously. Um. So, the board appreciates that and it's noted in the – in the records for that. So, um, if that should come up, it doesn't mean you're recused for everything. You know what I mean.

Sure. No, but I, with everything being said, I think we're on the right track.

2:45:32

So let's have – I don't know how to say this –

Darcy: I don't either.

But if there was some photos, or some representation I think off this website on projects, so that would probably suffice initially.

Darcy: We have obtained, I know, documents on some old – other cases, not anything having to do with this one, but from our – from the building codes department. You know, public documents. They're not, um – and I – and Bruce has had some luck doing that before. As long as we, I mean, I don't know how they're organized over there, I don't know if they're done by –

We've been able to give them names and firms and they have been able to do checks for us and –

Darcy: yeah – Bruce might be able to find some information that way.

Through building codes?

Darcy: Mm hmm, but that's you know, at the state level, so, I can certainly

2:46:25

Well, [inaudible]

Darcy: yeah, there are some on the website, I mean it's very clear that there's –

Yeah, but the residential projects won't be the state – it has to be a state project outside of a county or you know, a city jurisdiction.

Darcy: Yeah, there are some exceptions. I mean there's exceptions to the –

And I would think the city might be able to do a quick search for him in the last say three four years for projects. [inaudible]

2:46:56

Darcy: Okay. Do you want – do you want to go four years – three four years – this is good for him, so he can, you know, tailor his search what he asks.

2:47:02

Woman: Some of these buildings were completed and occupied as [inaudible]

[inaudible comments]

Man: Well lets start at 10 and see how big his search is.

Woman at same time: [inaudible] 2001. yeah.

2:47:23

Darcy: Okay.

Woman: Mostly in Bozeman.

Darcy: I'm sure it's – they'll do the accounting wouldn't it – I mean the building codes is anything state, so it'll go broader than that, but, I would think – okay. I'll have him call the – you know, he knows. He's done investigations for unlicensed practice with us before, so it's not his – his first attempt at this, so. Okay. And that's on an individual or firm type basis. 10 Years. Okay.

2:48:15

Man: Okay. Next.

Darcy: Okay. We have an architect's application here, um,

[inaudible woman's voice]

Man: Well it was already voted, it was just the – we were just planning the scope of the investigation.

Darcy: Yeah. I think we were done – we were done, Vicki, weren't we? On the Mot- yeah, okay.

2:48:43



Governor Brian Schweitzer

Montana
Department of Labor and Industry
Business Standards Division

July 19, 2007

JOHN M. SINRUD
JJKG & ASSOICATES, INC
303 W MENDENHALL ST
BOZEMAN MT 59715

RE: Complaint #2008-001-ARC

This office is in receipt of information regarding possible unlicensed practice. Pursuant to Montana Code Ann. 37-1-317 (2001), the Montana Department of Labor and Industry is required to investigate allegations of unlicensed practice. Enclosed is a copy of the Board generated complaint.

It is requested by the Montana Board of Architects that you submit a response to the Board in regard to the matter, along with copies of any related documents, names, addresses, and phone numbers of any individuals identified in your response as having knowledge regarding the allegations within 15 days of receipt of this correspondence, or by **August 3, 2007**.

Whether or not a response is received, the Board will consider the matter. Notification will be sent to you at a later date regarding the time and place of the meeting. You have the right to observe, but not participate, in the Board's deliberations regarding this complaint.

Sincerely,

A handwritten signature in cursive script that reads "Vicki Bair".

Vicki Bair
Compliance Specialist



STATE OF MONTANA
 DEPARTMENT OF LABOR AND INDUSTRY
 BUSINESS STANDARDS DIVISION
 301 S PARK - ROOM 430
 PO BOX 200513
 HELENA, MONTANA 59620-0513
 (406) 841-2300

FOR OFFICE USE ONLY
 Complaint # 2008-001-AK

BOARD NAME: BOARD OF ARCHITECTS

COMPLAINT AGAINST: John M. Sinrud LICENSE # None (If Known)
 PROFESSION/OCCUPATION TYPE: _____
 BUSINESS/FIRM NAME: JJKG & Associates, INC PHONE: _____
 ADDRESS: 303 W Mendenhall ST Bozeman, MT 59715
Street or PO Box City/State Zip Code

NATURE OF COMPLAINT: *Please describe in detail the nature of the complaint, giving dates and other information. If service is part of the complaint, give information about telephone calls, contracts, etc. Attach additional sheet if necessary.*
 The Board alleges Mr. John Sinrud of JJKG & Associates may be in possible violation of ARM 24.114.405 Qualifications required for Montana Branch Office and ARM 24.114.403 Business Entity Practice

LIST OF WITNESSES AND EVIDENCE: See Attached Documents

WHAT ACTION ARE YOU REQUESTING OF THE BOARD OR DEPARTMENT?
 To be determined by the Board.

COMPLAINANT'S NAME: Board of Architects PHONE#: (406) 841-2351
Print Here

COMPLAINANT'S ADDRESS: PO Box 200513 Helena, MT 59620-0513
Street or PO Box City/State Zip Code

2298, Eff. 8/25/00; TRANS, from Commerce, 2002 MAR p. 173; AMD, 2006 MAR p. 1381, Eff. 6/2/06.)

24.114.407 BUSINESS ENTITY PRACTICE (1) When there is a partnership or other business entity of architects, the individual names and license numbers may appear on one seal.

