

FILED

Florida Engineers Management Corp

CLERK

Rebecca Valentin

DATE

9/06/2023

FILED

Department of Business and Professional Regulation

Senior Deputy Agency Clerk

CLERK: Brandon Nichols

Date: 9/6/2023

File #: 2023-06902

STATE OF FLORIDA
BOARD OF PROFESSIONAL ENGINEERS

FLORIDA ENGINEERS MANAGEMENT
CORPORATION,

Petitioner,

vs.

FEMC Case No.: 2023007548

License No.: PE 31384

STEPHEN M. RUDNER, 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 August 3, 2023, in Tampa, 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.

In response to service of the Administrative Complaint, a copy of which is attached hereto and incorporated herein, 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 25 day of August, 2023.

**FLORIDA BOARD OF PROFESSIONAL
ENGINEERS**


By Zana Raybon, Executive Director
for Dylan Albergo, P.E., 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 **Stephen M. Rudner, P.E.**, 440 South Main Street, Ann Arbor MI 48104 ; 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**, 2400 Mahan Drive, Tallahassee FL 32308 this 6 day of September, 2023.



STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

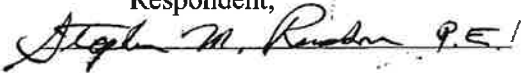
Petitioner,

v.

FEMC Case No. 2023007548

STEPHEN M. RUDNER, P.E.,

Respondent,



VOLUNTARY RELINQUISHMENT OF LICENSE

Respondent, STEPHEN M. RUDNER, license No. 31384, hereby voluntarily relinquishes his license to practice Engineering in the State of Florida and states as follows:

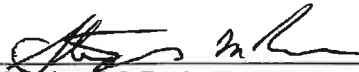
1. Respondent's purpose in executing this Voluntary Relinquishment is to avoid further administrative action with respect to these complaints. Respondent understands that acceptance by the Board of Professional Engineers (hereinafter the Board) of this Voluntary Relinquishment shall be construed as disciplinary action against Respondent's license pursuant to Section 433.033(1)(g), 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 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 31st day of May, 2023.


Stephen M. Rudner
Case No. 2023007548

STATE OF FLORIDA
COUNTY OF:

Before me, personally appeared Stephen Rudner, whose identity is known to me by associates (my boss) (type of identification) and who, under oath, acknowledges that his signature appears above. Sworn to and subscribed before me this 31 day of May, 2023.

My Commission Expires:


NOTARY PUBLIC



FILED
Florida Engineers Management Corp
CLERK Rebecca Valente
DATE 5/23/2023



STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

Petitioner,

v.

FEMC Case No. 2023007548

STEPHEN M. RUDNER, P.E.,

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 STEPHEN M. RUDNER, 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 31384. Respondent's last known address is 440 South Main Street, Ann Arbor, Michigan 48104.

3. Pursuant to Rule 61G15-22.006(2), Florida Administrative Code, “The Board will audit at random a number of licensees as is necessary to assure that the continuing education requirements are met.” Pursuant to the provisions of the Rule, FEMC requested the Department of Business & Professional Regulation (DBPR) to provide a list containing a random number of licensees who had renewed their licenses. This information was received from DBPR on the same day.

4. Respondent renewed Respondent’s Professional Engineer license on February 18, 2021 and attested that Respondent had completed the required Continuing Education necessary for renewal as required by Section 471.017(3)(a), Florida Statutes, which provides in material part:

“(3)(a) The board shall require a demonstration of continuing professional competency of engineers as a condition of license renewal or relicensure. Every licensee must complete 9 continuing education hours for each year of the license renewal period, totaling 18 continuing education hours for the license renewal period. For each renewal period for such continuing education:

1. One hour must relate to this chapter and the rules adopted under this chapter.
2. One hour must relate to professional ethics.
3. Four hours must relate to the licensee’s area of practice.
4. The remaining hours may relate to any topic pertinent to the practice of engineering. Continuing education hours may be earned by presenting or attending seminars, in-house or nonclassroom courses, workshops, or professional or technical presentations made at meetings, webinars, conventions, or conferences, including those presented by vendors with specific knowledge related to the licensee’s area of practice....”

5. On December 20, 2021, Respondent was provided with a Memo advising Respondent that Respondent was selected to participate in the audit process. Respondent responded to the Memo on January 4, 2022.

6. Upon review of the information provided by Respondent, it was clear that, when Respondent renewed the PE license on February 18, 2021, Respondent had not completed the Florida Laws & Rules CE Course required for renewal as provided in Section 471.017(3), Florida Statutes.

7. In fact, Respondent did not complete the Florida Laws & Rules CE Course until February 6, 2023. To have been in compliance with Section 471.017 when Respondent certified that Respondent had taken and completed all required CE Courses, Respondent was required to have taken and completed all required CE Courses by February 28, 2021.

8. Section 471.033(1)(a) provides in material part: “(1) The following acts constitute grounds for which the disciplinary actions in subsection (3) may be taken: (a) Violating any ... rule of the board or department. Rule 61G15-19.001(6)(s), Florida Administrative Code, provides in material part: “(6) [a] professional engineer shall not commit misconduct in the practice of engineering. Misconduct in the practice of engineering as set forth in Section 471.033(1)(g), F.S., shall include, but not be limited to: (s) Renewing or reactivating a license without completion of Continuing Education (CE) hours and subject areas as required by Section 471.017, F.S., and Rule 61G15-22.001, F.A.C.”

9. By renewing Respondent’s PE license without having completed the required CE Courses at the time that Respondent certified that all required CE Courses had been taken, Respondent violated Section 471.033(1)(a) and Rule 61G15-19.001(6)(s).

10. Based upon the foregoing Respondent is hereby charged with violating Section 471.033(1)(a) and Rule 61G15-19.001(6)(s).

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 22nd day of May, 2023.

Zana Raybon
Executive Director


John Rimes (May 22, 2023 09:46 EDT)
BY: John J. Rimes, III
Prosecuting Attorney

COUNSEL FOR FEMC:

John J. Rimes, III
Prosecuting Attorney
Florida Engineers Management Corporation
2400 Mahan Dr.
Tallahassee, Florida 32308
Florida Bar No. 212008
JR/rv
PCP DATE: May 10, 2023
PCP Members: MATTHEWS, PISTORINO & FLEMING

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was furnished to Stephen M. Rudner, P.E. at 440 South Main Street, Ann Arbor, MI 48104, by certified mail and First-Class U. S. Mail, on the 24 of May, 2023.


Rebecca Valentine, Paralegal