



Practice Committee Meeting August 7, 2024 | 1:30 p.m.

Virtually via Microsoft Teams:

[Join the meeting now](#)

Meeting ID: 238 651 075 175

Passcode: KFPiua

In person:

Crowne Plaza, SeaTac
Beacon Room
17338 International Blvd
Seattle, WA 98188

Dial-in by phone

[+1 564-999-2000,,248913479#](tel:+15649992000) United States,
Olympia

[833\) 322-1218,,248913479#](tel:8333221218) United States (Toll-
free)

[Find a local number](#)

Phone conference ID: 248 913 479#

Committee: Doug Hendrickson, PE, Chair
Aaron Blaisdell, PLS
Dave Peden, PE, SE

Support staff: Ken Fuller, PE, Director
Kristina Horton, PLS, Deputy Director
Jill Short, Investigations & Compliance Manager
Shanan Gillespie, Regulatory Program Manager

Discussion topics

- PC Committee Expectations (DH/JS)
- Complaints Summary (JS)
- Administrative Closures Report (JS)
- Compliance Report/Noncompliance Report (JS)
- RCW 18.43 Task Force Update (DH/SG)
- Interagency Agreement with WSDOT Update (KH/JS)
- Feedback Assessment of Complaint Process (KH/JS)
- PC Accomplishments

Strategic Planning Items

- Feedback Assessment of Complaint Process

Previous Action Items

- Checklist for Public Officials

BRPELS Committee Expectations

Standard Committee Expectations

- All committee recommendations to the board *must* be a new business item for approval on the board meeting agenda
- Regularly communicate with the committee's board staff lead
- Acknowledge committee agendas and reports from staff lead and inform them of any necessary edits.
- Track completed action items
- Be an active participant

Practice Committee Expectations for [YEAR]

1. Expectation
2. Expectation
- 3.

Complaints Summary
August 2024
(As of July 26, 2024)

Engineering: 5 complaint(s)

COMPLAINT NUMBER	ALLEGATIONS	STATUS
2024-06-1415	Unprofessional conduct	Management Review
2024-06-1460	Unlicensed practice – COA expired	Admin Review
2024-06-1461	Unlicensed practice	Admin Review
2024-06-1529	Unprofessional conduct	Admin Review
2024-06-1565	Unprofessional conduct	Admin Review

Surveying: 0 complaint(s)

COMPLAINT NUMBER	ALLEGATIONS	STATUS

On-site Septic System Designing: 0 complaint(s)

COMPLAINT NUMBER	ALLEGATIONS	STATUS

TOTAL: 5

Administrative Closure Recommendations

August 2024

(As of July 26, 2024)

Engineering: 7 Closed

2024-05-0994-00ENG – A complaint was received from a licensed PE who alleges he was contacted to perform overflow work for an engineering company. The complainant could not find a business or professional license information for the firm.

Research found the company did have a licensed PE on staff. Staff contacted the PE and explained the company would need to register with the Board and obtain a Certificate of Authorization (COA). Staff also discussed with them the use of “structural engineers” on their website without a licensed SE on staff.

The PE was very responsive and obtained a COA with the Board as well as updating the company website with a disclaimer about not offering structural engineering services as it relates to significant structures.

2024-05-1141-00ENG – A complaint was received from an engineering firm stating the respondent had contacted them offering structural engineering services. The complainant stated the respondent indicated they were licensed in WA. Complainant searched the licensing database and could not find that the respondent was licensed.

Staff researched company website. Discovered the respondent is a licensed PE but used a shorter version of his name when conversing with the complainant. Respondent does not have an SE endorsement but has submitted an application to take the SE exam, which is under review. Respondent’s business does not have a Certificate of Authorization (COA) with the Board.

The respondent was contacted about obtaining a COA and the language on his website regarding offering structural engineering.

Respondent obtained a COA and has updated his website. Website was reviewed by Board Director and meets requirements.

2024-05-1170-00ENG – A complaint was received alleging a licensed PE was misrepresenting himself as having structural engineering expertise despite not being a qualified structural engineer. The complainant had purchased solar panels and improper installation of the panels caused significant damage to the complainant’s home.

A response was received. The respondent wrote in 2022 his company was hired to perform a standard solar analysis project for the complainant’s resident. In December 2023 or early January 2024, the respondent was contacted by the solar energy contractor to assess the adequacy of the repairs.