(2) Nothing shall prevent a professional limited liability company, or a professional corporation from performing or holding itself out as able to perform any of the services involved in the practice of architecture, provided that:

(a) two-thirds of the total managers (if a professional limited liability company), or directors (if a professional corporation) are registered under the laws of any United States jurisdiction or any foreign jurisdiction approved by the board as architects or engineers; and

(b) one-third of the total managers or directors are registered as architects in Montana. (History: 35-4-301, 35-8-1304, 37-1-131, 37-65-204, MCA; IMP, 35-4-205, 35-4-207, 35-4-208, 35-4-209, 35-4-301, 35-8-1304, 37-65-101, 37-65-302, MCA; NEW, 2000 MAR p. 2298, Eff. 8/25/00; TRANS, from Commerce, 2002 MAR p. 173; AMD, 2005 MAR p. 2077, Eff. 10/28/05; AMD, 2006 MAR p. 1381, Eff. 6/2/06.)

24.114.404 ARCHITECT PARTNERSHIPS TO FILE STATEMENT WITH BOARD OFFICE (1) All licensees who enter into partnerships, limited partnerships or profit corporations, subchapter S corporations or any other form of business entity in which their professional talent and service are utilized, shall file with the board office a statement of the existence of the business entity and the licensee's relationship to it. (History: 37-1-131, 37-65-204, MCA; IMP, 35-4-209, 37-65-302, MCA; NEW, 1986 MAR p. 789, Eff. 5/16/86; AMD, 1998 MAR p. 449, Eff. 2/13/98; TRANS, from Commerce, 2002 MAR p. 173; AMD, 2006 MAR p. 1381, Eff. 6/2/06.)

24.114.405 QUALIFICATIONS REQUIRED FOR MONTANA BRANCH OFFICE
No firm, corporation, partnership or individual may establish or maintain within this state, a branch office to engage in the practice of architecture unless such branch office is under the responsible control and direction of a Montana licensed resident architect who is in the branch office a majority of the time the office is open. (History: 37-1-131, 37-65-204, MCA; IMP, 37-65-303, MCA; Eff. 12/31/72; AMD, Eff. 7/5/74; AMD, 1980 MAR p. 1720, Eff. 6/27/80; TRANS, from Dept. of Prof. & Occup. Lic., Ch. 274, L. 1981, Eff. 7/1/81; AMD, 1986 MAR p. 789, Eff. 5/16/86; AMD, 1990 MAR p. 583, Eff. 3/30/90; AMD, 2000 MAR p. 2298, Eff. 8/25/00; TRANS, from Commerce, 2002 MAR p. 173; AMD, 2006 MAR p. 1381, Eff. 6/2/06.)

24.114.406 SOLICITATION OF BUSINESS BY NONRESIDENT ARCHITECTS (1) A nonresident architect may offer architectural services in this state without compensation upon submission to the board of verification of the following:

(a) a current, unrestricted architecture license issued by the state where the architect's principal offices are located; and

(b) a current NCARB certificate.

(2) The nonresident architect may not accept a commission or otherwise engage in the practice of architecture within this state until licensed by the board. (History: 37-1-131, 37-65-204, MCA; IMP, 37-65-301, MCA; NEW, 1996 MAR p. 3210, Eff. 12/20/96; AMD, 1998 MAR p. 449, Eff. 2/13/98; TRANS, from Commerce, 2002 MAR p. 173; AMD, 2006 MAR p. 1381, Eff. 6/2/06.)

24.114.407 EMERGENCY USE OF ARCHITECTS (1) Nothing shall prevent a person who is not currently registered in this state and is currently registered in another United States or Canadian jurisdiction, from providing uncompensated (other than reimbursement of expenses) professional services at the scene of an emergency at the



Montana
Department of Labor and Industry
Business Standards Division

Governor Brian Schweitzer

MONTANA BOARD OF ARCHITECTS

March 23, 2007

JOHN M. SINRUD
JJKG & ASSOCIATES, INC.
303 W MENDENHALL ST
BOZEMAN MT 59715

Certified Receipt #7003 3110 0000 6630 6484

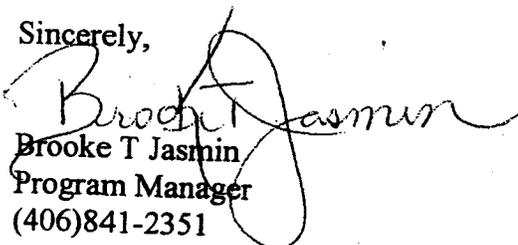
Dear Mr. Sinrud:

It has come to the attention of the Montana Board of Architects that JJKG & Associates, Inc. may be engaging in the practice of architecture without the required responsible control and direction of a Montana licensed resident architect. In accordance with the following administrative rule:

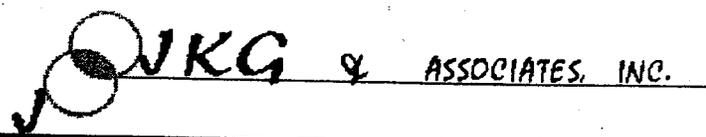
- **ARM 24.114.405 QUALIFICATIONS REQUIRED FOR MONTANA BRANCH OFFICE (1)**
No firm, corporation, partnership or individual may establish or maintain within this state, a branch office to engage in the practice of architecture unless such branch office is under the responsible control and direction of a Montana licensed resident architect who is in the branch office a majority of the time the office is open.

