

constitute fraud, deceit, material misstatement, perjury or the giving of false or forged evidence under La. R.S. 37:698 and 37:700.

Additionally, the investigation disclosed that on June 30, 2020 the Board sent a letter to Respondent by certified mail (return receipt requested) and by email requesting that it provide to the Board certain information and documents relative to potential violations of the Board's laws and/or rules. Respondent has never responded to this letter.

La. R.S. 37:681 and La. R.S. 37:700(A)(1), (7) and (9), *to wit* LAC Title 46:LXI§2301(B), prohibit the practicing of and/or offering to practice engineering without proper licensure. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2501(E), require licensees to timely respond to all inquiries and correspondence from the Board. La. R.S. 37:698(A)(10) requires licensees to provide, within thirty calendar days of receipt of notice by certified mail, information or documents requested by the Board relating to any alleged violation of the Board's laws. La. R.S. 37:700(A)(3) prohibits any fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a license with the Board. La. R.S. 37:698(H) permits the Board to take disciplinary action against persons who violate La. R.S. 37:698(A)(6) and (10), and LAC Title 46:LXI§2501(E), 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. 37:700(H) permits the Board to take enforcement action against persons who violate La. R.S. 37:681, La. R.S. 37:700(A)(1), (7) and (9), *to wit* LAC Title 46:LXI§2301(B), and La. R.S. 37:700(A)(3), 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)(6) and (10), La. R.S. 37:698(H), La. R.S. 37:700(A)(1), (3), (7) and (9), La. R.S. 37:700(H), LAC Title 46:LXI§2301(B) and LAC Title 46:LXI§2501(E) were in effect at all times material hereto.

It is undisputed that **(a)** prior to February 17, 2020 Respondent was not licensed in Louisiana as a professional engineering firm and, therefore, was not authorized to practice and/or offer to practice engineering in Louisiana; **(b)** Respondent subsequently became licensed in Louisiana as a professional engineering firm, effective February 17, 2020; **(c)** between April 25, 2017 and February 16, 2020 Respondent admittedly practiced and offered to practice engineering in Louisiana without proper licensure; **(d)** on or about July 29, 2019 Respondent

submitted to the Board an Application for Engineering Firm Licensure which falsely stated that Respondent had never practiced or offered to practice engineering in Louisiana; and (e) Respondent has failed to respond to a certified mail and emailed letter from the Board on June 30, 2020 requesting that it provide certain information and documents related to potential violations of the Board's laws and/or rules.

By letter dated November 13, 2020, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that Respondent may have violated (a) La. R.S. 37:681 and La. R.S. 37:700(A)(1), (7), and (9), *to wit* LAC Title 46:LXI§2301(B), relative to practicing and/or offering to practice of engineering without proper licensure; (b) La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2501(E), relative to the failure to timely respond to inquiries and correspondence from the Board; (c) La. R.S. 37:698(A)(10), relative to the failure to provide, within thirty calendar days of receipt of notice by certified mail, information or documents requested by the Board relating to any alleged violation of the Board's laws; and (d) La. R.S. 37:700(A)(3), relative to fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a license with the Board.

Wishing to dispense with the need for further disciplinary and enforcement 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 its own free will consents to the issuance of a Consent Order by the Board, wherein Respondent agrees to (a) pay a fine of Two Thousand Two Hundred Fifty and No/100 (\$2,250.00) Dollars, (b) pay administrative costs of One Thousand Four Hundred Twenty and 68/100 (\$1,420.68) Dollars, (c) provide to the Board the information and documents requested by the Board in its June 30, 2020 certified mail and emailed letter to Respondent, (d) pay an additional fine of Five Hundred and No/100 (\$500.00) Dollars, along with any administrative costs incurred in collecting said additional fine, if it fails to provide to the Board the requested information and documents, (e) have each of its supervising professionals successfully complete the Board's online Louisiana Laws and Rules Quiz, (f) have each of its supervising professionals successfully complete the Board's online Louisiana Professionalism and Ethics Quiz, (g) the immediate suspension of its Louisiana professional engineering firm license if it fails to comply with any part of this Consent Order, with such suspension continuing until it so complies, and

(h) 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 its conduct as set forth above constitutes violations of the above referenced laws and/or rules as stated herein. Respondent acknowledges awareness of said laws and/or rules and states that it will comply with all applicable laws and rules henceforth.

Respondent has been advised of its right to an informal conference, to be represented by counsel before the Board and/or to appear at any hearing personally or by counsel and present witnesses and evidence on its his own behalf, it hereby waives this right and its right to appeal, and it states affirmatively that it has been afforded all administrative remedies due it 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 its right to an informal conference, to a hearing before the Board, to the presenting of evidence and witnesses on its 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) it fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, (b) it 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 Two Thousand Two Hundred Fifty and No/100 (\$2,250.00) 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 One Thousand Four Hundred Twenty and 68/100 (\$1,420.68) 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 provide to the Board within thirty (30) days of the effective date of this Consent Order the information and documents requested by the Board in its June 30, 2020 certified mail and emailed letter to Respondent; and

4. Respondent shall pay an additional fine of Five Hundred and No/100 (\$500.00) Dollars, along with any administrative costs incurred in collecting said additional fine, if it fails to provide to the Board within thirty (30) days of the effective date of this Consent Order the information and documents requested by the Board in its June 30, 2020 certified mail and emailed letter to Respondent, which additional fine and administrative costs shall be then immediately tendered to the Board by certified check payable to the Board; and

5. Respondent shall have each of its supervising professionals 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

6. Respondent shall have each of its supervising professionals 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

7. Respondent's Louisiana professional engineering firm license, number EF-6778, shall be immediately suspended if it fails to comply with any portion of this Consent Order, with said suspension continuing until it so complies; and

8. 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*, and reported to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name; and

9. 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: 11 January 2021


BY: 
DONNA D. SENTELL, Executive Director

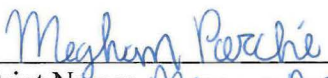
MAP DESIGN GROUP, LLC, Respondent

DATE: 12-15-20

BY: 
MERREL A. PORCHE, JR., Manager

Witnesses to the signature of
MAP Design Group, LLC


Print Name: Jany Chauden


Print Name: Meghan Porche