The respondent stated he did not intend to imply he was presenting himself as a Structural Engineer. He understands in Washington an SE endorsement is required to perform significant structure work.

The case was reviewed with a case manager who determined from the documents received it was evident the respondent has the qualifications and experience to perform the work he did. The

August 2024

respondent was counseled on ensuring he does not indicate he is a structural engineer, nor that he can perform significant structure work.

2024-06-1460-00ENG – A complaint was received alleging a business' Certificate of Authorization (COA) expired 8/3/2020 yet the company continues to offer engineering services. Also, the Designated Engineer (DE) no longer works for the company.

The owner of the company, a licensed Professional Engineer (PE) was contacted about the expired COA. He stated he had bought the previous DE out and did not realize he needed the COA. The respondent immediately renewed the COA and named himself as the DE. He verified he was licensed the entire time the COA was expired, and he stamped projects that were done in Washington as the licensee in responsible charge.

It was also noted the company website was offering structural engineering services without an SE on staff. The respondent put a disclaimer on the website regarding significant structures. Company is now in compliance.

2024-06-1461-00ENG – A complaint was received alleging an engineering company was providing engineering services without a Certificate of Authorization (COA) as well as offering structural engineering services without a Structural Engineer (SE).

The owner of the company, a licensed Professional Engineer (PE), was contacted. The PE stated he thought he had registered his company. He checked and immediately obtained his COA. The PE has applied for an SE endorsement. That application is currently under review.

Board staff discussed with the PE the wording on his website regarding structural services. The PE updated his website with a disclaimer stating they cannot provide engineering for significant structures in Washington. Respondent is now in compliance.

2024-06-1529-00ENG – A complaint was received alleging the owner of a solar energy contractor was misrepresenting himself as a structural engineer. The complainant had purchased solar panels and improper installation of the panels caused significant damage to the complainant's home.

Staff researched the respondent's website and found there was no indication the company offered engineering services.

The case was reviewed by a case manager confirming there is no indication the respondent, nor the company, is representing himself, or the company, as a professional or structural engineer. The case manager determined the use of the term "in-house" is not uncommon in the industry for businesses that have on-going contracts with consultants who provide specialty expertise. The term can indicate to a client that the business has continued experience and confidence in the expertise.

The case manager recommended the complaint be closed administratively.

August 2024

2024-06-1565-00ENG – A complaint was received alleging a PE who was responsible for stamping design drawings for projects was not located in the office or doing management of the design process with internal staff or clients. The engineer who completed the majority of the work was not allowed to stamp the drawings.

A response was received. The respondent stated he has reviewed our laws/rules and the way he and the company perform their work. He does not feel they are in violation. They embrace the use of technology to fully support collaboration between their teams of engineers and their clients. He stated he provides oversight and maintains readily accessible contact with those whose work contributes to the design documents. He has direct supervision over the design, reviews the design, and has the ability to make changes and does so as needed before he seals the design.

The complaint file was administratively reviewed and no evidence of a violation of RCW/WAC was found. The respondent's explanation and the evidence of the work is within the requirements of WAC 196-25-070 Providing direct supervision.

Additionally, no ethical violation was found through the actions and statements by the respondent.