The Board is requesting that you submit a written explanation regarding this matter and/or if you feel that ARM 24.114.405 does not pertain to JJKG & Associates. Your written response must be received in the Board office no later than 10 days of receipt of this letter.

Sincerely,


Brooke T Jasmin
Program Manager
(406)841-2351



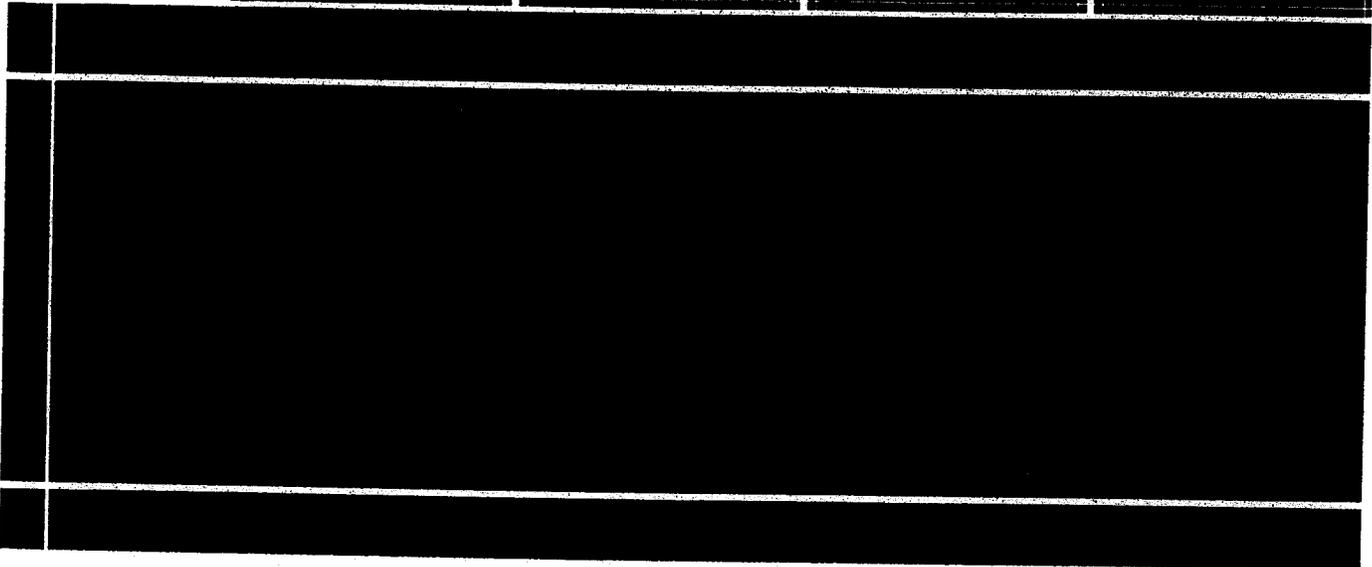


Home

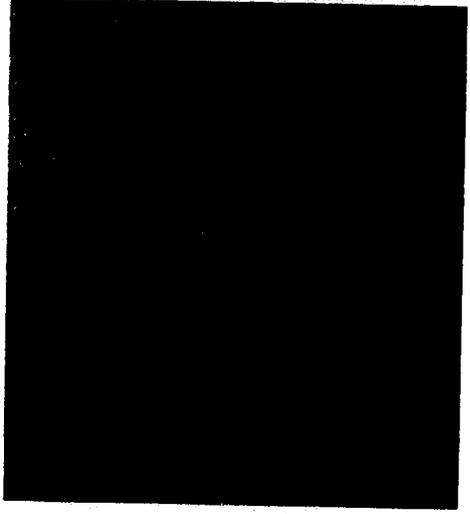
Our Projects

About Us

Contact Us



John M. Sinrud



Owner, President 2001 to current JJKG & ASSOCIATES, INC. BOZEMAN, MT

Montana State House of Representatives 2000 to current
Elected Representative House District #31

Project Manager Years Employed 1998-2000 LARRY PEARSON, A.I.A. BOZEMAN, MT
Client meetings, contract management, construction management project coordination, construction documents, interface with City and County Planning boards, Auto CADD 14 and 2000.

Office Manager Years Employed 1998-2000

LARRY PEARSON, A.I.A. BOZEMAN, MT
Managing and scheduling workforce, office coordination.

Project Manager Years Employed 1991-1998 LOCATI ARCHITECTS BOZEMAN, MT

Complete construction documents utilizing Auto CADD.

CADD Manager Years Employed 1991

JONATHAN FOOTE, A.I.A. BOZEMAN, MT
Initialized, implemented and maintained Auto CADD system,
construction drawings

Draftsman Years Employed 1989-1991

RAFAEL FRANCO AND ASSOCAITES WESTLAKE VILLAGE, CA
Complete construction documents with and emphasis
on commercial projects utilizing Auto CADD.

Draftsman Years Employed 1988-1989

PARKIN ARCHITECTS WESTWOOD, CA
Manual drafting in support of commercial projects.

