

FILED

Florida Engineers Management Corp

CLERK Rebecca Valentin

DATE 10/24/2022

FILED

Department of Business and Professional Regulation

Senior Deputy Agency Clerk

CLERK: Brandon Nichols

Date: 10/24/2022

File #: 2022-08351

**STATE OF FLORIDA  
FLORIDA BOARD OF PROFESSIONAL ENGINEERS**

FLORIDA BOARD OF PROFESSIONAL  
ENGINEERS,

Petitioner,

v.

FEMC CASE NO.: 2020044812

SUINGLIO ESPEJO

Respondent.

**FINAL ORDER**

THIS CAUSE came before the Florida Board of Professional Engineers (hereinafter "the Board") pursuant to Sections 120.569 and 120.57(2), Florida Statutes, at a duly noticed public meeting on October 13, 2022, in Orlando, Florida for consideration of the Administrative Complaint (attached hereto as Exhibit A) in the above-styled cause. Petitioner was represented by John J. Rimes, Chief Prosecuting Attorney. Respondent was NOT present NOR represented by legal counsel. Upon consideration of the material presented, and being otherwise advised in the premises, the Board makes the following findings and conclusions.

**RULING ON MOTION**

Petitioner has filed and properly served upon Respondent a Motion for Determination that Respondent forfeited his right to an administrative hearing pursuant to section 120.57(1), F.S. and to convene a section 120.57(2), F.S. hearing not involving disputed issues of material fact. Respondent failed to respond to the Motion.

After consideration of the Motion, the Board finds that Respondent failed to respond to the served Administrative Complaint within the time period provided by law,

which constitutes a waiver of the right to elect a hearing. Accordingly, Petitioner's Motion is GRANTED and the Board convenes a section 120.57(2), F.S., hearing.

#### 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 established 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 and for which the Board may impose discipline.
3. The Board is empowered by Sections 455.227 and 471.033, Florida Statutes, to impose a penalty against the Respondent.
4. There is competent, substantial evidence to support the Board's findings of fact and conclusions of law. Therefore, it is

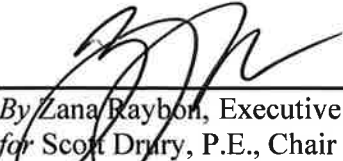
**ORDERED AND ADJUDGED that Respondent is assessed an Administrative Fine of Five Thousand Dollars (\$5,000) and Administrative Costs of One Hundred Eighty-One Dollars and thirty-five cents (\$181.35), both to be paid within thirty (30) days of**

**the date of this Final Order.**

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

**DONE AND ORDERED** this 24 day of October, 2022.

**BOARD OF PROFESSIONAL ENGINEERS**

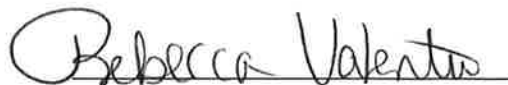
  
By Lana Raybon, Executive Director  
for Scott Drury, P.E., Chair

**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 FLORIDA 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 to: **Suinglio Espejo**, 13575 54<sup>th</sup> Street, North Royal Palm Beach, FL 33411; interoffice mail to: **John J. Rimes**, Chief Prosecuting Attorney, FEMC, 2400 Mahan Drive, Tallahassee, Florida 32308 and **Board of Professional Engineers**, 2400 Mahan Drive, Tallahassee, Florida 32308; and by electronic mail to: **Lawrence D. Harris**, Senior Assistant Attorney General, [Lawrence.Harris@myfloridalegal.com](mailto:Lawrence.Harris@myfloridalegal.com) this 25 day of October, 2022.



**FILED**  
**Florida Engineers**  
**Management Corporation**  
**8/13/2021 Clerk: Rebecca Valentine**

**FILED**  
Department of Business and Professional Regulation  
**AGENCY CLERK**  
CLERK Ronda L. Bryan  
Date 8/13/2021  
File #

**STATE OF FLORIDA**  
**FLORIDA BOARD OF PROFESSIONAL ENGINEERS**

**FLORIDA BOARD OF PROFESSIONAL  
ENGINEERS,**

**Petitioner,**

**v.**

**FEMC Case No. 2020044812**

**SUINGLIO ESPEJO,**

**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 SUINGLIO ESPEJO, 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 not at present and never has been a licensed professional engineer in the State of Florida. Respondent's last known address is 6020 SW 34th Street, Miramar, Florida 33023.

3. On November 22, 2019 Respondent sealed, signed and dated a set of engineering plans for a project at 1791 N. Dixie Highway, Pompano Beach, Fl. The seal and signature on the N. Dixie Highway plans are purported to be those of Santiago Bolivar, PE # 53326. In fact, Mr. Bolivar had no involvement with the N. Dixie Highway project and Respondent forged Mr. Bolivar's signature and applied Mr. Bolivar's seal to the N. Dixie Highway plans. Respondent continued to use Mr. Bolivar's seal and signature on several subsequent projects without the approval or knowledge of Mr. Bolivar.

4. Section 471.031(1)(a) –(c), Florida Statutes, provide in material part: "A person may not: (a) Practice engineering unless the person is licensed or exempt from licensure under this chapter...; (b) A person may not knowingly: "Use .. the name or title "professional engineer" or any other title, designation, words, letters, abbreviations, or device tending to indicate that such person holds an active license as an engineer when the person is not licensed under [Chapter 471], ,...." (c) Present as his or her own the license of another."

5. Section 455.228(1), Florida Statutes, provides in material part: (1) When the [Department of Business and Professional Regulation] has probable cause to believe that any person not licensed by the department, or the appropriate regulatory board within the department, has violated any provision of this chapter or any statute that relates to the practice of a profession regulated by the department, or any rule adopted pursuant thereto, ... the department may impose an administrative penalty not to exceed \$5,000 per incident pursuant to the provisions of chapter 120 ...."

6. Section 471.038(5), Florida Statutes, provides in material part: [n]otwithstanding ss. 455.228 and 455.2281, the duties and authority of the department to receive complaints and to investigate and deter the unlicensed practice of engineering are delegated to the [Board of

Professional Engineers].” As a result, the Board is authorized to impose the administrative penalty described in Paragraph 5.

7. Section 471.033(1)(a), Florida Statutes, provides in material part: (1) The following acts constitute grounds for which the disciplinary actions in subsection (3) may be taken: (a) [v]iolating any provision of ...s. 471.031.” By offering and providing engineering services to the general public using the seal and signature of a licensed professional engineer when Respondent does not and has never possessed a license as a Professional Engineer, Respondent violated the provisions of Section 471.031(1)(a).

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 26th day of July, 2021.

Zana Raybon  
Executive Director

  
\_\_\_\_\_  
John Rimes (Jul 26, 2021 08:49 EDT)

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: July 14, 2021  
PCP Members: MATTHEWS, ALBERGO & PEPPER

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was furnished to Suinglio Espejo at 6020 SW 34<sup>th</sup> Street, Miramar, Florida 33023, by certified mail and First-Class U. S. Mail, on the 13 of August, 2021.

  
\_\_\_\_\_  
Rebecca Valentine, Paralegal