Surveying: 0 Closed

On-site: 0 Closed

TOTAL: 7

<p>Kent Huxel 2021-08-2070-00LSV 2022-10-1445-00LSV</p> <p>Final Order to Permanently Cease and Desist</p> <p>Signed 12/8/2022 Effective 12/8/2022</p>	<p>Respondent shall permanently cease and desist from offering to practice professional land surveying and professional engineering in the State of Washington.</p> <ol style="list-style-type: none"> 1. Shall not represent himself or his business to current or potential clients or the public, as being able to provide and/or perform professional engineering services in the State of Washington; 2. Shall not distribute to any client or public agency any document, including but not limited to: letterhead, business cards, maps, or website references, which show either the firm, its officer and/or employees as having been involved or offer professional engineering activities; 3. Within one hundred and twenty (120) days of the effective date of this AGREED ORDER Respondent shall pay a fine to the Board, by check or money order, in the amount of thirty thousand dollars (\$30,000.00 (U.S.)) 	<p>Due 4/8/2023</p>	<p>12/14/2022 Respondent requested the final order be vacated.</p> <p>1/5/2023 Response sent to respondent denying request to vacate.</p> <p>2/3/2023 Staff will be filing a complaint with law enforcement in the city/county where the unlicensed practice occurred for the fraudulent use of a stamp. The complaint has been started, but additional evidence is being gathered.</p> <p>2/7/23 Received notice respondent filed a Notice of Appeal to Snohomish County Superior Court. Notice sent to AAG.</p> <p>3/31/23 Motion to dismiss filed by AAG.</p> <p>5/2/23 Judge granted the Board's motion and advised Mr. Huxel of his right to appeal the Judge's dismissal. The Judge agreed with the Board that Mr. Huxel failed to properly invoke the jurisdiction of the court because his petition for judicial review was untimely.</p> <p>5/12/23 Respondent filed appeal to 5/2/23 dismissal.</p> <p>AAG will pursue civil action once appeal is determined.</p> <p>7/12/2023 Mr. Huxel asked for review by Court of Appeals.</p> <p>9/26/2023 Met with AAG. Mr. Huxel's appeal is still pending. Civil action will be pursued following outcome of appeal.</p> <p>11/14/23 Report from AAG: Mr. Huxel was ordered by the court to re-file a corrected statement of arrangements which he has not done. The court can sanction him (unlikely given his indigent status) or can give him additional time to amend. They are just waiting for the court to issue direction on next steps. No scheduling order has been issued by the court, so no filings are yet needed on BRPELS behalf. According to their appellate advisor, the court of appeals is taking a long time to get orders issued but Danitza will reach out one they've heard what the court wants Mr. Huxel to do next.</p> <p>1/23/24 – Update from AAG, the Court of Appeal accepted the appellant's (respondent's) brief. A response was drafted by the AAG. Next course of action will be for the Court to decide the case without oral argument.</p> <p>3/28/24 – Update from AAG: Filings are complete in this case and it has tentatively been set for consideration by a panel of judges, without oral</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		<p>argument, on May 30, 2024. Parties will be notified when a decision has been entered.</p> <p>The Court of Appeals (COA) affirmed the superior court's dismissal of Mr. Huxel's petition and agreed the petition was not served on the Board in a timely manner. Mr. Huxel has additional opportunities to appeal and our AAG expects he will, but for now the case is dismissed.</p> <p>Mr. Huxel has 20 days for reconsideration by the COA and 30 days for an appeal to the Supreme Court.</p> <p>Mr. Huxel attempted to appeal the Court of Appeals dismissal of his case. The Supreme Court sent a letter advising Mr. Huxel he did not file the appeal properly. Mr. Huxel must re-file his appeal properly, AND include an affidavit stating why he failed to properly appeal within the 30 days provided in law. The standard the court will use to decide if they will allow Mr. Huxel additional time, is whether Mr. Huxel shows "good cause" for his untimely appeal to the Supreme Court. This is a very high bar and it is unlikely Mr. Huxel will be able to show this. The due date for the re-filing of the appeal in proper form plus the good faith affidavit is August 16.</p>
--	--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>Clifton Berkey, PE 2020-12-1960-00ENG</p> <p>Stipulated Findings of Fact, Conclusion of Law, and Agreed Order</p> <p>Signed 6/22/2023 Effective 6/22/2023</p>	<p>Respondent's license to practice is suspended for one year and is assessed a fine in the amount of \$5000. The suspension and fine are stayed contingent on compliance with the following:</p> <p>Respondent shall not practice geotechnical engineering services.</p> <p>Respondent will either hire a Professional Engineer (PE) competent to perform geotechnical engineering services or use an existing report by a PE competent to perform geotechnical engineering services that has already been performed, provided and/or paid for by others according to the standard generally expected of those practicing professional engineering, for projects requiring geotechnical engineering services. The following non-exhaustive list contains examples of work that requires Respondent to retain geotechnical engineering services:</p> <ul style="list-style-type: none"> • Retaining walls • Design/construction near or on slopes • Deep excavations • Foundations on or near soft soils <p>For a period of one (1) year, Respondent will submit to the Board, on a quarterly basis, a report of work he is performing, if that work involves geotechnical engineering services or the services identified in 5.3 of the AO. Respondent will include in the report, the name and contact information of the PE performing the geotechnical engineering services. The Board may audit any of the work submitted by the Respondent. If through an audit, the</p>	<p>Due 09/22/2023 12/22/2023 03/22/2024 06/22/2024</p>	<p>9/28/2023 Rec'd respondent's first report</p> <p>11/17/2023 Rec'd respondent's quarterly report. Next report due 12/22/2023.</p> <p>12/20/2023 Rec'd respondent's quarterly report. Next report due 3/22/2024.</p> <p>3/26/2024 Rec'd respondent's quarterly report. Next report due 6/22/2024.</p> <p>6/20/2024 Rec'd respondent's quarterly report. Last report due.</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	Board finds deficiencies in Respondent's work, correction will be required at Respondent's expense.		Request to remove from compliance monitoring.
--	-----------------------------------------------------------------------------------------------------	--	-----------------------------------------------

