

Frank H. Murkowski, Governor

Alaska

Department of Community and Economic Development

Division of Occupational Licensing

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DATE: May 6, 2003

TO: Board of Registration for Architects, Engineers, and Land Surveyors

THROUGH: Gary Veres, Chief Investigator

FROM: George Weaver & John Clark, Investigators

SUBJECT: Investigative Report for the May 21 and 22, 2003, meeting.

OPEN CASES

- 0100-02-4 Allegation that an architect sealed and signed plans prepared by unlicensed individuals without doing the architectural work on the projects. (Opened 05/23/02)
- 0100-02-6 Allegation that an architect sealed and signed plans prepared by unlicensed individuals without doing the architectural work on the projects. (Opened 09/12/02)
- 0101-99-6 Allegation that an unlicensed person worked as an architect. (Opened 11/04/99)
- 0101-02-6 Allegation that an unlicensed person worked as an architect. (Opened 8/22/02)
- 0101-02-7 Allegation that an unlicensed person worked as an architect. (Opened 10/31/02)
- 0101-03-3 Allegation that an unlicensed person worked as an architect. (Opened 03/19/03)
- 0101-03-4 Allegation that an unlicensed person worked as an architect. (Opened 03/20/03)

- 0101-03-5 Allegation that a civil engineer worked as an architect. (Opened 04/01/03)
- 0101-03-6 Allegation that an unlicensed person worked as an architect. (Opened 04/03/03)
- 0101-03-7 Allegation that an unlicensed person advertised for work as an architect. (Opened 04/04/03)
- 0101-03-8 Allegation that a civil engineer worked as an architect. (Opened 04/08/03)
- 0101-03-9 Allegation that an unlicensed person worked as an architect. (Opened 04/21/03)
- 0101-03-10 Allegation that an unlicensed person worked as an architect. (Opened 04/22/03)
- 0101-03-11 Allegation that a civil engineer worked as an architect. (Opened 04/29/03)
- 0102-01-2 Allegation that an engineer violated professional ethics. (Opened 03/09/01)
- 0102-02-4 Allegation that an engineer was not competent in the design of a structure. (Opened 12/05/02)
- 0102-02-5 Allegation that an engineer was negligent regarding the inspection of a residential structure. (Opened 12/16/02)
- 0102-03-1 Allegation that a civil engineer worked outside the scope of his license. (Opened 04/04/03)
- 0102-03-2 Allegation that civil engineer worked outside the scope of his license. (Opened 04/08/03)
- 0102-03-3 Allegation that civil engineer worked outside the scope of his license. (Opened 04/08/03)
- 0103-02-8 Allegation that an unlicensed person worked as an engineer. (Opened 09/13/02)
- 0103-02-9 Allegation that an unlicensed person worked as an engineer. (Opened 09/13/02)
- 0104-01-2 Allegation that a land surveyor is performing work below minimum industry standard. (Opened 09/26/01)

The first four numbers of the case number indicate the profession; the professional codes are as follows:

0100	Architect	0106	Corporate Authorization
0101	Unlicensed Architect	0107	Unlicensed Corporate Authorization
0102	Engineer	0150	Architect Applicant
0103	Unlicensed Engineer	0152	Engineering Applicant
0104	Land Surveyor	0154	Land Surveyor Applicant
0105	Unlicensed Land Surveyor		

- 0104-02-1 Allegation that a licensed land surveyor is sealing and signing work without supervising the person doing the work and preparing the plats (Opened 03/26/02)
- 0104-02-3 Allegation that a land surveyor prepared an inaccurate as-built. (Opened 07/03/02)
- 0104-02-4 Allegation that a land surveyor's work was below minimum professional standards on a project. (Opened November 19, 2002)
- 0104-02-5 Allegation that a land surveyor's work is below minimum professional standards. (Opened November 21, 2002)
- 0104-02-6 Allegation that a land surveyor's work was below minimum professional standards on a project. (Opened December 24, 2002)
- 0105-02-2 Allegation of land surveying by an unregistered individual. (Opened 10/29/02)
- 0152-01-1 Applicant was denied and requested a hearing. (Opened 03/29/01)
- 0152-02-1 An individuals application is pending obtaining information from another jurisdiction. (Opened 05/20/02)
- 0154-02-1 Applicant was denied and requested a hearing. (Opened 10/11/02)

