

STATE OF FLORIDA
BOARD OF PROFESSIONAL ENGINEERS

FLORIDA ENGINEERS MANAGEMENT
CORPORATION,

Petitioner,

vs.

FEMC Case No.: 2018010652
License No.: PE 75936

ROGER L. BLAIR, P.E.,

Respondent,

**FINAL ORDER ACCEPTING DISCIPLINARY
RELINQUISHMENT OF LICENSE**

THIS MATTER came before the Florida Board of Professional Engineers ("Board") pursuant to Sections 120.569 and 120.57(4), Florida Statutes, at a duly-noticed public meeting on February 21, 2019, in Daytona Beach, Florida. Petitioner sought disciplinary action against Respondent's license to practice as a Professional Engineer. Petitioner was represented by John J. Rimes, III, Chief Prosecuting Attorney. Respondent was not present and was not represented by legal counsel.

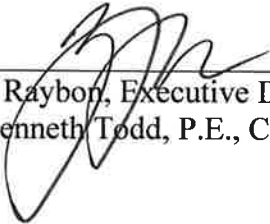
Respondent submitted a written Voluntary Relinquishment of Licensure. After considering the record of the case, the Board voted to accept Respondent's voluntary relinquishment. A copy of the Voluntary Relinquishment is attached to and made a part of this Final Order. It is, therefore

ORDERED that the Disciplinary Voluntary Relinquishment of License is accepted.

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

DONE AND ORDERED this 11 day of March, 2019.

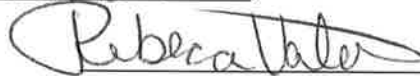
**FLORIDA BOARD OF PROFESSIONAL
ENGINEERS**



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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to **Roger L. Blair, P.E.**, 16922 Old Washington Road, Nevada City, California 95959; and via interoffice mail or electronic mail to: **Lawrence D. Harris**, Senior Assistant Attorney General, Lawrence.Harris@myfloridalegal.com, **John J. Rimes, III**, FEMC, 2639 North Monroe St., Suite B-112, Tallahassee FL 32303, and the **Board of Professional Engineers**, 2639 North Monroe St., Suite B-112, Tallahassee FL 32303 this 14 day of March, 2019.



Rebecca Tate

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

RECEIVED

DEC 21 2018

FLORIDA BOARD OF
PROFESSIONAL ENGINEERS

Petitioner,

v.
ROGER L. BLAIR, P.E.,
Respondent,

FEMC Case No. 2018010652

VOLUNTARY RELINQUISHMENT OF LICENSE

Respondent, Roger L. Blair, P.E., license No. 75936, hereby voluntarily relinquishes his license to practice Engineering in the State of Florida and states as follows:


1. Respondent's purpose in executing this Voluntary Relinquishment is to avoid further administrative action with respect to these complaints. Respondent understands that acceptance by the Board of Professional Engineers (hereinafter the Board) of this Voluntary Relinquishment shall be construed as disciplinary action against Respondent's license pursuant to Section 471.033, Florida Statutes.
2. Respondent agrees to never reapply for licensure as a Professional Engineer in the State of Florida.
3. Respondent agrees to voluntarily cease practicing Engineering in Florida immediately upon executing this Voluntary Relinquishment. Respondent further agrees to refrain from the practice of Engineering until such time as this Voluntary Relinquishment is presented to the Board and the Board issues a written final order in this matter.
4. Upon the Board's acceptance of this Voluntary Relinquishment, Respondent agrees to waive all rights to seek judicial review of, or to otherwise challenge or contest the

validity of, this Voluntary Relinquishment and of the Final Order of the Board incorporating this Voluntary Relinquishment.

5. Petitioner and Respondent hereby agree that upon the Board's acceptance of this Voluntary Relinquishment, each party shall bear its own attorney's fees and costs related to the prosecution or defense of this matter.

6. Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent in connection with the Board's consideration of this Voluntary Relinquishment. Respondent agrees that consideration of this Voluntary Relinquishment and other related materials by the Board shall not prejudice or preclude the Board, or any of its members, from further participation, consideration, or resolution of these proceedings if the terms of this Voluntary Relinquishment are not accepted by the Board.

DATED this 17 day of December, 2018.



Roger L. Blair, P.E.
Case No. 2018010652

STATE OF FLORIDA
COUNTY OF:

Before me, personally appeared _____, whose identity is known to me by _____ (type of identification) and who, under oath, acknowledges that his signature appears above. Sworn to and subscribed before me this ____ day of _____, 2018.

My Commission Expires:

NOTARY PUBLIC

JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Nevada } SS.

