

Latest Engineer Discipline

In the last few months, the Board has formally approved the following enforcement case based on the Florida Statutes and Rules applicable at the time of the violation. Included is a brief description of the licensee's violation and discipline imposed by the Board.

You can access the final orders for these cases and other recent engineer disciplines on our website under the Legal section at <http://fbpe.org/legal/disciplinary-actions>. If you are unsure if an engineer has been disciplined you can verify their license on www.myfloridalicense.com. Information on public cases in which an engineer has been disciplined can be obtained by sending an email request to publicrecords@fbpe.org.



Santiago Bolivar, PE
PE 53326
Case No. 2014030707

Licensee was charged with violating **Section 471.033(1)(g), Florida Statutes** and **Rule 61G15-19.001(4), Florida Administrative Code**; negligence in the practice of engineering. Licensee signed, sealed, and dated engineering drawings for a duplex which were submitted to the Building Department. The project drawings included Structural drawings, Mechanical drawings and Electrical drawings and these drawings contained various deficiencies. The deficiencies include, but are not limited to, the drawings contain an electrical riser diagram, but no short circuit values, and no voltage drop calculations for the feeders and customer-owned service conductors, no surge protective devices, no lighting fixture performance specifications, the Mechanical drawings do not state any codes, rules or ordinances with which the HVAC system must comply, the drawings do not contain adequate information for the AHJ to determine compliance with codes and ordinances, the Plumbing drawings do not state any codes, rules or ordinances with which the Plumbing systems must comply, the equipment scheduled are not included in the drawings, the Structural drawings do not include any railing details for the second floor adjacent to the stair opening, they do not include the impact resistance requirements for the windows, they do not include roof draining details, etc.

Ruling: The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$4,000, Costs

of \$4,930.40, Appearance Before the Board, a Reprimand, Probation which includes a Board-approved course in Engineering Professionalism and Ethics, the Board's Study Guide and project review at six (6) and eighteen (18) months to include electrical, mechanical, plumbing and structural review. A Final Order was issued on October 14, 2015.

Violation: Section 471.033(1)(g), F.S. and Rule 61G15-19.001(4), F.A.C.

Joseph S. Ferdelman, PE
PE 64571
Case No. 2014039501

Licensee was charged with violating **Section 471.033(1)(g), Florida Statutes** and **Rule 61G15-19.001(4), Florida Administrative Code**; negligence in the practice of engineering. Licensee acted as Engineer of Record for a Fire Protection System. The drawings contained various deficiencies. The deficiencies include, but are not limited to, **Rule 61G15-32, Florida Administrative Code** require that a water flow test be included, no water flow test was included, there is nothing in the Water Based Fire Protection System engineering documents which address whether or not the existing structure can support the new sprinkler piping, etc.

Ruling: The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed Costs of \$1,694.45, a Letter of Guidance reflecting that Licensee shall, in the future, comply with the provisions of **Section 471.023(4), F.S.**, Appearance Before the Board, a Board-approved

(Continued on page 13)

course in Engineering Professionalism and Ethics, the Board's Study Guide and project review at six (6) and eighteen (18) months to include electrical, mechanical, plumbing and structural review. A Final Order was issued on October 14, 2015.

Violation: Section 471.033(1)(g), F.S. and Rule 61G15-19.001(4), F.A.C.

Gilberto Gavarrete, PE
PE 51371
Case No. 2013033149

Licensee was charged with violating **Section 471.033(1)(g), Florida Statutes and Rule 61G15-19.001(4), Florida Administrative Code**; negligence in the practice of engineering. Licensee signed, sealed and dated engineering documents to correct existing building code violations. Licensee signed, sealed, and dated Plumbing and Electrical plans. The drawings contained various deficiencies. The deficiencies include, but are not limited to, the drawing contains no electrical riser diagram, no short circuit values, potable water isometric diagrams are not shown, total flow waste fixture units are not shown, handicapped plumbing fixtures have not been specified, etc.

Ruling: The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000.00, Costs of \$4,477.00, a Reprimand, Appearance Before the Board, Probation which includes a Board-approved course in Engineering Professionalism and Ethics, the Board's Study Guide and project review at six (6) and eighteen (18) months to include electrical and plumbing review. A Final Order was issued on October 14, 2015.

Violation: Section 471.033(1)(g), F.S. and Rule 61G15-19.001(4), F.A.C.

Sharyn Hakken
PE 65748 (Null & Void)
Case No. 2014050002

Prior Licensee was charged with violating **Section 471.033(1)(a), Florida Statutes and Section 455.227(1)(t), Florida Statutes**; failure to report in writing to the board, within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction. Hakken was adjudicated Guilty of a felony, **Section 787.01(1)(a)2, Florida Statutes**, in 2013 at which time Hakken still held a license as a Professional Engineer. As a result of the adjudication of guilt, Hakken was convicted of committing crimes of moral turpitude and thus has not maintained the good moral character required of a Professional Engineer.

Ruling: The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000 and Costs of \$112.12. A Final Order was issued on December 8, 2015.

Violation: Section 471.033(1)(a), Florida Statutes and Section 455.227(1)(t), Florida Statutes

Aldo J. Messulam, PE
PE 12326
Case No. 2014017182

Licensee was charged with violating **Section 471.033(1)(g), Florida Statutes and Rule 61G15-19.001(4), Florida Administrative Code**; negligence in the practice of engineering. Licensee signed, sealed and dated structural engineering documents which included removal of existing concrete roof joists, increasing the height of the building, etc. The drawings contained deficiencies. The deficiencies include, but are not limited to, the wind load results indicated on certain pages of the calculations do not correlate with the wind speed hand written in by Licensee. As a result, the foundations, steel roof joists, steel roof girders and their connections do not meet the minimum load requirements, and the footing was undersized, etc.

