

**FILED**  
Florida Engineers Management Corp  
CLERK Rebecca Valento  
DATE 5/02/2024

**FILED**  
Department of Business and Professional Regulation  
Senior Deputy Agency Clerk  
CLERK: Brandon Nichols  
Date: 5/2/2024  
File #: 2024-03896

**STATE OF FLORIDA  
BOARD OF PROFESSIONAL ENGINEERS**

FLORIDA BOARD OF PROFESSIONAL  
ENGINEERS,

Petitioner,  
v.  
KARL J. SVATY, Jr., P.E.  
Respondent.

FEMC CASE NO.: 2022-003794  
LICENSE NO.: PE 41583

**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 April 11, 2024, in Kissimmee, Florida, for hearing regarding 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 and was NOT 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.

**FINDINGS OF FACT**

1. Respondent was properly served with a copy of the Administrative Complaint and timely requested a section 120.57(2), F.S. hearing not involving disputed issues of material fact.
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 Statement of Undisputed Material

Facts entered into by the parties.

CONCLUSIONS OF LAW

1. 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.

2. The Board is empowered by Sections 455.227 and 471.033, Florida Statutes, to impose a penalty against the Respondent. Therefore, it is

**ORDERED AND ADJUDGED:**

1. Respondent's Florida Professional Engineering License, No. PE 41583 is REPRIMANDED.

2. Respondent shall pay an administrative FINE of One Thousand Dollars (\$1,000.00) and administrative COSTS in the amount of Fifty-Eight Dollars and fifty cents (\$58.50) within ninety (90) days of the filing date of this Final Order.

3. Respondent shall take and pass the Board's Laws and Rules Study Guide within ninety (90) days of the filing date of this Final Order.

4. Within ninety (90) days of the filing date of this Final Order, Respondent shall take and pass ONE of the following:

a. EPD Program  
Ethics and Professionalism Basic Intermediate (v10F)  
Auburn University Engineering Extension Service  
217 Ramsay Hall, Auburn, Alabama 36849-5331  
Phone 800-446-0382 or 334-844-4370

OR

b. Engineering Ethics Basic  
Murrough Center for Engineering Professionalism  
Texas Tech University, PO Box 41023,  
Lubbock, Texas 79409  
Telephone 806-742-3525; Fax 806-742-0444;  
E-mail: [engineering.ethics@ttu.edu](mailto:engineering.ethics@ttu.edu)

5. Respondent shall submit documentation of compliance with ALL continuing education requirements within ninety (90) days of the filing date of this Final Order.

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

**DONE AND ORDERED** this 1 day of May, 2024.

**BOARD OF PROFESSIONAL ENGINEERS**  
  
By Zana Raybon, Executive Director  
for Dylan Albergo, 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 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 **Karl J. Svaty, Jr., P.E.**, 411 North Webb Road, Wichita, KS 67206 and c/o **Dennis Wetta, Esq.**, 645 East Douglas, Suite 100, Wichita KS 67202; by interoffice mail to **John J. Rimes, FEMC**, and **Board of Professional Engineers**, 2400 Mahan Drive, Tallahassee, FL 32308; and by electronic mail to **Lawrence D. Harris**, Senior Assistant Attorney General, Lawrence.Harris@myfloridalegal.com this 3 day of May, 2024.

*Rebecca Valentino*

STATE OF FLORIDA  
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL  
ENGINEERS,

Petitioner,

v.

FEMC Case No. 2022003794

KARL J. SVATY, JR., P.E.,

Respondent,

\_\_\_\_\_ /

STATEMENT OF UNDISPUTED MATERIAL FACTS

Petitioner, Florida Engineers Management Corporation (“FEMC”), on behalf of the Florida Board of Professional Engineers (“FBPE” or “Board”) and Respondent, Karl J. Svaty, Jr., P.E. (“Respondent”), hereby submit the following Statement of Undisputed Material Facts (“SUMF”). The undisputed material facts contained herein form the only factual basis upon which a determination of whether Respondent violated the provisions of Chapter 471, Florida Statutes, and Chapter 61G15, Florida Administrative Code (which were charged in the Administrative Complaint that was filed in this case on November 14, 2023) may be made by the Board. Notwithstanding the abovementioned limitations on the facts that may be discussed before the Board, Petitioner and Respondent will be permitted to offer information in addition to that set forth herein in the furtherance of mitigation or aggravation of any penalty which may be imposed by the Board. Petitioner and Respondent will also be permitted to proffer any legal argument to the Board that addresses the Board’s determination as to whether any violation of Chapter 471, Florida Statutes, and Chapter 61G15, Florida Administrative Code, has occurred.