EDUCATION

Auto CADD 1989
PIERCE COMMUNITY COLLEGE NORTHRIDGE, CA
Bachelor of Science – Political Science 1998
MONTANA STATE UNIVERSITY – BOZEMAN BOZEMAN, MT

PROJECTS – COMPLETED

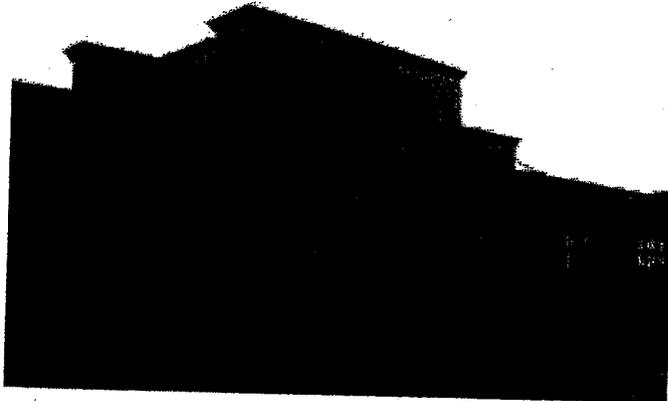
- Pedersen Residence \$ 700,000
- Marsh Residence \$ 500,000
- Davis Remodel \$ 200,000
- Montana Tile and Stone \$ 400,000
- Running Water Ranch \$ 10,000,000
- Hammer Ranch \$ 2,000,000
- Wiggins Residence \$ 500,000
- Bacon Residence \$ 3,500,000
- Valley Glass and Windows \$ 750,000

JJG & Associates
303 W.Mendenhall St, Bozeman 59715

406 556 1311
fax 406 556 1307
info@jjkginc.com

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JJKG & ASSOCIATES, Inc.



Yellowstone Center

Co designed with LPAIA

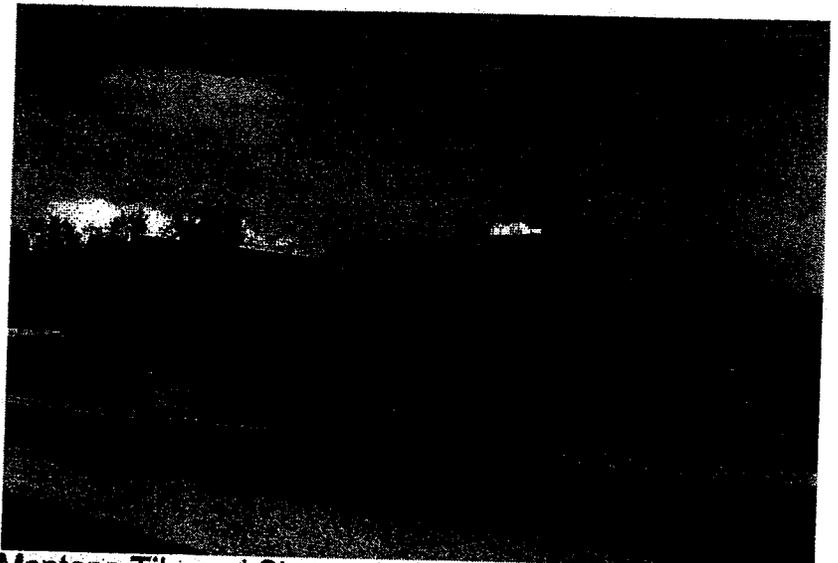


Brendell Residence, Alder

Designed by JJKG & Associates, Inc.

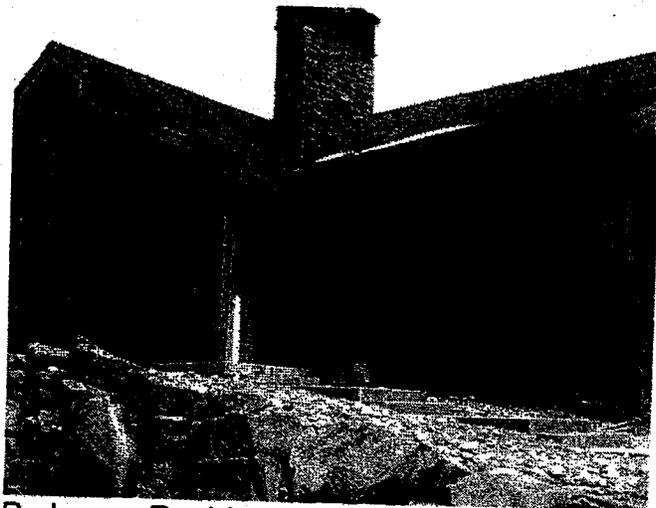


Pedersen Residence, Bridger

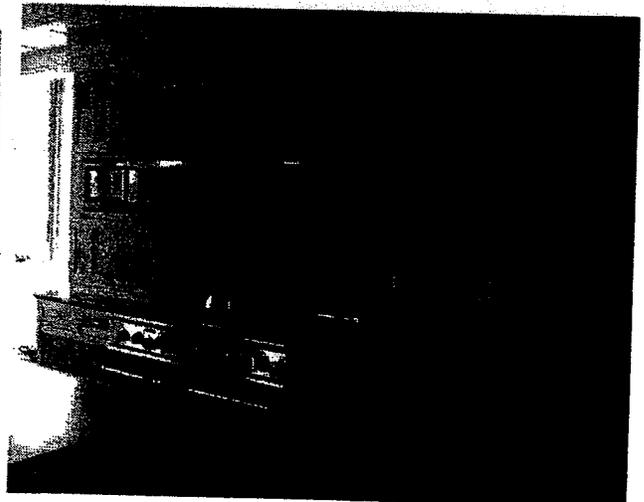


Montana Tile and Stone

Designed by JJKG & Associates, Inc.