<p>Morta, Steven, PE 2023-02-0191-00ENG</p> <p>Stipulated Findings of Fact, Conclusion of Law, and Agreed Order</p> <p>Signed 8/3/2023 Effective 8/3/2023</p>	<p>Respondent's license to practice is suspended for two years and respondent is assessed a fine in the amount of \$5K. The license suspension and fine are stayed contingent upon compliance with the following:</p> <p>Respondent will no longer design buildings or other structures that require the preparation of structural construction documents and/or calculations without a peer review of the work.</p> <p>Respondent will enter into a peer review contract agreement for the two-year stayed suspension. The contract will be executed within 30 days of the signed AO and a copy of the finalized contract will be provided to the Board. The contract will include a requirement for a quarterly report, from the peer reviewer to the Board. The report will include project-specific summaries clearly detailing the work reviewed and the progress made by Respondent.</p> <p>During the two-year stayed suspension, Respondent will submit, to the peer reviewer, all structural engineering designs for peer review and successfully respond to peer review comments.</p> <p>During the two-year stayed suspension, Respondent will provide to the Board, monthly, a listing of and status of projects under design which include preparation of structural construction documents and/or calculations.</p>	<p>Due 9/3/2023</p> <p>12/2023 03/2024 06/2024 09/2024 12/2024 03/2025 06/2025 09/2025</p> <p>Due 09/2023 10/2023 11/2023 12/2023 01/2024 02/2024 03/2024 04/2024 05/2024 06/2024</p>	<p>8/31/2023 Rec'd a copy of peer review contract between Respondent and Patricia Rogers, PE of MET Engineering, PLLC.</p> <p>9/27/2023 Report rec'd from Respondent with list of projects.</p> <p>9/29/2023 Rec'd peer reviewer report.</p> <p>10/31/2023 Report rec'd from Respondent with list of projects.</p> <p>10/31/2023 Rec'd peer reviewer report.</p> <p>11/22/2023 Rec'd peer reviewer report.</p> <p>12/2/2023 Rec'd peer reviewer report.</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		07/2024 08/2024 09/2024 10/2024 11/2024 12/2024 01/2025 02/2025 03/2025 04/2025 05/2025 06/2025 07/2025 08/2025	1/1/2024 Rec'd respondent's list of projects. 1/31/2024 Rec'd respondent's list of projects. 2/29/2024 Rec'd respondent's list of projects. 3/31/2024 Rec'd respondent's list of projects. 3/31/2024 Rec'd peer reviewer report. 4/30/24 Rec'd respondent's list of projects. 5/30/24 Rec'd respondent's list of projects. 6/28/24 Rec'd respondent's list of projects. 6/28/24 Rec'd peer reviewer report. 7/30/24 Rec'd respondent's list of projects.
--	--	--------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>Ryan Hawkins 2021-09-2283-00ENG</p> <p>Agreed Findings of Fact, Conclusions of Law, and Order to Permanently Cease and Desist</p> <p>Signed 3/14/2022 Effective 3/14/2022</p>	<p>Respondent shall permanently cease and desist from offering to practice professional engineering in the State of Washington.</p> <ol style="list-style-type: none">1. Shall not represent himself or his business to current or potential clients or the public, as being able to provide and/or perform professional engineering services in the State of Washington;2. Shall not distribute to any client or public agency any document, including but not limited to: letterhead, business cards, maps, or website references, which show either the firm, its officer and/or employees as having been involved or offer professional engineering activities;3. Respondent shall destroy any seal bearing his name as a professional engineer and provide satisfactory proof of such destruction to the Board within 30 days of the entry of this Agreed Order;4. Within one hundred and twenty (120) days of the effective date of this AGREED ORDER Respondent shall pay a fine to the Board, by check or money order, in the amount of thirty thousand dollars (\$30,000.00 (U.S.));5. Within sixty (60) days of the effective date of this AGREED ORDER Respondent shall create a list of clients, individuals, or entities for whom he is, or has in the past, provided any services that constitute professional engineering services and shall	<p>Due 4/14/2022</p> <p>Due 7/14/2022</p>	<p>4/11/2022 Rec'd proof of destroyed stamp/seal.</p> <p>5/13/2022 Rec'd list of clients and proof of notification to those clients.</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------

