

Partnership Lost

Part Five: Pristine Place



In Part 4, Designzit tried to influence the town planner to give her work that was already awarded to Townscapes, LLC, and Buildwell complained to the ASLA Ethics Committee that Designzit was using details he developed when still in partnership with Designzit and Sellzum.

Was "the devil in the details?" After all, Designzit had not developed them herself. They were created by Buildwell, her partner. However, they were the common property of all three partners. A partnership, after all, gives each partner the right to put a hand in the others' pockets! The details were created under an umbrella they mutually supported. Buildwell's complaint

was unfounded.

On the other hand, Designzit's proselytizing the town planner of Pristine so that she could replace Townscapes, LLC, was a clear violation of ASLA Code of Professional Ethics, Rule 1.111, prohibiting any member from even attempting to disrupt or void the contract of another. She was the subject of a letter of reprimand.

Meanwhile, the town planner was embroiled in a controversial zone change application from commercial to multi-family housing. The source of the application? Based on Designzit's concept, Deepaw Ketts and his construction partner Inda Mudd planned to create a condo community. The concept was significantly more sensitive to existing environmental conditions than a legal commercial strip center would have been, but some fill and clearing adjacent to a wetland were proposed. To the dismay of the adjacent land owners and the newly formed, vocal environmental group **Bogs Forever!**, the change of zone was approved.

Designzit was pleased, because the set of construction conditions required by Pristine's town planner and building officials seemed reasonable, and Inda Mudd started to churn the soil. Also churning were the minds of Bogs Forever! They doggedly monitored construction progress and succeeded in stopping construction because of minor infractions of conditions.

The Pristine town planner and building department were overwhelmed by demands and pressures from both sides. The understaffed department was unable to handle this contentious process. Hiring of an independent outside consultant seemed the solution—one that could handle the compliance issues. The newly formed firm, Ecco Friendly, LLC, was selected. And the principals were none other than Buildwell and Sellzum, who had both education and experience in environmental issues and mediation. It's a small town, isn't it?

With Ecco Friendly monitoring compliance with the construction conditions, this put Sellzum in the position of passing judgment on his former partner's plan for a project he felt rightfully belonged to his own company. Are there potential ethical issues here?

The saga continues when we ***Return to Pristine Place*** . . .

Editor's note: One of the objectives of the ASLA Ethics Committee is to educate members about the [ASLA Code of Professional Ethics](#). The code contains important principles relating to duties to clients and to members of the Society.