Pedersen Residence, Bridger



Designed by JJKG & Associates, Inc.

JJKG & Associates
303 W.Mendenhall St, Bozeman 59715

406 556 1311
fax 406 556 1307
info@jjkginc.com

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<i>Home</i>	<i>Residential</i>	<i>Commercial</i>	<i>Land Use Planning</i>
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Project: Yellowstone Center

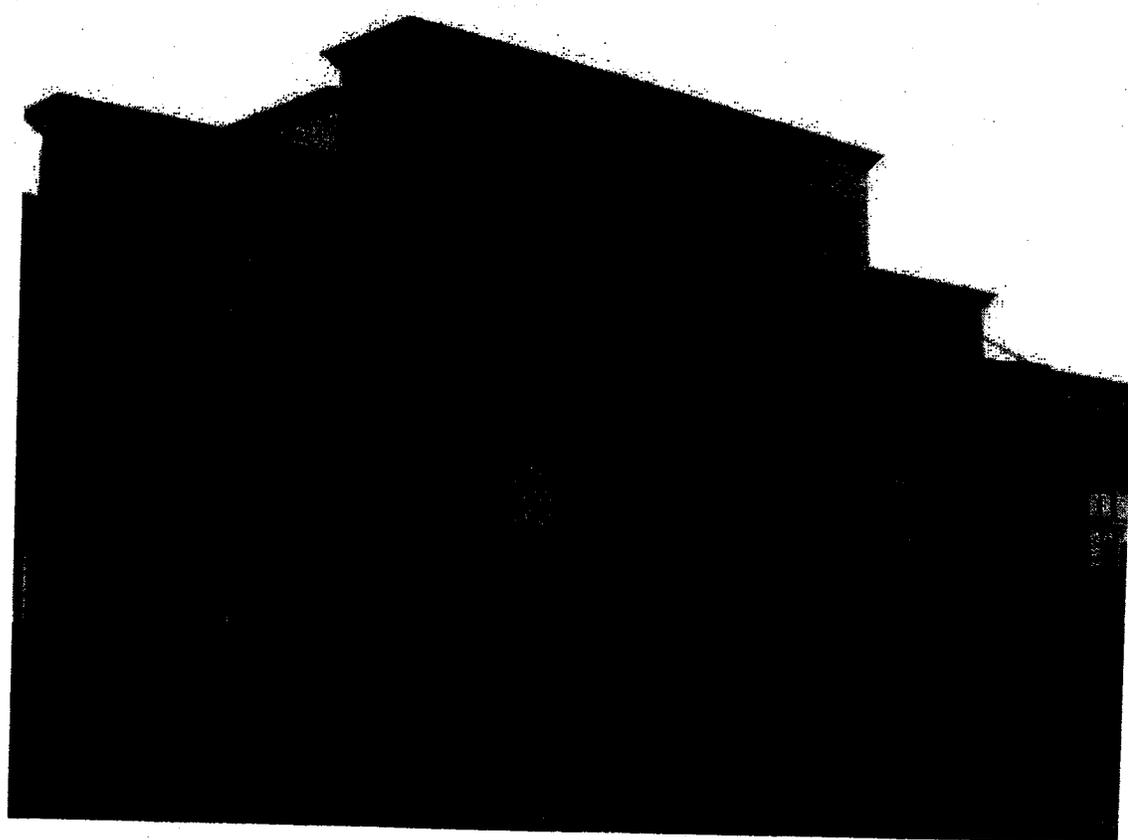
Location: Technology Park, Bozeman

Description: Office complex, Single owner use

Square Footage: 3,500

Notable Facts: Needed to blend old west facade into modern technology park. Project had to go through Technology Park review process as well the Bozeman City planning and review process. Both aspects w coordinated to everyone's satisfaction.

Status: Building completed and occupied in 2001



Project: Montana Ale Works

Location: East Main Street, Bozeman

Description: Historic old train repair building

Square Footage: 9,000

Notable Facts: Old stone building once belonged to Burlington Northern being used as a commercial train and storage depot. Restored and remodeled entire structure. Salvaging this structure was the watershed event for renewal of Bozeman's east Main. We accomplished all that we hoped to achieve for the design despite City design opposition.

Status: Building completed and occupied by a popular pub, billiard hall, and high-end restaurant serving fusion cuisine.



