

AELS Discipline Matrix

This disciplinary matrix was adopted by the Alaska Board of Registration for Architects, Engineers, and Land Surveyors on August 28, 2023.

These are only guidelines for the board to use when making disciplinary decisions, they are not absolutes. The board has the right to impose different discipline than is listed on the matrix as they deem necessary.

Violation	Statute/Regulation Reference	Mitigated Sanction <i>(Definition Below)</i>	Normal Sanction	Aggravated Sanction <i>(Definition Below)</i>
Practice with expired license	Sec 08.48.221 (a)	Letter of Advisement	Censure, Civil Fine	Revocation, Civil Fine, Refer to Attorney General
Practice with revoked or suspended license	Sec 08.48.221 (a)	Censure, Civil Fine up to \$1000	Censure, Civil Fine up to \$5000	Revocation, Civil Fine, Refer to Attorney General
Violation of Licensing regulation - Undated Seal	12 AAC 36.185 (d)	Letter of Advisement	Censure, Civil Fine up to \$1000	Revocation, Civil Fine up to \$5000
Violation of Board Order		Censure, Civil Fine up to \$1000	Censure, Civil Fine up to \$5000	Revocation, Refer to Attorney General
Conflict of Interest	12 AAC 36.220	Letter of Advisement	Censure, Civil Fine up to \$1000	Suspension (significant), Continuing Education (ethics)
Reciprocal discipline (Action taken in another state)	12 AAC 36.320 (g)	Letter of Advisement	Censure	Sanctions up to terms of original order in other state
Non-compliance with standards		Letter of Advisment, Continuing Education	Censure, Civil Fine up to \$1000	Revocation, Civil Fine up to \$2500
Misconduct	12 AAC 36.320 (f)	Letter of Advisement	Censure, Suspension (medium)	Suspension (significant), Civil Fine up to \$2500
Ethics Violations	12 AAC 36.200	Letter of Advisment, Continuing Education (ethics)	Censure, Civil Fine up to \$1000, Continuing Education (ethics)	Suspension (significant), Civil Fine up to \$2500 Continuing Education (ethics)
Simple Negligence		Letter of Advisement	Censure, Continuing Education, Monitoring	Revocation
Gross Negligence	Sec 08.48.111, 12 AAC 36.320 (c)(1)	Censure, Civil Fine up to \$1000	Suspension (medium), Civil Fine up to \$2500	Revocation, Civil Fine up to \$5000, Refer to Attorney General
Incompetency	12 AAC 36.320 (d)	Censure, Continuing Education, Restitution	Suspension (short), Civil Fine up to \$2500	Suspension (medium), Civil Fine up to \$5000
Stamping documents or altering previously stamped documents that were not prepared by or under the supervision of the licensee	Sec 08.48.221; 12AAC 36.185; 12AAC 36.195	Letter of Advisement	Censure, Civil Fine up to \$2500, Suspension (short)	Revocation, Civil Fine up to \$5000

Violation	Statute/Regulation Reference	Mitigated Sanction <i>(Definition Below)</i>	Normal Sanction	Aggravated Sanction <i>(Definition Below)</i>
Unlicensed Practice (individual)	Sec 08.48.281	Letter of Advisement	Censure, Civil Fine up to \$5000	Suspension (medium), Civil Fine up to \$5000, Refer to Attorney General (1-year imprisonment)
Unlicensed Practice (corporate registration)	Sec 08.48.281	Letter of Advisement	Censure, Civil Fine up to \$5000	Suspension (significant), Civil Fine up to \$5000, Refer to Attorney General
Perjury, bribery, false certifications	12AAC 36.210; 36.230	Letter of Advisement	Censure, Civil Fine up to \$2500	Suspension (significant), Civil Fine up to \$5000, Refer to Attorney General
Felony Conviction		Letter of Advisement	Censure, Civil Fine up to \$5000	Suspension (significant), Civil Fine up to \$5000.
Application fraud or deceit	Sec 08.48.111 (1)	Censure, Civil Fine up to \$1000	Suspension (significant), monitoring	Revocation, deny issuance of license, Civil Fine up to \$5000
Working Beyond Scope	Sec 08.48.281; 08.48.291	Letter of Advisement	Censure, Civil Fine up to \$1000	Suspension (significant), Civil Fine up to \$2500
Aiding and abetting unlicensed practice	Sec 08.48.221 (a)	Letter of Advisement	Probation, Civil Fine up to \$5000	Revocation, Civil Fine up to \$5000, Refer to Attorney General
Malpractice (individual)		Letter of Advisement	Censure, Civil Fine up to \$5000	Probation (significant), Continuing Education, Reexamination, Refer to Attorney General
Malpractice (corporate)		Letter of Advisement	Censure, Civil Fine up to \$5000	Probation (significant), Refer to Attorney General
Violation of Continuing Education Requirements		Letter of Advisement	Censure, Civil Fine \$2500 for false/inaccurate response with \$2,000 suspended; plus \$50 unsuspended for each deficient hours up to \$1,000 maximum, Licensee must make up deficiency, mandatory audit (2)	Censure, Civil Fine \$2500 for false/inaccurate response with \$2,000 suspended; plus \$50 unsuspended for each deficient hours up to \$1,000 maximum, Licensee must make up deficiency, mandatory audit (2)
NOTES: ▪ This chart is intended to be used in conjunction with the attached Aggravating and Mitigating Circumstances.				
▪ The potential Sanction in the chart is an average sanction where aggravating and mitigating circumstances balance each other.				
▪ Where aggravating circumstances outweigh mitigating circumstances, the level of sanction will increase, and vice versa.				

MITIGATING CIRCUMSTANCES A mitigating circumstance is any information or evidence regarding the registrant or the violation that might result in a decreased sanction. Mitigating circumstances include:

- Length of time since the date of violation
- No prior disciplinary history
- No other complaints currently pending against licensee
- No pattern of similar offenses
- No evidence that the violation was willful or intentional
- No evidence that the violation was grossly negligent
- Licensee was under the supervision of another at the time
- Additional education taken and/or experience gained after violation occurred
- Cooperation with investigation
- Little or no financial harm to the public or consumer
- Little or no undue harm by action or nonaction

AGGRAVATING CIRCUMSTANCES An aggravating circumstance is any factual information or evidence regarding the registrant or the violation that might result in an increased sanction. Aggravating circumstances include:

- Prior disciplinary history
- Number of projects involved in the case
- Number of total violations involved in the case
- Pattern of similar violations
- Significant financial harm
- Refusal to correct work when warranted
- Evidence that the violation was willful or intentional
- Evidence that the violation was grossly negligent
- Failure to exercise due diligence in the supervision of others
- Refusal to acknowledge violation
- Lack of cooperation with investigation
- Submission of false statements or evidence, or other deceptive practices (e.g., creating or adding to work file after complaint filed)
- Intimidation of or threats to witnesses or others involved with the investigation
- Caused the life, health, or safety of a member of the public to be placed in jeopardy of death or injury
- Caused property to be placed in jeopardy of loss or injury
- Caused the design of a project to be unusable or unsafe
- Caused a land survey to be unusable