

**FILED**  
Florida Engineers  
Management Corporation  
1/10/2019 Clerk: Rebecca Valentine

STATE OF FLORIDA  
BOARD OF PROFESSIONAL ENGINEERS

**FILED**  
Department of Business and Professional Regulation  
Deputy Agency Clerk  
CLERK Brandon Nichols  
Date 1/10/2019  
File # 2019-00149

FLORIDA ENGINEERS  
MANAGEMENT CORPORATION,

Petitioner,

vs.

FEMC Case No.: 2018006082  
LICENSE NO.: PE 38647

H. JOHN GRIFFIN, P.E.

Respondent.

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FINAL ORDER

THIS CAUSE came before the BOARD OF PROFESSIONAL ENGINEERS (Board) pursuant to Sections 120.569 and 120.57(2), Florida Statutes, on December 6, 2018, in Tallahassee, Florida, for consideration of the Administrative Complaint (attached hereto as Exhibit A) in the above-styled cause. At the hearing, Petitioner was represented by John J. Rimes, Chief Prosecuting Attorney. Respondent was not present and was not represented by counsel.

FINDINGS OF FACT

1. Respondent was properly served with a copy of the Administrative Complaint and did not file a response within 21 days of service.
2. The investigative file provided and accepted into evidence establishes the facts alleged in the Administrative Complaint.
3. The Board adopts as its finding of facts the allegations of fact in the Administrative Complaint.

CONCLUSIONS OF LAW

1. Failure to timely respond to a properly served Administrative Complaint constitutes a

waiver of the right to elect a hearing involving disputed issues of material fact pursuant to Section 120.57(1), Florida Statutes.

2. The admitted facts constitute the violations set forth in the Administrative Complaint, which are adopted and incorporated by reference as the conclusions of law in this case.

3. The Board is empowered by Sections 455.227 and 471.033, Florida Statutes, to impose a penalty against the Respondent. THEREFORE, IT IS

ORDERED that Respondent is SUSPENDED from practicing or offering to practice professional engineering until Respondent appears before the Board. It is further

ORDERED that the Board reserves jurisdiction to impose additional penalties upon Respondent as are reasonably necessary to ensure the protection of the public upon Respondent's resumption of the practice of engineering. It is further

ORDERED that the Board imposes an administrative fine of one thousand dollars (\$1,000) and administrative costs in the amount of eighty-one dollars and ninety cents (\$81.90).

This Final Order shall become effective upon filing with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 5 day of January, 2019.

BOARD OF PROFESSIONAL ENGINEERS

  
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Zana Raybon, Executive Director  
for Kenneth Todd, P.E., CFM, Chair

**NOTICE OF RIGHT TO JUDICIAL REVIEW**  
**A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA**

**STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail and electronic mail to **H. John Griffin, P.E.**, 26 Golf's Edge, Unit B, West Palm Beach, Florida 33417; by interoffice mail to **John J. Rimes**, Chief Prosecuting Attorney, and **Florida Board of Professional Engineers**, 2639 N. Monroe Street B-112, Tallahassee FL 32303; and by electronic mail to **Lawrence Harris**, Assistant Attorney General, Lawrence.Harris@myfloridalegal.com, this 10 day of January, 2019.

Rebecca Valdes

FILED  
Florida Engineers  
Management Corporation  
5/18/2018 Clerk: Rebecca Valentine

STATE OF FLORIDA  
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FILED  
Department of Business and Professional Regulation  
Deputy Agency Clerk  
CLERK **Evelle Lawson-Proctor**  
Date **5/18/2018**  
File #

FLORIDA BOARD OF PROFESSIONAL  
ENGINEERS,

Petitioner,

v.  
H. JOHN GRIFFIN, P.E.,

FEMC Case No. 2018006082

Respondent,  
\_\_\_\_\_ /

**ADMINISTRATIVE COMPLAINT**

COMES NOW the Florida Engineers Management Corporation (FEMC) on behalf of Petitioner, Florida Board of Professional Engineers, hereinafter referred to as "Petitioner," and files this Administrative Complaint against H. JOHN GRIFFIN, P.E., hereinafter referred to as "Respondent." This Administrative 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. Petitioner, Florida Board of Professional Engineers, 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. Respondent is, and has been at all times material hereto, a licensed professional engineer in the State of Florida, having been issued license number PE 38647. Respondent's last known address is 26 Golf's Edge, Unit B, West Palm Beach, Florida 33417.

3. On February 9, 2017, a Final Order (Final Order) was entered by the Board in FEMC Case No. 2015033401. The Order was not appealed.

4. The Final Order provided in material part that:

7. Respondent shall successfully complete a Board-approved course in ENGINEERING PROFESSIONALISM AND ETHICS within one (1) year of the date the Final Order adopting this Stipulation is filed. ...

\* \* \*

8. Respondent shall provide a detailed list of completed projects (signed, sealed, and dated) at the six (6) month and eighteen (18) month intervals of the term of probation. The projects shall include all projects and reports signed and sealed by Respondent. ...A FEMC Consultant will pick two (2) projects from each submitted list for review.

5. Respondent was required to complete and submit proof of completion of the Professionalism and Ethics Course on or before February 9, 2018. No such proof of completion has ever been received by the Board.

6. The list of projects for Respondent's six (6) month project review were due on August 09, 2017. Respondent was reminded of this deadline by regular US Mail on July 11, 2017, and by emails dated September 1, 2017, and January 8, 2018. Based upon Respondent's replies to the above communications, it is apparent that Respondent has signed sealed and dated numerous engineering design documents for projects which were filed for public record without any limitations on their use and without any statements on the documents that they were issued as "Preliminary" or "Not for Permit" or words to that effect.

7. Notwithstanding the fact that the Final Order mandates that the projects required to be included in Respondent's list to the Board must "include all projects and reports signed and sealed by Respondent," Respondent has declined to submit a list of all such projects.

8. As a result, insofar as the Professionalism and Ethics Course has not been taken by Respondent and the list of projects had not been received from Respondent, this Complaint (FEMC

Case # 2018006082) was opened due to Respondent's failure to comply with the terms of the Final Order.

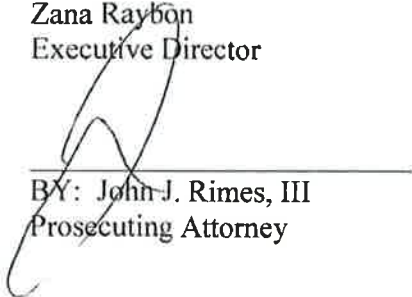
9. Section 471.033(1)(k), Florida Statutes, provides that an engineer is subject to discipline for ... " [v]iolating any order of the board or department previously entered in a disciplinary hearing." For the reasons set forth in Paragraph s 3-8 above, Respondent has violated the terms of the Final Order in FEMC Case No. 2015033401.

10. Based upon the foregoing, Respondent is charged with violating Section 471.033(1)(k), 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 17 day of May, 2018.

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  
JR/rv

PCP DATE: May 07, 2018

PCP Members: FLEMING, BRACKEN, & MATTHEWS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was furnished to H. John Griffin, P.E. at 26 Golf's Edge, Unit B, West Palm Beach, Florida 33417, by certified mail and First Class U. S. Mail, on the 21 of May, 2018.

  
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Rebecca Valentine, Paralegal