	<p>notify all clients, individuals, or entities identified that he is not, and was not, a registered professional engineer and Respondent shall provide the Board (1) a copy of the list he has assembled and (2) proof of notification for all clients, individuals, or entities on the list;</p> <p>6. Respondent shall never apply to take the Professional Engineer Exam and shall never apply for licensure as a Professional Engineer in the State of Washington;</p> <p>7. Respondent shall not own, operate, manage, control, or possess an equity interest in any firm, organization, or entity offering professional engineering services in the State of Washington, with the exception of publicly traded companies.</p>	<p>Due 5/14/2022</p>	<p>7/8/2022 Emailed fine payment reminder to respondent.</p> <p>7/15/2022 Rec'd email from respondent stating he was unable to make the total \$30K payment at this time. He suggested a reduction in the fine amount or a payment plan. I emailed back stating if he made a good faith effort and paid the \$5K (as he suggested) and a written proposed payment plan or another option I would bring it before the PC for approval and then present to Board for agreement.</p> <p>8/11/2022 Board agreed staff would work with Mr. Hawkins on a fine payment plan.</p> <p>8/19/2022 Staff spoke to Mr. Hawkins about a payment plan for the \$30K fine. He is going to think about it and email me a proposal.</p> <p>9/16/2022 Emailed Mr. Hawkins about his proposal. No response.</p> <p>10/5/2022 Emailed Mr. Hawkins again about proposal. No response as of 10/6/2022.</p> <p>11/9/2022 Emailed Mr. Hawkins with final payment notice. Response required by 11/23/2022. No response. Will move forward with non-compliance action (collection agency).</p> <p>1/6/23 Working with Ms. Wherrett on obtaining a contract with a collection agency.</p> <p>4/13/23 Email notice sent to Mr. Hawkins informing him in 30 days he will be sent to collections if the fine of \$30K is not paid or if we do not rec'd payment arrangement request.</p> <p>4/27/23 AAG to pursue civil action.</p> <p>7/6/23 Turned Mr. Hawkins over to collection agency.</p> <p>11/17/23 No updates at this time.</p> <p>No new information.</p>
--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>Bodge, Russell S. 2018-08-0008-00ENG</p> <p>Stipulated Findings of Fact, Conclusions of Law and Agreed</p> <p>Signed 2/13/2020 Effective 2/14/2020</p>	<p>Resp license is suspended for 5 years. Suspension will commence on the date the DSHS 8/29/17 order is lifted. Suspension will be stayed conditionally based on the following:</p> <ol style="list-style-type: none"> 1. Within 90 days respondent will provide a list of projects he has worked on since the DSHS order of suspension on 8/29/17. The list will include identifying information for each project including the type of project, location, approx. dates or times worked, date completed, dates signed & executed, and whether the projects were directly supervised by another PE. If so, identify the supervising PE. 2. Resp will provide a letter from his brother verifying his direct supervision of resp, detailing how he provides such direct supervision, and detailing a list of projects on which he has directly supervised resp since the DSHS order. 3. Upon DSHS order being lifted, resp will follow the license renewal process to renew his PE license in effect at the time of renewal. 4. Within 90 days of DSHS order being lifted respondent will: <ol style="list-style-type: none"> a. Provide a letter detailing how he came into compliance and how he plans to proceed in compliance with all laws/rules. b. Provide 4 references to the board. Two will be clients, two will be PE references. c. Take and pass the law review exam. d. Bring his license & COA into compliance 	<p>5/13/2020 10/6/2020</p> <p>5/13/2020</p> <p>?</p> <p>?</p>	<p>Nothing received from respondent at this time.</p> <p>Left a message for him to call me.</p> <p>Emailed respondent 8/26/2020 notifying him he is out of compliance.</p> <p>Rec'd list of projects.</p> <p>Mr. Fuller is working on this requirement with respondent.</p> <p>Respondent is working with DSHS. No lifting order rec'd from DSHS as of yet.</p> <p>Mr. Fuller attempted to contact Mr. Bodge. Mr. Bodge's phone number is no longer in service. Mr. Fuller spoke with Mr. Bodge's brother who stated he is not supervising Mr. Bodge's work.</p> <p>Contact has been made with the county Mr. Bodge worked in and company he was working for to ensure he is not working without a license. No evidence of that has been found at this time.</p> <p>Mr. Bodge's cell phone number is no longer in service.</p> <p>6/23/2021 Ms. Short sent an email asking for current phone number. No response.</p> <p>7/28/2021 Ms. Short sent a certified letter asking for update on compliance and current contact information.</p> <p>No new information.</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

