

FILED  
Florida Engineers Management Corp  
CLERK Rebecca Valentine  
DATE 8/26/2024

**FILED**  
Department of Business and Professional Regulation  
Senior Deputy Agency Clerk  
CLERK: Brandon Nichols  
Date: 8/26/2024  
File #: 2024-07703

STATE OF FLORIDA  
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL  
ENGINEERS,

Petitioner,

v.

FEMC Case No. 2023010498

MUSA Y. ABDEL-KHALEQ, P.E.,

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

**FINAL ORDER ADOPTING SETTLEMENT STIPULATION**

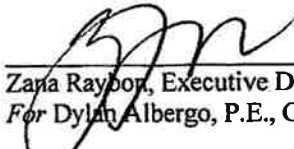
THIS CAUSE came before the FLORIDA BOARD OF PROFESSIONAL ENGINEERS (“Board”), pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on July 08, 2024 in Kissimmee, Florida, for the purpose of considering a Settlement Stipulation (attached hereto as “Exhibit A to Final Order”) entered into between 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 23 day of August, 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 Musa Y. Abdel-Khaleq, P.E. by service upon his attorney of record: Ciro Martinez, II, PhD JD LLM, 1342 Colonial Boulevard, Suite C20, Ft. Myers, Florida 33907 and ciro@martinezlawgroup.net this 27 day of August, 2024.

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

STATE OF FLORIDA  
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

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FEMC Case No. 2023010498

MUSA Y. ABDEL-KHALEQ, P.E.,

Respondent,

SETTLEMENT STIPULATION

MUSA Y. ABDEL-KHALEQ, 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, Musa Y. Abdel-Khaleq, P.E., was a licensed engineer in the State of Florida, having been issued license number PE 84862.
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 \$1,000.00 and COSTS of \$3,889.45 to the Board within thirty (30) days of the date that the Final Order adopting this Stipulation is filed with the Agency Clerk.

3. Respondent shall APPEAR before the Board when this Stipulation is presented. Respondent must be prepared to discuss how this situation occurred, what improvements and quality control measures Respondent plans to implement to improve Respondent's work product, and how Respondent intends to prevent this circumstance from occurring in the future

4. Respondent shall successfully complete the STUDY GUIDE which has been prepared by the Board and which will be furnished to Respondent, regarding the Engineering Practice Act, Chapter 471, Florida Statutes, and the Rules of the Board. Respondent is required to provide a personal email address that will be used to access the on-line study guide. The study guide must be completed within thirty (30) days of the date on which the Final Order incorporating this Stipulation is filed with the Agency Clerk.

5. 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

6. 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.

7. 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.


8. 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.

9. 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.

10. 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.

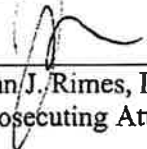
11. Respondent waives the right to seek any attorney's fees or costs from the Board in connection with this disciplinary proceeding.

WHEREFORE, the parties hereto request the Board to enter a Final Order accepting and implementing the terms contained herein.

  
Musa Y. Abdel-Khaleq, P.E.,  
Respondent  
Case No. 2023010498

APPROVED this 12 day of June, 2024.

Zana Raybon, Executive Director  
Florida Board of Professional Engineers

  
BY: John J. Rimes, III  
Chief Prosecuting Attorney

FILED  
Florida Engineers Management Corp  
CLERK Rebecca Valentin  
DATE 5/20/2024



STATE OF FLORIDA  
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

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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 MUSA Y. ABDEL-KHALEQ, 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 84862. Respondent's last known address is 2452 Wimbledon Park Boulevard, Toledo, Ohio 43617.
3. On January 4, 2023, Respondent issued a signed and sealed letter of certification for the re-roofing of a single-family residence located at 1117 SE 20<sup>th</sup> Court, Cape Coral, Florida on behalf of Michelle

Moffit (Moffit Letter). The Moffit Letter stated that the underlayment and all roofing materials had been installed per the 2022 Florida Building Code (FBC) at the above referenced residence.

4. However, photographic evidence of the site shows that there are areas framed out where deleted vents had been located. As a result, there was no sheathing at those locations, thus creating openings that the roofing must clear span without support. This configuration of the roofing is materially in violation of the requirements of Section R905.2.1 of the 2020 Florida Building Code.

5. Respondent's January 4, 2023 Moffit Letter 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,...").

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. By signing and sealing the Moffit Letter certification and opining that the roofing in question had been installed per the 2022 Florida Building Code (FBC) when the roofing as installed was materially in violation of Section R905.2.1 of the 2020 Florida Building Code Respondent failed to utilize due care in performing in an engineering capacity and failed to have due regard for acceptable standards of engineering principles.


8. Based on the foregoing, Respondent is charged with violating Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), F. A. C., by engaging in negligence in the practice of engineering.

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 20th day of May, 2024.

Zana Raybon  
Executive Director

  
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 08, 2024  
PCP Members: MATTHEWS, & RAMSEY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was furnished to Respondent Musa Y. Abdel-Khaleq, P.E. by service upon his attorney of record: Ciro Martinez, II, PhD JD LLM, 1342 Colonial Boulevard, Suite C20, Ft. Myers, Florida 33907, by certified mail and First-Class U. S. Mail, on the 21 of May, 2024.

  
Rebecca Valentine, Paralegal