Project: Montana Tile & Stone

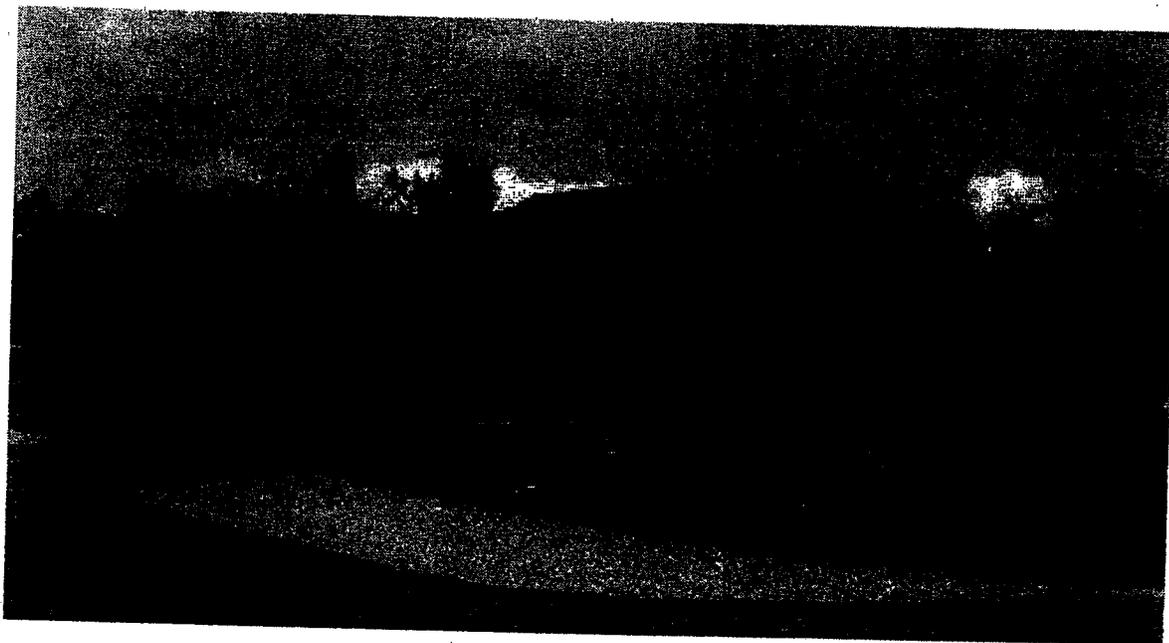
Location: Four Corners west of Bozeman

Description: Single owner use industrial building. Showroom area, storage and manufacturing of countertops

Square Footage: 6,000

Notable Facts: Working with owner to accommodate current as well as projected future business needs.

Status: Completed in 2001 and occupied since then by owner.



Project: Team Bozeman

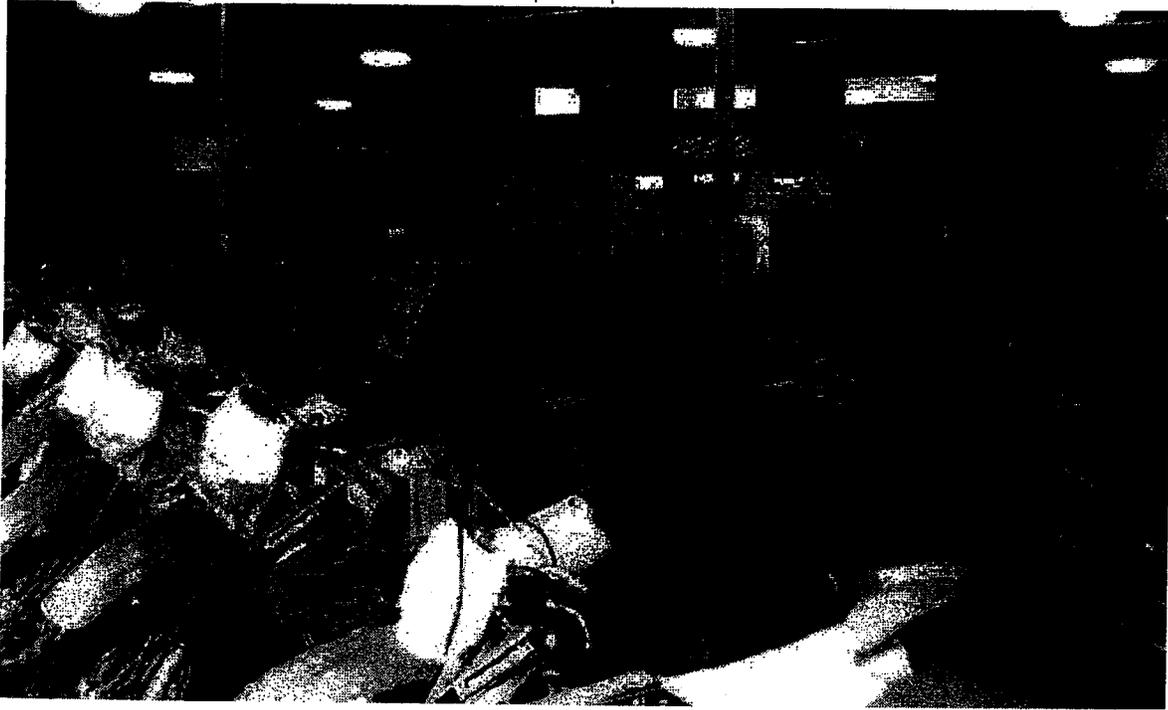
Location: Simmental Way, Bozeman

Description: Reconfigure existing industrial building for new use

Square Footage: 8,300

Notable Facts: An existing building not approved by City Building Dept. Project had to go through major review. We worked with the City officials on many areas of compromise that saved the client time and money yet met the needs of the Building Dept. City also assessed an impact fee of \$40,000, which we negotiated down to zero.

Status: City approved project and released occupancy permit. Client in building and operating business.



The following projects are currently under contract:

Land Planning: Los Lunas, New Mexico: 28 acres, 143 residential units

Commercial: Jet Center, Gallatin Field: \$500,000 private airport facility

Commercial: Antique Mall Remodel: 4,000 s.f. addition at a cost of approximately \$300,000

JJGG & Associates
303 W.Mendenhall St, Bozeman 59715
info@jjkginc.com

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Click the name of an entity to view details.

IMPORTANT: The results of your search are separated into two sections. The first section lists the first 115 Corporations and LLCs found. If there are 115 result returned, there may be additional entities associated v individual you are searching for. The second section lists all other entity types.