PRACTICE COMMITTEE ACCOMPLISHMENTS

2020-2024

- The PC amended/reviewed WAC 196-23. (Completed and approved by the Board 10/15/2020 to move forward with rule making process)
- Mr. Fuller, Mr. Larson, Mr. Hendrickson, Ms. Lagerberg, Ms. Gillespie, and Ms. Short will work on the Administrative Complaints Intake/Closure Process (flowchart) and bring back to the December PC meeting. (Completed December 2020)
- PC is recommending the administrative complaint closures be presented to the PC for review/approval. Those closures will be presented to the Board during the PC report for Board concurrence. The closure notifications will then be sent to the complainant/respondent. The PC recommends trying this process for six (6) months. (Completed December 2020)
- The PC reviewed a legislative timeline presented by Ms. Gillespie. The PC requested this document be made available for current and future Board members. Ms. Gillespie will work with Ms. Moretti on where to house the document. (Completed December 2020)
- The PC is recommending repealing Policy 3. (Completed)
- The PC reviewed Policy 48, the flowcharts for the investigations, etc. Ms. Short will update the flowcharts and Ms. Lagerberg will look at the comments in draft WAC 196-09. This information will then be sent to PC members in the next 2-3 weeks for their review. (Completed)
- Ms. Lagerberg will research Branch Offices, Corporation Act, & designated officials and their responsibilities. (Completed)
- Continue tracking monument legislation sponsored by LSAW/DNR. (Completed)
- The PC recommends the Investigative through Legal Processes flowcharts be kept internal unless someone asks for them (not published on Website). They will also be included in the Board Members Manual. (Completed)
- The PC and the Executive Committee worked on WAC 196-09. (Completed)
- The PC reviewed WAC 196-25 and recommends the board approves moving forward with filing the CR-102 as amended. (Completed)
- The PC reviewed and reassessed WAC 196-23-020(3)(d) and (5) and recommends the Board approves refiling the CR102 with changes in the attached version. The PC agreed to subsidiary consideration of unlicensed practice, which will be reviewed in a subsequent committee meeting. (Completed)
- The PC reviewed the Concise Explanatory Statement (CES) to the comment received on proposed changes to WAC 196-23. The PC is recommending the Board accept the CES and direct staff to file the CR103. (Completed)

- The Practice Committee (PC) reviewed RCW 18.43.050; RCW 18.43.080; RCW 18.43.033; RCW 18.43.030; RCW 18.43.015 (new section); RCW 18.43.010; and RCW 18.43.020 and recommended approval to the Board. (Assigned to Task Force)
- The Practice Committee (PC) delegated work on RCW 18.43 to a special task force. The task force will report any work completed to the PC, who will then report that to the Board.
- Move the database for questions up on priorities list and work with Ms. Moretti on researching an appropriate database. Staff is working with Diane Gallagher on putting the database of FAQs on the Board's Resource page in SharePoint. (Completed)
- The Practice Committee recommended the Board approve the Concise Explanatory Statement and have staff file the CR103 – Rulemaking Order. (Completed)
- The Practice Committee recommended the Board approved the Monument Removal/Replacement letter for Chair signature, and the letter be sent to DNR. (Completed)
- Approval of filing CR-101 for WAC 196-09-015. (Completed)
- Board approval of Response Letter Regarding Clarification on Practice Question following recommendation by PC (Completed)
- Approval of draft language and filing of CR102 for WAC 196-33 (Completed)
- Approval of draft language and filing of CR102 for WAC 196-09. (Completed)
- Approval of Complaints Against Board Members Policy and approval by Board (Completed)
- Approval of minor edits language to RCW 18.43 and the addition of one pro-tem board member. (Approved by Board-work in progress)
- Creation of questionnaire for complainants/respondents for feedback assessment of complaint process. (Completed. Results will be reported in future PC meetings.)