DRAFT ACCUSATIONS PENDING ATTORNEY GENERAL REVIEW

- 0104-96-1 Allegation that a registered land surveyor's work was below the minimum professional standards for a land surveyor. (Referred 08/21/98)
- 0104-98-2 Allegation that a registered land surveyor did not provide services in a timely manner. (Referred 08/21/98)

ACCUSATION FILED

0100-02-5 Richard S. Cobb, Professional Architect License 6213, was formerly licensed under the name Frederick E. Lepley. Lepley (Cobb) was convicted of sexual abuse of a minor and was ordered committed to the care and custody of the Commissioner of the Department of Corrections for eight years with credit for time served. While confined Lepley (Cobb) allowed his architectural license to lapse. On December 11, 1992, Lepley completed a renewal application and checked the "No" block for the question reading "Have you been convicted of a violation of a U.S. or state statute, excluding minor traffic violations, since your last renewal. On December 11, 1992, Lepley (Cobb) was still in prison serving time for the

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above conviction. Subsequent to being released from confinement Lepley legally changed his name to Richard S. Cobb. (Accusation filed 02/28/03)

CASES CLOSED BY LICENSING ACTION TAKEN

0103-95-10 Patrick W. Moore, Professional Civil Engineer License 5327, did not renew his license to practice engineering on December 31, 1993, therefore his license lapsed on January 1, 1994. Moore continued to practice engineering but he did not renew his license to practice engineering until January 28, 1996. Moore also continued to advertise in telephone yellow pages under the heading "Engineers-Consulting" as "AM Engineering, Lucas Road, Wasilla.....376-1090" during the period his license lapsed. During the February AELS Board Meeting the Board voted to adopt the recommendation of the hearing officer to fine Moore \$4,000. (Closed 04/23/03)

0103-98-3 Moore again allowed his license to practice engineering to lapse on December 31, 1997. On October 21, 1998, and while his license to practice engineering was lapsed, Moore submitted signed and sealed structural engineering plans and calculations to the Department of Public Work, Municipality of Anchorage that concerned an addition to the Fish & Wildlife Building, 1011 East Tudor road, Anchorage, Alaska. This case was included in the fine in case 0103-95-010. (Closed 04/23/03)

CASES CLOSED BY CEASE AND DESIST ORDER

0101-03-1 Allegation that Steve Soenksen, an unlicensed person, submitted a written proposal containing an offer to work as an architect on a commercial project. Soenksen was issued a cease and desist order. As Soenksen has not appealed the cease and desist order or requested a hearing the cease and desist order stands. (Closed 04/11/03)

0101-03-2 Allegation that Scott Haan, a civil engineer, worked as an architect on a commercial project. A licensed architect was subsequently involved with the project. Hann was issued a cease and desist order on March 26, 2003. As Haan has not appealed the cease and desist order or requested a hearing the cease and desist order stands. (Closed 04/11/03)

OTHER CASES CLOSED:

0102-99-7 Allegation that an engineer sealed and signed a report that was not accurate. Investigation revealed that the engineer made some minor miscalculations on a project. An advisory letter was sent to the engineer. This closure was discussed with AELS Board Member Robert Miller. (Closed 04/02/03)

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- 0103-03-1 Allegation that a project was being built without electrical and mechanical engineering. An electrical engineer and a mechanical engineer subsequently did the design work for the project. An advisory letter was sent to the responsible party. This closure was discussed with AELS Board Member Robert Miller. (Closed 02/27/03)
- 0103-03-2 Allegation that an individual was advertising in the Anchorage Yellow Pages under the heading “Attorneys – Fields of Practice – Construction Law” with “J.D. P.E.” his name. Investigation failed to reveal any instance where he worked as an engineer and when contacted he related that he was not advertising as an engineer but as an attorney with an expertise in construction issues based on his education as a civil engineer. The individual was previously registered in Alaska as a civil engineer. An advisory letter was sent to the individual advising him that he could not advertise or work as an engineer until he was registered in Alaska. This closure was discussed with AELS Board Member Robert Miller. (Closed 03/27/03)
- 0104-03-1 Allegation that a land surveyor did not file a survey in a timely manner, causing problems for the owner. Investigation revealed that the land surveyor had not filed the survey. Upon being contacted the surveyor immediately filed the survey, which resolved the issue. An advisory letter was sent to the land surveyor. This closure was discussed with AELS Board Member Scott McLane. (Closed 03/11/03)

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