PLEASE NOTE: The second set of results may not be exact matches, but will include all possible records n your search criteria. Please ensure you review both sets of results.

Name	Address	Name of Entity	Type of Entity	Position
JOHN M SINRUD	284 FRONTIER DR BOZEMAN MT 59718	<u>JJKG & ASSOCIATES, INC.</u>	Corporation	PRESIDENT
JOHN M SINRUD	284 FRONTIER DR BOZEMAN MT 59718	<u>JJKG & ASSOCIATES, INC.</u>	Corporation	DIRECTOR
JOHN SINRUD	284 FRONTIER DR BOZEMAN MT 59718	<u>R.J.B. DEVELOPMENT CO., L.L.C.</u>	LLC	LIMITED LIABILITY COMP. INDIVIDUAL MANAGER
JOHN SINRUD	284 FRONTIER DR BOZEMAN MT 59718	<u>REVOLUTION DEVELOPMENT L.L.C.</u>	LLC	LIMITED LIABILITY COMP. INDIVIDUAL MANAGER

Total Results: 4

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Montana Secretary of State

BRAD JOHNSON

Registered Principals Search

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Name

JJKG & ASSOCIATES, INC.

City

BOZEMAN

Principal Information

Position

DIRECTOR
DIRECTOR
PRESIDENT
VICE PRESIDENT
SECRETARY
TREASURER

Name

JOHN M SINRUD
KIMBERLY A SINRUD
JOHN M SINRUD
VACANT
KIM SINRUD
KIM SINRUD

Address

284 FRONTIER DR
284 FRONTIER DR
284 FRONTIER DR
284 FRONTIER DR
284 FRONTIER DR

BOZEMAN M'
BOZEMAN M'
BOZEMAN M'
BOZEMAN M'
BOZEMAN M'

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Sinrud at center of budget storm

By CHARLES S. JOHNSON - IR State Bureau - 03/19/07

When John Sinrud got married at age 19, his wife took one look at his checkbook, which hadn't been balanced for months.

"She said, 'My gosh, what have you done? We're going to take that away from you,' " he recalled.

So Kim Sinrud, a newly minted Montana State University accounting graduate who had taken a job as a contract auditor for the Department of Defense in Los Angeles, took immediate charge of the family finance

Rep. John Sinrud, R-Bozeman, told the story on himself with some irony, knowing full well that Democrats will chide him for it.

Today, 20 years later, Sinrud serves as chairman of the powerful House Appropriations Committee. The panel has recommended that Montana spend \$7.5 billion in total funds to run state government the next two years.

He is quick to add he has long since learned how to handle money, both personally and for his Bozeman-area architectural design business. He told how he and his wife lived frugally in Los Angeles, setting aside just \$5 a week for entertainment.

"I learned to work within the parameters of budgets and income," he said. "If you don't have the money, you can't spend it."

Sinrud is at the center of the political maelstrom at the Legislature over setting Montana's budget for the next two years. He is in a bitter fight with Democrats over the Republicans' decision to break the traditional single state budget bill into eight measures. The flak doesn't bother Sinrud.

"I've been described as a bully and everything else," he said recently. "If we don't try something new, we're never going to get any other results."

His goal is to reduce the increases in state spending and return more of the projected \$1 billion surplus to taxpayers.

"You're only here for a time," Sinrud said. "If you can't vote your conscience and make a change, what are you going to accomplish? If people don't like what you're doing, and you believe what you're doing is right, then let your critics run against you. You have to live with yourself."

The way Sinrud sees it, he is doing exactly what he promised.

"I ran on a ticket of pro-life, property rights, less taxes, being fiscally astute and responsible, and if I can't be elected on those fundamental principles, that's OK," he said.

House Speaker Scott Sales, R-Bozeman, said Sinrud, an old friend who goes to the same church, didn't seek out the Appropriations chairmanship.

"He has that tenacity where he wants to know and he wants to know why, and that's why I picked him," Sales said. "I picked him because he has a keen zeal for wanting to learn the process."

House Minority Leader John Parker, D-Great Falls, said he opposes what Sinrud and Republicans ha

done to the budget process.

"However, I've found him to be a staunch supporter of protecting the public from sex offenders," said Parke a prosecutor.

Rep. Jon Sesso, D-Butte, who sits on the Appropriations Committee, called Sinrud "a hard-working legislator," but added, "I wish he was a little bit more open-minded to all points of view."

Sinrud is a Washington state native whose family moved to the Bitterroot when he was 2 years old. After graduating from Hamilton High School, he enrolled at MSU where he took architecture for five quarters, dropping out when he came down with mononucleosis.

In Los Angeles, Sinrud worked nights monitoring machines for an alarm company. He later worked for an architectural firm and picked up his computer automated design and drafting credentials at a community college there.

After four years in California, the Sinruds were ready to return to Montana and wanted to become active in politics. He worked for some area architectural firms before opening a business in 2002 to do architectural design and land planning.

"It's difficult to run a business and be in the Legislature," Sinrud said, estimating he will lose \$70,000 over the session's four months. "Only by the grace of God do I have good clients and I am able to make it."

While working full-time, Sinrud went back to MSU and completed his bachelor's degree in 1998, but in political science, not architecture.

One of his political science professors was Rep. Franke Wilmer, a freshman Democratic legislator from Bozeman.

"He was always a very good student — very attentive and very engaged," Wilmer said. "I enjoyed having him in class. He was a hard worker, articulate and in some ways a kind of naturally gifted speaker."