Ruling: The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500.00, Costs of \$1,411.75, Appearance Before the Board, Probation which includes a Board-approved course in Engineering Professionalism and Ethics, the Board's Study Guide and project review at six (6) and eighteen (18) months. A Final Order was issued on October 14, 2015.

Violation: Section 471.033(1)(g), Florida Statutes and Rule 61G15-19.001(4), Florida Administrative Code

Michael A. Robinson, PE
PE 28317
Case Nos. 2013028827 & 2014004347

Licensee was charged with violating **Section 471.033(1)(g), Florida Statutes and Rule 61G15-19.001(4), Florida Administrative Code**; negligence in the practice of engineering. Licensee signed, sealed and dated structural engineering documents for an aluminum screen enclosure. The drawings contained deficiencies. The deficiencies include, but are not limited to, Licensee failed to clearly indicate the location, nature, and extent of the proposed work, did not provide adequate details for the corner post attachments, did not provide adequate details for the gusset plate attachments, etc.

Ruling: The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$2,000.00, Costs of \$3,443.25, a Reprimand, Appearance Before the Board, successful completion of the ASCE's "Quality Management in the Design Organization" and "Quality: What is it and How Do We Achieve It" webinars, a Board-approved course in Engineering Professionalism and Ethics, and the Board's Study Guide. A Final Order was issued on October 14, 2015.

Violation: Section 471.033(1)(g), F.S. and Rule 61G15-19.001(4), F.A.C.

Ronald H. Wilson, PE
PE 9710
Case No. 2014004705

Licensee was charged with violating **Section 471.033(1)(g), Florida Statutes and Rule 61G15-19.001(4), Florida Administrative Code**; negligence in the practice of engineering. Licensee signed, sealed and dated various engineering design plans and calculations. The drawings contained deficiencies. The deficiencies include, but are not limited to, there are no spot elevations for pavement in front of any buildings except the two retail units, a UT sheet illustrates both plan and profile view of the proposed gravity sewer which is in error, etc.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board accepted the VOLUNTARY RELINQUISHMENT of Licensee's Professional Engineer License effective January 1, 2016. A Final Order was issued on October 14, 2015.

Violation: Section 471.033(1)(g), F.S. and Rule 61G15-19.001(4), F.A.C.

Leonard G. Wood, PE
PE 47377
Case Nos. 2013011567, 2014038609, 2014038613, 2014038617, 2014046957, 2015024243

In Complaints 2013011567, 2014038609, 2014038613, 2014038617, 2014046957 and 2015024243, Licensee was charged with violating **Section 471.033(1)(g), Florida Statutes and Rule 61G15-19.001(4), Florida Administrative Code**;

negligence in the practice of engineering. Licensee signed, sealed, and dated several sets of engineering design documents for various aluminum screen enclosures, a boat cover, carport structures, projects consisting of structural, mechanical, plumbing and electrical design documents, a bathroom renovation, and the design of a pavilion. The documents contained numerous and various deficiencies, including the collapse of a pavilion. Please note that an Order of Emergency Suspension of License was issued on August 27, 2015, related to the disciplinary actions listed in the above referenced cases.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board accepted the VOLUNTARY RELINQUISHMENT of Licensee's Professional Engineer License. A Final Order was issued on October 14, 2015.

Violation: Section 471.033(1)(g), F.S. and Rule 61G15-19.001(4), F.A.C.

DISCLAIMER: *FBPE would like to note that every effort has been made to ensure the accuracy of discipline information; however this should not be relied upon without verification from the Board office or website. It is possible that names of companies and individuals listed may be similar to the names of parties who **HAVE NOT** been disciplined or had compliant actions taken against them, so we encourage you to review licensee information on www.myfloridalicense.com, contact our office or make a public records request should you have any specific questions regarding disciplinary actions. Public records requests can be sent to publicrecords@fbpe.org.*



What Constitutes Unlicensed Activity?

The unlicensed practice of engineering is a serious threat to the health, safety and welfare of the general public and to the profession itself. Typically, the FBPE receives cases involving firms practicing without a Certificate of Authorization, individuals utilizing the protected title of Professional Engineer (PE) or any variation thereof, and individuals practicing without a PE license. In most of these cases, the violations occur due to a lack of knowledge of the laws and rules associated with the practice of engineering by offenders, as well as the public.

Examples of Unlicensed Activity Include:

- Firm practicing or offering to practice engineering without a Certificate of Authorization;
- Practicing engineering without a license;
- Using a name or title tending to indicate that a person holds an active license as engineer. Examples include: Professional Engineer, Agricultural Engineer, Air-Conditioning Engineer, Architectural Engineer, Civil Engineer, etc.;
- Presenting as his or her own the license of another; and
- Practicing on a revoked, suspended, inactive or delinquent license.

The actions taken by the Board related to unlicensed activity violations are a Notice to Cease & Desist, a Citation (which is a fine), an Administrative Complaint which can come with a recommended penalty of up to \$5,000, injunctive proceedings if the action continues and criminal prosecutions.

To file a complaint involving either licensed OR unlicensed activity, download a copy of the *Uniform Complaint Form* located on the *Complaints* page under the *Legal* section on our home page at www.fbpe.org or request a form from the Board's office. If you want to talk to someone about a potential violation, please call the Board office at 850-521-0500 and ask to speak to an investigator.