The Parties hereby also agree that by entering into this Statement of Undisputed Material Facts they jointly waive any right to a formal hearing under the provisions of Section 455.225(5),

Florida Statutes, which provides in material part that "... if any party raises an issue of disputed fact during an informal hearing, the hearing shall be terminated and a formal hearing pursuant to chapter 120 shall be held."

The Undisputed Material Facts in this case are as follows:

1. FBPE is charged with regulating the practice of engineering pursuant to Chapter 455, Florida Statutes. The above-referenced Administrative Complaint was filed by the FEMC on behalf of FBPE. 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 41583. Respondent's last known address is 411 North Webb Road, Wichita, Kansas 67206.

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.

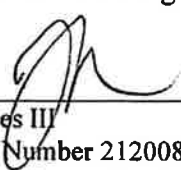
4. Respondent renewed Respondent's Professional Engineer license on January 15, 2021 and attested that Respondent had completed the required Continuing Education necessary for renewal as required by Section 471.017(3)(a), Florida Statutes.

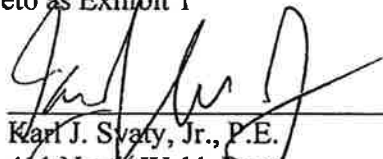
5. On December 20, 2021, Respondent was provided with a Memo advising Respondent that Respondent was selected to participate in the audit process. Respondent responded to the Memo on January 7, 2022.

6. In fact, when Respondent renewed the PE license on January 15, 2021, Respondent Florida Laws & Rules and Ethics CE Courses required for renewal as provided in Section 471.017(3), Florida Statutes. Respondent did not complete the Florida Laws & Rules and Ethics CE Courses until April 10, 2023. In order 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.

7. 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).

8. Respondent's continuing education certificates, received from Respondent April 05, 2023 and April 10, 2023, is a true and correct copy of the document on file with the Florida Board of Professional Engineers are attached hereto as Exhibit 1

  
\_\_\_\_\_  
John J. Rimes III  
Florida Bar Number 212008  
Prosecuting Attorney for the  
Florida Engineers Management Corporation  
2639 North Monroe Street  
Suite B-112  
Tallahassee, Florida 32303  
(850) 521-0500

  
\_\_\_\_\_  
Karl J. Svaty, Jr., P.E.  
411 North Webb Road  
Wichita, Kansas 67206

FILED  
Florida Engineers Management Corp  
CLERK Rebecca Valentine  
DATE 9/13/2023

**FILED**  
Department of Business and Professional Regulation  
Deputy Agency Clerk  
CLERK: Evette Lawson-Proctor  
Date: 9/13/2023  
File #:

STATE OF FLORIDA  
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

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ENGINEERS,

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FEMC Case No. 2022003794

KARL J. SVATY, JR., P.E.,

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

**AMENDED 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 KARL J. SVATY, JR., 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 41583. Respondent's last known address is 411 North Webb Road, Wichita, Kansas 67206.



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 January 15, 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 7, 2022.

6. Upon review of the information provided by Respondent, it was clear that, when Respondent renewed the PE license on January 15, 2021, Respondent had not completed the Florida Laws & Rules and Ethics CE Courses required for renewal as provided in Section 471.017(3), Florida Statutes.

7. In fact, Respondent did not complete the Florida Laws & Rules and Ethics CE Courses until April 10, 2023. In order 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).

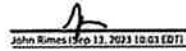
10. Based upon the foregoing Respondent is hereby charged with violating Section 471.033(1)(a) and Rule 61G15-19.001(6)(s).

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 13th day of September, 2023.

Zana Raybon  
Executive Director



John Rimes III on 13, 2023 10:03 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: September 13, 2023  
PCP Members: MATTHEWS, FLEMING, & PISTORINO

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was furnished to Karl J. Svaty, Jr., P.E. at 411 North Webb Road, Wichita, Kansas 67206, by certified mail and First-Class U. S. Mail, on the 13 of September 2023.



Rebecca Valentine, Paralegal