

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

**IN THE MATTER OF:**  
  
**TYLER A. PALMATARY**  
  
**RESPONDENT**

)  
)  
)  
)  
)  
)  
)

**CASE NO. 2020-82**  
  
**Received**  
**NOV 30 2021**  
**By LAPELS Enforcement**

**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 Tyler A. Palmatary [hereinafter “Respondent”] hereby agree to the following:

At all times material hereto, Respondent was not licensed in the State of Louisiana as a professional engineer and, therefore, was not authorized to practice and/or offer to practice engineering in the State of Louisiana. At all times material hereto, Partner Assessment Corporation [hereinafter “PAC”] was not licensed in the State of Louisiana as a professional engineering firm and, therefore, was not authorized to practice and/or offer to practice engineering in the State of Louisiana. PAC subsequently became licensed in the State of Louisiana as a professional engineering firm, number EF-7145, effective August 19, 2021. At all times material hereto, Respondent was an employee and representative of PAC.

An investigation was opened based upon the Board’s receipt of an Affidavit of Complaint and documents which suggested that Respondent may have committed violations of the Board’s laws and/or rules. The investigation disclosed that on or about October 29, 2019 PAC, doing business as Partner Engineering and Science, Inc. [hereinafter “PESI”], submitted to its client, SBS Hospitality, LLC [hereinafter “SBS”], a proposal to provide a structural engineering assessment to determine the extent of water damage to a hotel building located in Bossier City, Louisiana [hereinafter the “Hotel”]. SBS accepted the proposal on October 29, 2019 and authorized PAC to perform the assessment and then issue a report. Thereupon, Respondent made a site visit to the Hotel in Louisiana on November 13, 2019, and then prepared and issued to SBS

in Louisiana a structural engineering assessment report on or about November 18, 2019.

Respondent signed this report on behalf of PAC and identified himself as a “P.E. (TX)”.

The investigation also disclosed that on or about December 24, 2019 PAC (doing business as PESI) submitted to SBS a proposal to provide a second structural engineering assessment to determine the extent of the water damage to the Hotel. SBS accepted this proposal and authorized PAC to perform the second assessment and then issue another report. Thereupon, Respondent made a second site visit to the Hotel in Louisiana on January 10, 2020, then prepared and issued to SBS in Louisiana another structural engineering assessment report on or about February 7, 2020. Respondent signed this report on behalf of PAC and identified himself as a “P.E. (TX)”.

La. R.S. 37:681 and La. R.S. 37:700(A)(1) and (7), prohibit the practicing of and/or offering to practice engineering and use of the words “engineer”, “engineering” or any modifications or derivatives thereof in a person’s name or form of business or activity without proper licensure. La. R.S. 37:700(H) permits the Board to take enforcement action against persons who violate La. R.S. 37:681 and La. R.S. 37:700(A)(1) and (7), 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. 37:700(A)(1) and (7), and La. R.S. 37:700(H) were in effect at all times material hereto.

It is undisputed that (a) at all times material hereto Respondent was not licensed in Louisiana as a professional engineer and, therefore, was not authorized to practice and/or offer to practice engineering in Louisiana and (b) between October 2019 and February 2020 Respondent practiced and offered to practice engineering and used the words “engineer”, “engineering” or modifications or derivatives thereof in connection therewith in Louisiana without proper licensure.

By letter dated October 27, 2021, 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. 37:681 and La. R.S. 37:700(A)(1) and (7), relative to practicing and/or offering to practice engineering and using the words “engineer”, “engineering” or any modifications or derivatives thereof in a person’s name or form of business or activity without proper licensure.

Wishing to dispense with the need for further 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 his own free will consents to the issuance of a Consent Order by the Board, wherein Respondent agrees to (a) pay a fine of One Thousand Five Hundred and No/100 (\$1,500.00) Dollars, (b) pay administrative costs of Nine Hundred Ninety-Nine and 77/100 (\$999.77) Dollars and (c) 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 the above referenced laws and/or rules 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 be represented by counsel before the Board and/or to appear at any hearing personally or by counsel and present witnesses and evidence on 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 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 his right 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 him 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 One Thousand Five Hundred and No/100 (\$1,500.00) 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 Nine Hundred Ninety-Nine and 77/100 (\$999.77) 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. 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
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: 2/1/2022

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

DATE: 11/24/2021

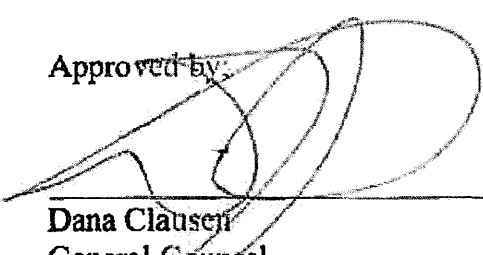
Tyler A. Palmatary  
TYLER A. PALMATARY

Witnesses to the signature of  
Tyler A. Palmatary

Kyle A. Johnson  
Print Name: KYLE A. JOHNSON

Print Name: \_\_\_\_\_

Approved by: \_\_\_\_\_



Dana Clausen  
General Counsel  
Partner Assessment Corporation  
2154 Torrance Blvd.  
Torrance, CA 90501  
Telephone: (800) 419-4923

Attorney for Tyler A. Palmatary