

LOUISIANA PROFESSIONAL ENGINEERING  
AND LAND SURVEYING BOARD  
9643 BROOKLINE AVENUE, SUITE 121  
BATON ROUGE, LOUISIANA 70809-1443  
(225) 925-6291

IN THE MATTER OF:

CASE NO.: 2012-26

[REDACTED]

RESPONDENT

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CONSENT ORDER

The Louisiana Professional Engineering and Land Surveying Board [hereinafter the “Board”], by and through its Executive Director, pursuant to authorization by the Board, and [REDACTED] [hereinafter “Respondent”], hereby agree to the following:

At all times material hereto, Respondent was licensed in the State of Louisiana as a professional engineer, number PE – [REDACTED]; however, his license was in an expired status from October 1, 1995 through April 16, 2012.

An investigation was opened based upon the Board’s receipt of an Application to Reinstate Expired Individual License, in which Respondent admitted that he practiced or offered to practice engineering in Louisiana during which time his license was expired. The investigation disclosed that between 2009 and March 2012 Respondent (a) used his Louisiana professional engineer seal on a [REDACTED] design drawing, which he prepared, signed and issued to [REDACTED] in [REDACTED] Louisiana and (b) represented to [REDACTED] in [REDACTED] Louisiana and to [REDACTED] in [REDACTED] Louisiana that he was a Louisiana-licensed professional engineer.

La. R.S. 37:698(A)(9) and (16) prohibit licensees from practicing and/or offering to practice engineering in Louisiana with an expired license. La. R.S. 37:698(H) permits the Board to take disciplinary action against persons who violate La. R.S. 37:698(A)(9) and (16), upon a finding of guilt following notice and hearing and a majority vote of its entire membership authorized to participate in the proceeding. La. R.S. 37:698(A)(9) and (16) and 37:698(H) were in effect at all times material hereto.

[REDACTED]

It is undisputed that Respondent's license to practice and/or offer to practice engineering in Louisiana was in an expired status from October 1, 1995 through April 16, 2012 and that during this time period Respondent practiced and/or offered to practice engineering in Louisiana.

By letter dated June 27, 2012, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that he may have violated La. R.S. 37:698(A)(9) and (16), relative to practicing and/or offering to practice engineering in Louisiana with an expired license.

Wishing to dispense with the need for further disciplinary action and to conclude the instant proceeding without further delay and expense, for the purpose of this proceeding only, Respondent and the Board do hereby enter into this Consent Order, in which Respondent of his own free will consents to the issuance of a Consent Order by the Board, wherein Respondent agrees to **(a)** pay a fine of five hundred (\$500.00) dollars, **(b)** pay administrative costs of seven hundred fifty six and 67/100 (\$756.67) dollars, **(c)** pay past unpaid renewal fees of one thousand twenty (\$1,020) dollars, **(d)** successfully complete the Board's online Louisiana Laws and Rules Quiz, **(e)** successfully complete the Board's online Louisiana Professionalism and Ethics Quiz, and **(f)** the publication of this Consent Order on the Board's website and a summary of this matter in the Board's official journal, the Louisiana Engineer and Surveyor Journal, without identifying Respondent by name.

Respondent admits to violations of the referenced laws and/or rules regarding the practicing of and/or offering to practice engineering in Louisiana with an expired license. Respondent acknowledges awareness of said laws and/or rules and states that he will comply with all applicable laws and rules henceforth. Respondent has been advised of his right to be represented by counsel before the Board and/or to appear at any hearing personally or by counsel and present witnesses and evidence in his own behalf, and he hereby waives this right and his right to appeal; and he states affirmatively that he has been afforded all administrative remedies due him under the law.

Therefore, in consideration of the foregoing and by signing this Consent Order, Respondent does hereby waive his right to a hearing before the Board, to the presenting of

evidence and witnesses in his behalf, to Findings of Fact and Conclusions of Law in this case, and to judicial review of this Consent Order.

Respondent hereby represents (a) that he fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, (b) that he has voluntarily entered into this Consent Order and that no other promise or agreement of any kind has been made to or with him by any person whatsoever to cause the execution of this instrument and (c) that the sanctions set forth in this Consent Order do not prevent the Board from taking further disciplinary or enforcement action against Respondent on matters not specifically addressed in this Consent Order.

WHEREFORE, the Louisiana Professional Engineering and Land Surveying Board and Respondent agree that:

1. Respondent shall pay a fine of five hundred (\$500.00) dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and
2. Respondent shall pay administrative costs seven hundred fifty six and 67/100 (\$756.67) dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and
3. Respondent shall pay past unpaid renewal fees of one thousand twenty (\$1,020) dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and
4. Respondent shall successfully complete the Board's online Louisiana Laws and Rules Quiz with a score of 90% or higher and return it to the Board within sixty (60) days of the effective date of this Consent Order; and
5. Respondent shall successfully complete the Board's online Louisiana Professionalism and Ethics Quiz with a score of 90% or higher and return it to the Board within sixty (60) days of the effective date of this Consent Order; and
6. This Consent Order shall be published on the Board's website and a summary of this matter shall be printed in the official journal of the Board, the Louisiana Engineer and Surveyor Journal, without identifying Respondent by name; and

7. This Consent Order shall not become effective unless and until it is accepted by and on behalf of the Board. Should the Board not accept and sign this Consent Order, it is agreed that presentation of this matter to the Board shall not prejudice the Board or any of its members, staff, attorneys or representatives from further participation, consideration or resolution of any further proceedings herein.

LOUISIANA PROFESSIONAL ENGINEERING  
AND LAND SURVEYING BOARD

DATE: 23 July 2012

BY: Donna D. Sentell  
DONNA D. SENTELL, Executive Director

DATE: 7/16/2012

[REDACTED]  
[REDACTED] P.E., Respondent

Witnesses to the signature of  
[REDACTED] P.E.,

[REDACTED]

Print Name: [REDACTED]

[REDACTED]

Print Name: [REDACTED]

Approved by:

[REDACTED]

Attorneys for [REDACTED] P.E.

[REDACTED]