

FILED
Florida Engineers Management Corp
CLERK Rebecca Valentin
DATE 6/25/2024

FILED
Department of Business and Professional Regulation
Senior Deputy Agency Clerk
CLERK: Brandon Nichols
Date: 6/25/2024
File #: 2024-05887

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

Petitioner,

v.

FEMC Case No. 2023036226

GEOFFREY R. GEACH, P.E.,

Respondent,

FINAL ORDER ADOPTING SETTLEMENT STIPULATION

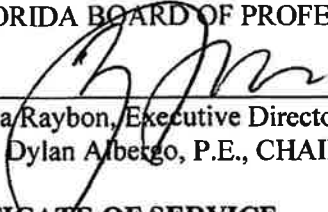
THIS CAUSE came before the FLORIDA BOARD OF PROFESSIONAL ENGINEERS (“Board”), pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on June 20, 2024 in Kissimmee, Florida, for the purpose of considering a Settlement Stipulation (attached hereto as “Exhibit A to Final Order”) entered into between 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 24 day of June, 2024.

FLORIDA BOARD OF PROFESSIONAL ENGINEERS

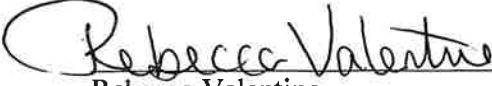


Zana Raybon, Executive Director
For Dylan Alberg, P.E., CHAIR

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing filed *Final Order Adopting Settlement Stipulation* has been furnished by U.S. First Class Mail and email to

Geoffrey Geach, P.E. by service upon his attorney of record: Dylan Rivers, Esquire at Ausley & McMullen, Post Office Box 391, 123 South Calhoun St., Tallahassee, Florida 32301 and drivers@ausley.com this 26 day of June, 2024.


Rebecca Valentine,
Paralegal

STATE OF FLORIDA
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FEMC Case No. 2023036226

GEOFFREY R. GEACH, P.E.,

Respondent,

_____ /

SETTLEMENT STIPULATION

GEOFFREY R. GEACH, P.E. hereinafter referred to as “Respondent” and the Florida Engineers Management Corporation, hereinafter referred to as “FEMC,” hereby stipulate and agree to the following Joint Settlement Stipulation (“Stipulation”) and Final Order of the Florida Board of Professional Engineers, hereinafter referred to as “Board,” incorporating this Stipulation in the above-styled manner.

STIPULATED FACTS

1. For all times pertinent hereto, Respondent, Geoffrey R. Geach, P.E., was a licensed engineer in the State of Florida, having been issued license number PE 94456.
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”.

STIPULATED CONCLUSIONS OF LAW

1. Respondent, in his capacity as a licensed engineer, admits that in such capacity he is subject to provisions of Chapters 455 and 471, Florida Statutes, and the jurisdiction of the Florida

Department of Business and Professional Regulations, hereinafter referred to as "Department," 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 Complaint.

STIPULATED DISPOSITION OF LAW

1. Respondent shall, in the future, comply with Chapters 471 and 455, Florida Statutes, and the Rules promulgated pursuant thereto.

2. Respondent shall pay an ADMINISTRATIVE FINE of \$500.00 and COSTS of \$2,902.80 to the Board to be paid in Twelve (12) Payments of \$283.57 to the Board within One (1) Year from the date that the Final Order adopting this Stipulation is filed with the Agency Clerk.

3. Respondent shall take and pass the Auburn University Online Professional Development Course "Engineering Ethics and Professionalism," Course No. V10F, within ninety (90) days of the filing date of this Final Order.

EPD Program
Auburn University
Engineering Extension Service
217 Ramsay Hall, Auburn, Alabama 36849-5331
Ethics and Professionalism
Phone 800-446-0382 or 334-844-4370

4. Should the Respondent fail to timely comply with the terms of the Final Order discussed herein, this case will be submitted to the Probable Cause Panel for review and determination of whether additional disciplinary action should be taken.

5. Respondent acknowledges that neither Respondent's attendance at the Board Meeting when this Stipulation is presented, nor any continuing education or college level courses taken as a requirement of the terms of this Stipulation may be used to comply with the continuing education requirements of Chapter 61G15-22, Florida Administrative Code.

