

DEC 08 2015

Clerk: Rebecca Valentine

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FILED	
Department of Business and Professional Regulation	
Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	12/8/2015
File #	2015-10260

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

Petitioner,

v.

FEMC Case No: 2014050002

SHARYN P. HAKKEN,

Respondent,

FINAL ORDER ADOPTING SETTLEMENT STIPULATION

THIS CAUSE came before the FLORIDA BOARD OF PROFESSIONAL ENGINEERS (“Board”), pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on December 4, 2015 in Tallahassee, Florida, for the purpose of considering a Settlement Stipulation (attached hereto as “Exhibit A to Final Order”) entered into between the parties in this cause. Upon consideration of the stipulation, the documents submitted in support thereof, and the arguments of the parties, it is hereby:

ORDERED AND ADJUDGED that the Settlement Stipulation as submitted be and is hereby adopted *in toto* and incorporated herein by reference. Accordingly, the parties shall adhere to and abide by all the terms and conditions of the stipulation.

This Final Order shall take effect upon being filed with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 7th day of December 2015.

FLORIDA BOARD OF PROFESSIONAL ENGINEERS



Zana Raybon, Executive Director
For WILLIAM C. BRACKEN, P.E., S.I., CHAIRMAN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing *Final Order Adopting Settlement Stipulation* has been furnished by U.S. First Class Mail to Respondent, Sharyn P. Hakken, at DC #T86668, Gadsden Correctional Facility, 6044 Greensboro Highway, Quincy, FL 32351-9100 on the 9th day of December, 2015.



Trishia Finkey, Paralegal
Florida Engineers Management Corporation

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

RECEIVED

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

OCT - 8 2015

Petitioner,

**FLORIDA BOARD OF
PROFESSIONAL ENGINEERS**

v.

FEMC Case No: 2014050002

SHARYN P. HAKKEN,

Respondent,
_____/

SETTLEMENT STIPULATION

SHARYN P. HAKKEN ("Respondent") and the Florida Board of Professional Engineers ("Board") by and through the Florida Engineers Management Corporation ("FEMC") hereby stipulate and agree to the following joint Settlement Stipulation ("Stipulation") and Final Order of the Board incorporating this Stipulation in the above-styled matter.

STIPULATED FACTS

1. For all times pertinent hereto, Respondent was a licensed professional engineer in the State of Florida, having been issued license number PE 65748.
2. Respondent was charged by an Administrative Complaint filed by FEMC, and properly served upon Respondent with violations of Chapters 471 and 455, Florida Statutes. A copy of the Administrative Complaint is attached hereto and incorporated by reference as "Exhibit A to Settlement Stipulation".

STIPULATED CONCLUSIONS OF LAW

1. Respondent, in her capacity as a Licensed Professional Engineer, admits that in such capacity she was subject to provisions of Chapters 455 and 471, Florida Statutes, and the jurisdiction of the Florida Department of Business and Professional Regulation ("the Agency"), FEMC, and the Board.

2. Respondent admits that the facts set forth in the Administrative Complaint, if proven, constitute violations of Chapters 455 and 471, Florida Statutes, as alleged in the Administrative Complaint.

STIPULATED DISPOSITION OF LAW

1. Should Respondent fail to comply with the terms of the Final Order in this case, an administrative complaint for failure to comply with said Final Order can automatically be opened against Respondent.

2. Respondent shall pay an **ADMINISTRATIVE FINE** of \$1,000.00 and **ADMINISTRATIVE COSTS** of \$112.12 to the Board within thirty (30) days of the date that the Final Order adopting this Stipulation is filed with the Agency Clerk.

3. It is expressly understood that this Stipulation is subject to approval of the Board and FEMC and has no force and effect until the Board issues a Final Order adopting this Stipulation.


4. This Stipulation is executed by Respondent for the purpose of avoiding further administrative action with respect to this cause. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to, or in conjunction with, consideration of this Stipulation. Furthermore, should this Stipulation not be accepted by the Board, it is agreed that presentation to and by the Board shall not unfairly or

illegally prejudice the Board or any of its members from further participation, consideration, or resolution of these proceedings.

5. Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or otherwise challenge or contest the validity of the joint Stipulated Facts, Conclusions of Law, imposition of discipline, and the Final Order of the Board incorporating this Stipulation.


6. Respondent waives the right to seek any attorney's fees or costs from the Board in connection with this disciplinary proceeding.

WHEREFORE, the parties hereto request the Board to enter a Final Order accepting and implementing the terms contained herein.


SHARYN P. HAKKEN
Respondent
Case No. 2014050002
Dated: 9-20-2015

APPROVED this 18th day of October, 2015.

Zana Raybon, Executive Director
Florida Board of Professional Engineers


BY: John J. Rimes, III
Chief Prosecuting Attorney

FILED
Florida Engineers Management
Corporation

JUL 23 2015

Clerk: *[Signature]*

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Evette Lawson-Proctor
Date	7/23/2015
File #	

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

Petitioner,

v.

FEMC Case No: 2014050002

SHARYN P. HAKKEN,

Respondent,

ADMINISTRATIVE COMPLAINT

COMES NOW the Florida Engineers Management Corporation on behalf of Petitioner, Florida Board of Professional Engineers, and files this Administrative Complaint ("Complaint") against SHARYN P. HAKKEN. This Complaint is issued pursuant to Sections 120.60 and 471.038, Florida Statutes. Any proceeding concerning this Complaint shall be conducted pursuant to Section 120.57, Florida Statutes. In support of this Complaint, Petitioner alleges the following:

1. Florida Board of Professional Engineers ("Petitioner," "Board," or "FBPE") is charged with regulating the practice of engineering pursuant to Chapter 455, Florida Statutes. This Complaint is filed by the Florida Engineers Management Corporation ("FEMC") on behalf of Petitioner. FEMC is charged with providing administrative, investigative, and prosecutorial services to the Florida Board of Professional Engineers pursuant to Section 471.038, Florida Statutes (1997).

2. SHARYN P. HAKKEN ("Respondent") at all times material hereto, was a licensed professional engineer in the State of Florida, having been issued license number PE 65748. Respondent's last known address is DC #T86668, Florida Women's Reception Center, 3700 NW 111th Place, Ocala, Florida 34482-1479, and Respondent's Address of Record with the Department of Business and Professional Regulation is 3225 S. MacDill Ave., Tampa, FL 33629.

3. Section 471.033(1)(d) and (3), Florida Statutes, provides that disciplinary action may be taken against any person for "[b]eing convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of engineering or the ability to practice engineering." Likewise, Section 455.227(1)(c) and (2), Florida Statutes, provides that disciplinary action can be taken against any person for "[b]eing convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice, a licensee's profession."

4. Section 471.013(1)(a), Florida Statutes, provides in material part: "A person shall be entitled to take an examination for the purpose of determining whether she or he is qualified to practice in this state as an engineer if the person is of good moral character ..." Insofar as being of good moral character is a specific prerequisite to being initially licensed as a Professional Engineer, the maintenance of such good moral character directly relates to the practice of engineering or to the ability to practice engineering.

5. Section 471.033(1)(a), Florida Statutes, provides: "[t]he following acts constitute grounds for which the disciplinary actions in subsection (3) may be taken: (a) Violating any provision of s. 455.227(1), ..." Section 455.227(1)(t), Florida Statutes, provides that the license

of a professional engineer may be disciplined for “[f]ailing to report in writing to the board or, if there is no board, to the department 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. A licensee must report a conviction, finding of guilt, plea, or adjudication entered before the effective date of this paragraph within 30 days after the effective date of this paragraph.”

6. Respondent was first licensed as a Professional Engineer in the State of Florida on January 18, 2007. Respondent last renewed that Professional Engineer license on January 30, 2011. On March 1, 2013, Respondent’s Professional Engineer license became delinquent and on March 1, 2015 the license became Null & Void.

