

**STATE OF WASHINGTON
BOARD OF REGISTRATION FOR PROFESSIONAL
ENGINEERS AND LAND SURVEYORS**

In the Matter of Unlicensed Practice as a
Professional Land Surveyor:

Kent Huxel, doing business as Geomatic
Precision Systems LLC

Respondent.

NO. 2023-01-0098-00LSV

**AGREED FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
ORDER TO PERMANENTLY
CEASE AND DESIST**

The Washington State Board of Registration for Professional Engineers and Land Surveyors ("Board"), by and through Danitza M. Casselman, Assistant Attorney General, and Kent Huxel (Respondent), by and through Jessica M. Creager, Counsel for Respondent, agree to entry of this **AGREED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER TO PERMANENTLY CEASE AND DESIST** (Agreed Order):

1. PROCEDURAL STIPULATIONS

1.1 Respondent was served with the Statement of Charges on Unlicensed Activities and Temporary Cease and Desist Order (Statement of Charges) in this proceeding. The Statement of Charges alleges that Respondent engaged in the unlicensed practice of professional land surveying.

1.2 Respondent timely filed an Answer.

1.3 The Board, through its attorney, and Respondent have engaged in settlement discussions, during which the parties reached this Agreed Order.

1.4 Respondent understands the Board is prepared to proceed to a hearing based on the Statement of Charges.

1.5 Respondent understands he has the right to defend against the allegations in the Statement of Charges by presenting evidence at a hearing.

1.6 Respondent understands that should the Board prove at a hearing the allegations in the Statement of Charges, the Washington State Board of Registration for Professional Engineers and Land Surveyors has the power and authority to impose sanctions under RCW 18.235.110, RCW 18.235.150, and Chapter 18.43 RCW.

1.7 Respondent and the Board agree to speed the final resolution of this matter by means of this Agreed Order.

1.8 Respondent waives the opportunity for a formal hearing on the Statement of Charges contingent upon signature and acceptance of this Agreed Order by the Board.

1.9 This Agreed Order is not binding unless and until it is signed and accepted by the Board.

1.10 Respondent waives any objection to the participation of any of the members of the Board (other than James Wengler, the reviewing board member and case manager in this proceeding) in a formal hearing in this matter if the Board rejects this Agreed Order.

2. AGREED FINDINGS OF FACT

The parties agree to the following facts:

2.1 Kent Huxel (Respondent), doing business as Geomatic Precision Systems, LLC, performed land surveying services, but is not licensed as a professional land surveyor in the State of Washington. This is a violation of RCW 18.43.105(2) and (5), RCW 18.43.120, RCW 18.235.010(7), and RCW 18.235.130(15).

2.2 Geomatic Precision Systems, LLC does not have a Certificate of Authorization with the Board to offer land surveying services. This is a violation of RCW 18.43.130(8)(a).

2.3 Mr. Raaum is deceased. His date of death is March 29, 2022. Respondent's use of Mr. Raaum's land surveyor's license on a survey dated August 5, 2022, is a violation of RCW 18.43.120, and RCW 18.235.010(7).

2.4 Respondent's use of Mr. Raaum's land surveyor's license on a survey dated August 16, 2022, is a violation of RCW 18.43.120, and RCW 18.235.010(7).

2.5 Respondent's offer to perform land surveying, via his website, is a violation of RCW 18.235.010(7), and RCW 18.43.105(9).

3. AGREED CONCLUSIONS OF LAW

The Respondent acknowledges that, based upon the Findings of Fact, the following Conclusions of Law are justified:

3.1 The Board has jurisdiction over the subject matter of this proceeding.

3.2 The Respondent's conduct described in 2.1 through 2.5 constitutes unlicensed practice and unprofessional conduct in violation of RCW 18.43.105 (2), (5), (9), and (10); RCW 18.43.120; and RCW 18.235.130 (1), (3), (4), (8), (10), (11), and (15).

4. AGREED ORDER

The Board and the Respondent stipulate and agree to the following terms and conditions:

4.1 Mr. Huxel agrees he will not seek licensure as a professional land surveyor, professional engineer, or on-site septic system designer for TEN (10) years from the date an Agreed Order is signed by the Board.

4.2 Mr. Huxel agrees he will not own or operate a land surveying, engineering, or on-site septic system design business for TEN (10) years from the date an Agreed Order is signed by the Board.

4.3 Mr. Huxel agrees he will not advertise to provide services requiring BRPELS licensure until properly licensed under Chapter 18.43 RCW.