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

7. 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.

8. 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.

9. 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.



Geoffrey R. Geach, P.E.,
Respondent
Case No. 2023036226

APPROVED this 30th day of April, 2024.

Zana Raybon, Executive Director
Florida Board of Professional Engineers



John Rimes, III (P. No. 2024 14 04 001)

BY: John J. Rimes, III
Chief Prosecuting Attorney

FILED
Florida Engineers Management Corp
CLERK Rebecca Valente
DATE 01/24/2024



STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

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FEMC Case No. 2023036226

GEOFFREY R. GEACH, 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 GEOFFREY R. GEACH, 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 94456. Respondent's last known address is 1702 West Cleveland Street, Unit 1-129, Tampa, Florida 33602.

3. Respondent through Respondent's firm, Beryl Project Engineering, performed an inspection of some as-built conditions of a residence under construction at 11319 Fish Hook Place, Gibsonton, FL 33534 (Fish Hook Project). The inspection was requested by the homeowner due to concerns over construction deviations. A Report electronically signed and sealed on April 10, 2023, by Respondent, generally stated that the as-built conditions met the original design intent.

4. The Report is an engineering "certification" as that term is defined in Rule 61G15-18.011(4), Florida Administrative Code, ("a statement signed and/or sealed by a professional engineer representing that the engineering services addressed therein, as defined in Section 471.005(6), F.S., have been performed by the professional engineer, and based upon the professional engineer's knowledge, information and belief, and in accordance with commonly accepted procedures consistent with applicable standards of practice,..."). "Certifications" are subject to the standards set out in Rule 61G15-29.001.

5. The Report is materially deficient as follows:

A. The Report was not digitally signed in accordance with Florida Administrative Code Rule 61G15-23.004. The Report is missing the digitally signed document statement required by 61G15-23.004(3)(d).

B. The Report failed to identify several material structural deficiencies at the Fish Hook Project:

(1) Several trusses had a visual lateral bow to the bottom chord, exceeding industry standards.

(2) Nailing patterns violated fix instructions by Dansco, such as nailing through cracked wood areas and edge distance violations.

(3) The Report failed to identify an additional cracked truss web member and at least one bent truss plate.

(4) At least some of the nails used to repair trusses were less than the fastener thickness specified on the Dansco truss repair drawings.

(5) Screw sizes were smaller than the screw sizes specified, which could represent a decrease in strength.

C. Respondent's single scab repair calculation was provided with a design Live Load of 20 psf and a dead load of 15 psf. The contract drawings instruct the truss engineer to design the truss for a Live Load of 40 psf and a Dead Load of 10 psf. The Live Load specified on the contract drawings is unusual, but the combined loading on the contract drawings is 15 psf more than what Respondent used for Respondent's truss fix calculation. If the 50 psf (DL + LL) is substituted for the 35 psf (DL+LL) in the single calculation provided by Respondent, the fastening pattern calculated would be 30% overstressed.

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), Fla. Admin 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. Based upon the facts set forth in Paragraph Three (3) through Paragraph Five (5) Respondent was negligent in the practice of engineering by preparing and issuing the Report without having performed material engineering analysis necessary to justify the stated conclusion(s). Respondent's failure to perform the necessary analysis resulted in the Reports


being issued in a manner not in “...accordance with commonly accepted procedures consistent with applicable standards of practice.”

8. Based on the foregoing, Respondent is charged with violating Section 471.033(1)(a), Florida Statutes, by violating Section 471.033(1)(g), Florida Statutes, by engaging in negligence in the practice of engineering as defined in Rule 61G15-19.001(4), Fla. Admin Code.

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 January, 2024.

Zana Raybon
Executive Director



John Rimes (Jan 22, 2024 09:01 EST)
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: January 10, 2024

PCP Members: MATTHEWS, PISTORINO & RAMSEY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was furnished to Respondent Geoffrey R. Geach, P.E. at 11702 West Cleveland Street, Unit 1-129, Tampa, Florida 33602, by certified mail and First-Class U. S. Mail, on the 24 of January, 2024.


Rebecca Valentine, Paralegal