Subscribed and sworn to (or affirmed) before me on this 17 day of Dec, 2018, by

Roger L Blair, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



[Signature]
NOTARY'S SIGNATURE

PLACE NOTARY SEAL IN ABOVE SPACE

OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☒ INDIVIDUAL
☐ CORPORATE OFFICER _____ TITLE(S)
☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

DESCRIPTION OF ATTACHED DOCUMENT

FEMC Case No 2018010652
TITLE OR TYPE OF DOCUMENT

2
NUMBER OF PAGES

12/17/2018
DATE OF DOCUMENT

ABSENT SIGNER (PRINCIPAL) IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

RIGHT
THUMBPRINT
OF
SIGNER

OTHER



FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

Petitioner,

v.
ROGER L. BLAIR, P.E.,
Respondent,

FEMC Case No. 2018010652

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 ROGER L. BLAIR, 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 75936. Respondent's last known address is 16922 Old Washington Road, Nevada City, California 95959.

3. On November 16, 2017, Respondent's Texas professional engineering license was the subject of a Consent Order entered by the Texas Board of Professional Engineers. The Consent Order

was based upon the Texas Board's finding that Respondent's structural engineering design documents for a metal building on the property located at 4640 Stout Road, Midlothian, Texas were materially deficient in violation of certain rules of the Texas Board as follows: Rules 22 TAC §§ 137.33(n), 137.55(a) and (b), 137.57(a) and (b)(1)-(3), 137.63(a), (b)(1), and (b)(4)-(b)(6), and 137.77(h).

4. As a result of the above findings, Respondent's Texas professional engineering license was disciplined by the Texas Board as follows:

The Board imposes and the Respondent accepts a two year probated suspension of his Texas P.E. license #110564 in accordance with the terms of this Order, contingent upon the Respondent not committing any violation(s) and/or separate offense(s) during the probationary period, payment of the administrative penalty, and successful completion of ethics course, for the violations of the Rules found to have occurred in this Order. If the Respondent commits a proven violation(s) and/or a separate offense(s) during the probationary period and/or fails to comply with any and all of the terms of the Order, the Respondent's probation will be lifted, his Texas P.E. license will be suspended, and he will be prohibited from practicing engineering for the time remaining in the suspension period.

The Board assesses and Respondent accepts an administrative penalty of \$4,800.00 in accordance with the terms of this Order, for the violations of the Rules found to have occurred in this Order. If Respondent fails to timely remit payment the Respondent's probation will be lifted, his Texas P.E. license will be suspended, and he will be prohibited from practicing engineering for the time remaining in the suspension period. Respondent shall pay the \$4,800.00 due within 30 days after full and final execution of the Order by the Board. Respondent shall remit a cashier's check or money order, made payable to the Texas Board of Professional Engineers. Respondent shall mail the penalty payment to: Texas Board of Professional Engineers, 1917 S. Interstate 35, Austin, TX 78741-3702. Failure to pay the administrative penalty as specified in this Order may result in this matter being referred to the Texas Attorney General for collection.

Respondent shall enroll and successfully complete TTU Engineering Ethics Basic Level Course within six months from the date the Order is approved by the Board in accordance with the terms of this Order, for the violations of the Rules found to have occurred in this Order. If Respondent fails to enroll in and successfully complete TTU Engineering Ethics Basic Level Course within the six-month period will result in Respondent's probation will be lifted, his Texas P.E. license will be suspended, and he will be prohibited from practicing engineering for the time remaining in the suspension period.

5. Section 471.033(1)(c), Florida Statutes, states: "(1)The following acts constitute grounds for which the disciplinary actions in subsection (3) may be taken: (c) Having a license to practice engineering revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country, for any act that would constitute a violation of this chapter or chapter 455."

6. Section 471.033(1)(g), Florida Statutes, provides that an engineer is subject to discipline for engaging in negligence in the practice of engineering. Rule 61G15-19.001(4), Florida Administrative Code, provides that negligence constitutes "failure by a professional engineer to utilize due care in performing in an engineering capacity or failing to have due regard for acceptable standards of engineering principles."

7. The actions of the Texas Board constitutes discipline of Respondent's Texas professional engineering license for acts which would constitute violations of Chapter 471 if those actions had occurred in Florida in that Respondent's actions in Texas constituted engineering practice which did not show "due care in performing in an engineering capacity" and "fail[ed] to have due regard for acceptable standards of engineering principles."

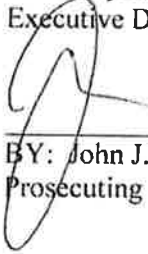
8. Based on the foregoing, Respondent is charged with violating Section 471.033(1) (c), Florida Statutes, by having Respondent's "license to practice engineering ... acted against ... by the

licensing authority of another state, territory, or country, for any act that would constitute a violation of [Chapter 471].”

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 26 day of November, 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: November 07, 2018
PCP Members: MATTHEWS, DRURY & ALBERGO

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was furnished to Roger L. Blair, P.E. at 16922 Old Washington Road, Nevada City, California 95959, by certified mail and First Class U. S. Mail, on the 28 of November, 2018.


Rebecca Valentine, Paralegal