7. On October 9, 2014, Respondent was adjudicated Guilty of the following felony offenses: Section 787.01(1)(a)2., Florida Statutes – Kidnapping (2 Counts) by the Circuit Court of the Thirteenth Judicial Circuit (Hillsborough County).

8. The actions which formed the basis of the above felony adjudications took place in 2013 at a time when Respondent still held a license as a Professional Engineer. Respondent also still held a license as a Professional Engineer at the time of the felony adjudications.

9. As a result of being adjudicated guilty by the violating Section 787.01(1)(a)2., Florida Statutes – Kidnapping (2 Counts), Respondent was convicted of committing crimes of moral turpitude and thus has not maintained the good moral character required of a Professional Engineer. As a result, Respondent’s conviction directly relates to the Respondent’s practice of engineering and to Respondent’s ability to practice engineering.

COUNT I

10. Petitioner realleges and incorporates Paragraphs One (1) through Nine (9) as if fully set forth in this Count One.

11. By being found guilty of violating Section 787.01(1)(a)2., Florida Statutes – Kidnapping (2 Counts), Respondent was found guilty of crimes of moral turpitude and thus has not maintained the good moral character required of a Professional Engineer. As a result, Respondent's conviction directly relates to the Respondent's practice of engineering and to Respondent's ability to practice engineering.

12. Based upon the foregoing, Respondent is charged with violating Section 471.033(1)(d), Florida Statutes.

COUNT II

13. Petitioner realleges and incorporates Paragraphs One (1) through Nine (9) as if fully set forth in this Count Two.

14. Respondent failed to report the October 9, 2014 conviction to FEMC or the Board.

15. Based on the foregoing, Respondent is charged with violating Section 471.033(1)(a), Florida Statutes, by violating the provisions of Section 455.227(1)(t), Florida Statutes.

WHEREFORE, the Petitioner respectfully requests the Board of Professional Engineers to enter an order imposing one or more of the following penalties: permanent revocation or suspension of the Respondent's license; restriction of the Respondent's practice; imposition of an administrative fine; issuance of a reprimand; placement of the Respondent on probation; the assessment of costs related to the investigation and prosecution of this case, other than costs

associated with an attorney's time, as provided for in Section 455.227(3), Florida Statutes; and/or any other relief that the Board deems appropriate.

SIGNED this 24th day of July, 2015.

Zana Raybon
Executive Director



BY: John J. Rimes, III
Prosecuting Attorney

COUNSEL FOR FEMC:

John J. Rimes, III
Prosecuting Attorney
Florida Engineers Management Corporation
2639 North Monroe Street, Suite B-112
Tallahassee, Florida 32303
Florida Bar No. 212008

PCP DATE: July 14, 2015
PCP Members: Fiorillo, Matthews & Todd

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing filed *Administrative Complaint* was furnished to Sharyn P. Hakken at her address of record with the Department of Business and Professional Regulation of 3225 S. MacDill Ave., Tampa, FL 33629 and to Sharyn P. Hakken at DC #T86668, Gadsden Correctional Facility, 6044 Greensboro Highway, Quincy, FL 32351-9100 by U.S. Certified Mail, on the 28th day of July, 2015.



Trishia Finkey, Paralegal

FILED
Florida Engineers Management
Corporation

JUL 23 2015

Clerk: *Luisa Turkey*

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Evette Lawson-Proctor
Date	7/23/2015
File #	

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

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Zana Raybon
Executive Director



BY: John J. Rimes, III
Prosecuting Attorney

COUNSEL FOR FEMC:

John J. Rimes, III
Prosecuting Attorney
Florida Engineers Management Corporation
2639 North Monroe Street, Suite B-112
Tallahassee, Florida 32303
Florida Bar No. 212008

PCP DATE: July 14, 2015
PCP Members: Fiorillo, Matthews & Todd

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Trishia Finkey, Paralegal