4.4 Mr. Huxel agrees his **experience** previous to and through the date the Board signs the Agreed Order will **not** count towards licensure requirements. Otherwise, any **education** must be approved and accepted by the Board. RCW 18.43.040, including his education previous to and

through the date the Board signs the Agreed Order.

4.5 Mr. Huxel, agrees that, after the TEN (10) year prohibition on license application, when he applies for licensure, he will apply with a National Council of Examiners for Engineering and Surveying (NCEES) record and comply with all other NCEES requirements. BRPELS will notify NCEES of Mr. Huxel's TEN (10) year exam and license prohibition.

4.6 Mr. Huxel agrees to be subject to compliance monitoring by a peer reviewer, approved by BRPELS, for the first two (2) years after he is licensed. Mr. Huxel would be responsible for all costs related to the peer review, and all work by the peer reviewer must be completed pursuant to a contract. The signed contract will be provided to the Board and a progress report from the peer reviewer will be sent to the Board on a quarterly basis.

4.7 Mr. Huxel agrees to pay a \$5,000 fine related to the Current Case (Case No. 2023-01-0098-00LSV). This fine must be paid within 12 months from the date an Agreed Order is signed by the Board. **Fines shall be paid by Cashier Check or Money Orders payable to Board of Registration for Professional Engineers and Land Surveyors (BRPELS), must have Case No. 2023-01-0098-00LSV written on the payment instrument, and shall be submitted to:**

Board of Registration for Professional Engineers and Land Surveyors
Attn: Jill Short
DES-SAFS Agencies
PO Box 24281
Seattle, WA 98124-0281

4.8 BRPELS will suspend the \$30,000 fine imposed in Cases 2021-08-2070-00LSV and 2022-10-1445-00LSV for TEN (10) years from the date an Agreed Order is signed by the Board. After 10 years, if the Board has not issued a Final Order against Mr. Huxel evidencing additional violations under BRPELS jurisdiction, and Mr. Huxel has otherwise complied with the terms and conditions from the Current Case and the Agreed Order, BRPELS will permanently waive the entire \$30,000 fine from Cases 2021-08-2070-00LSV and 2022-10-1445-00LSV.

4.9 BRPELS agrees not to pursue a Civil Action against Mr. Huxel with respect to Cases 2021-08-2070-00LSV and 2022-10-1445-00LSV so long as Mr. Huxel complies with the terms and conditions of the Agreed Order.

4.10 BRPELS agrees not to refer Cases 2021-08-2070-00LSV and 2022-10-1445-00LSV for criminal prosecution as allowed by RCW 18.235.170, RCW 18.43.110, and RCW 18.43.120, so long as Mr. Huxel complies with the terms and conditions of the Agreed Order.

I, Kent Huxel, Respondent, certify that I have read this Agreed Findings of Fact, Conclusions of Law, and Order to Permanently Cease and Desist in its entirety; that my counsel of record, Jessica M. Creager, has fully explained the legal significance and consequence of it; that I fully understand and agree to all of it; and that it may be presented to the Board without my appearance. If the Board accepts the Stipulated Findings of Fact, Conclusions of Law and Agreed Order, I understand that I will receive a signed copy.

Kent Huxel
Kent Huxel (Oct 13, 2024 12:42 PDT)
Kent Huxel, Respondent

10/15/24
Date

Jessica Creager
Jessica Creager (Oct 15, 2024 13:01 PDT)
Jessica M. Creager
Counsel for Respondent
WSBA No. 42183

10/15/24
Date

FINAL ORDER


The Washington State Board of Registration for Professional Engineers and Land Surveyors accepts and enters this Agreed Findings of Fact, Conclusions of Law, and Order to Permanently Cease and Desist.

DATED this _____ day of _____, 2024.

State of Washington Board of Registration for
Professional Engineers and Land Surveyors

Marjorie Lund, PE, SE
Presiding Officer

Presented by:



DANITZA M. CASSELMAN, WSBA #49826
Assistant Attorney General

FINAL ORDER

The Washington State Board of Registration for Professional Engineers and Land Surveyors accepts and enters this Agreed Findings of Fact, Conclusions of Law, and Order to Permanently Cease and Desist.

DATED this 18th day of October, 2024.

State of Washington Board of Registration for
Professional Engineers and Land Surveyors



Marjorie Lund, PE, SE
Presiding Officer

Presented by:



DANITZA M. CASSELMAN, WSBA #49826
Assistant Attorney General




2023-01-0098-00LSV_Huxel_Agreed_Order.amended.10.14.24.V2 (002)

Final Audit Report

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