As a legislative colleague, however, Wilmer criticized what Sinrud and other Republicans have done to the budgeting process.

"It's not about John," she said. "It's about a political move he played a leadership role in."

Sinrud was picked to fill a vacant legislative seat in 2002, winning the race for it later that year and twice since.

Sinrud doesn't see himself seeking higher office, but wants to make a difference as a legislator. That's why he and others have taken on the budget fight.

"If most Montanans came up here and looked at the (former) budgeting process, they'd be amazed at how we've made it," he said. "They would see why there's a continual increase in government spending. We never look at any existing programs. You only evaluate the new ones."

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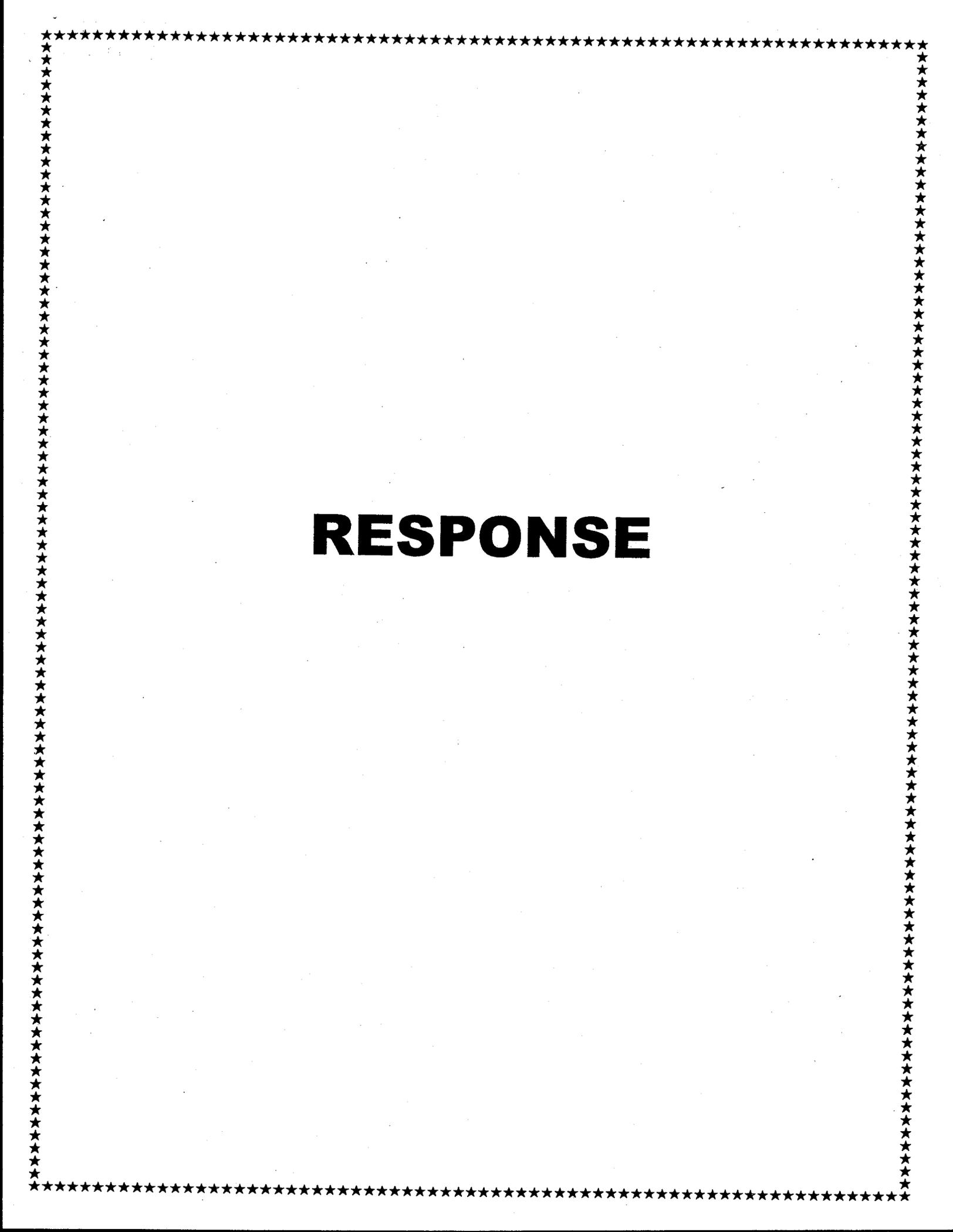
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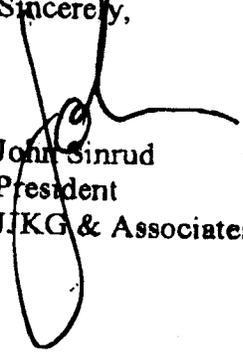
 JJKG & ASSOCIATES, INC.

Brooke T. Jasmin
Montana Department of
Labor and Industry
301 South Park
Helena, MT 59620-0513
RE: Certified Receipt #7003 3110 0000 6639 6484

Dear Ms. Jasmin,

I am in receipt of your March 23, 2007 letter. ARM 24.114.405 does not apply to me or my office. I do not hold myself out as an "architect" or a "licensed architect" in any of my business activities. Neither am I engaged in the "practice of architecture," thereby needing a license.

Sincerely,


John Sinrud
President
JJKG & Associates, Inc.