IN THE MATTER OF: PAUL E. SERRANO, P.E. RESPONDENT

CASE NO. 2018-75

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 Paul E. Serrano, P.E. [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-31968, and was president, owner, and employee of Enso Engineering, Inc. [hereinafter “Enso”]. At all times material hereto, Enso was not licensed as a professional engineering firm in the State of Louisiana and, therefore, not authorized to practice and/or offer to practice engineering in Louisiana.

An investigation was opened based upon the Board’s receipt of a formal affidavit of complaint and documents which indicated that Enso may have practiced and/or offered to practice engineering in Louisiana without being properly licensed. The investigation disclosed that between January 2016 and December 2017 Respondent aided and assisted Enso in the practice and offer to practice of engineering on twelve (12) projects in Louisiana without proper licensure.

La. R.S. 37:698(A)(12) prohibits licensees from aiding and assisting another person in violating the laws and rules of the Board. La. R.S. 37:681 and La. R.S. 37:700(A)(1), and (9), to wit LAC Title 46:LXI§2301(B), collectively prohibit the practice of and/or offer to practice engineering and use of the words “engineer”, “engineering” or any modifications or derivatives thereof in one’s name, form of business or activity in Louisiana without proper licensure. La. R.S. 37:698(H) permits the Board to take disciplinary action against persons who violate La. R.S. 37:698(A)(12), to wit La. R.S. 37:700(A)(1) and (9), to wit LAC Title 46:LXI§2301(B) upon a
finding of guilt following the preferral of charges, notice and hearing and a majority vote of its entire membership authorized to participate in the proceeding. La. R.S. 37:681, La. R.S. 37:698(A)(12), La. R.S. 37:698(A)(1), and (9), La. R.S. 37:698(H) and LAC Title 46:LXI§2301(B) were in effect at all times material hereto.

It is undisputed that (a) at all times material hereto, Respondent was an owner, officer and employee of ENSO, (b) ENSO was not licensed as a professional engineering firm in State of Louisiana, (c) between January 2016 and December 2017 Respondent aided and assisted ENSO in the unlicensed practice and offer to practice engineering in Louisiana.

By letter dated March 6, 2019, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that Respondent may have violated La. R.S. 37:698(A)(12), to wit La. R.S. 37:681, and La. R.S. 37:700(A)(1) and (9), to wit LAC Title 46:LXI§2301(B), relative to aiding and assisting his firm in the unlicensed practice and offer to practice engineering in Louisiana.

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 and No/100 ($500.00) Dollars, (b) pay administrative costs of Four Hundred Ninety two and 42/100 ($492.34) Dollars, (c) successfully complete the Board’s online Louisiana Laws and Rules Quiz, (d) successfully complete the Board’s online Louisiana Professionalism and Ethics Quiz, (e) cease and desist aiding and assisting ENSO in the practice and/or offer to practice of engineering in Louisiana until such time as it is duly licensed by the Board as an engineering firm, 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, and the reporting of this matter to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name.

Respondent admits that his conduct as set forth above constitutes violations of La. R.S. 37:698(A)(12), to wit, La. R.S. 37:681, and La. R.S. 700(A)(1) and (9), to wit LAC Title 46:LXI§2301(B), as stated herein. 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 an informal conference, to a hearing before the Board, 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, 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. Respondent further acknowledges awareness of the fact that the signed original of this Consent Order will remain in the custody of the Board as a public record and will be made available for public inspection and copying upon request.

Therefore, in consideration of the foregoing and by signing this Consent Order, Respondent does hereby waive these rights to an informal conference, to a hearing before the Board, to the presenting of evidence and witnesses on his behalf, to Findings of Fact and Conclusions of Law in this case, and to judicial review of this Consent Order.

Respondent hereby represents that (a) he fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, (b) he has voluntarily entered into this Consent Order and that no other promise or agreement of any kind has been made to or with it by any person whatsoever to cause the execution of this instrument and (c) 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 and No/100 ($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 of Four Hundred Ninety Two and 34/100 ($492.34) 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 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
Surveyor Journal, and reported to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name; and

4. This Consent Order shall not become effective unless and until it is accepted and signed 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: June 10, 2019

BY: DONNA D. SENTELL

DONNA D. SENTELL, Executive Director

ENS0 ENGINEERING, INC., Respondent

DATE: Nov 21, 2019

BY: PAUL E. SERRANO, P.E., President

Witnesses to the signature of Enso Engineering, Inc.

Print Name: YANNE VASAPOLI

Print Name: YANNE VASAPOLI

Approved by: (As to form)

Larry E. Demmons
The Demmons Law Firm, LLC
3201 Ridgeland Drive
Metairie, LA 70002
Telephone: (504) 296-6417

Attorneys for Enso Engineering, Inc.
Larry E. Demmons  
The Demmons Law Firm, LLC  
3201 Ridgeland Drive  
Metairie, LA 70002  
Telephone: (504) 296-6417  

Attorneys for Paul E. Serrano, P.E.