

**STATE OF ALABAMA
BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND
LAND SURVEYORS**

IN RE THE MATTER OF:

ROBERT N. HALL

CASE NO: 05-42-B

CONSENT ORDER

Robert N. Hall, hereafter referred to as Respondent, hereby stipulates and agrees, subject to the approval of the State of Alabama Board of Licensure for Professional Engineers and Land Surveyors, hereafter referred to as the Board as follows:

STIPULATED FACTS

Respondent stipulates that on February 8, 1982 the Board issued him a license (Certificate Number 13761) to practice engineering in the State of Alabama and he has held that certificate continuously from that date to the present.

Respondent stipulates he established an arrangement with Mr. Buell Deese, an unlicensed individual, in which Mr. Deese would offer to perform and receive payment for engineering services relative to applications for a permit to install onsite sewage systems. Respondent further stipulates he accepted payment from Mr. Deese for reviewing and placing his professional seal and signature to the applications that were prepared by Mr. Deese and submitted to the Health Department.

STIPULATED CONCLUSIONS OF LAW

Respondent in his capacity as a licensed professional engineer, stipulates in such capacity he is subject to the provisions of Title 34, Chapter, Code of Alabama 1975, and the jurisdiction of this Board.

Respondent stipulates his conduct as set forth in the foregoing "Stipulated Facts" constitutes violations of Title 34, Chapter 11, Code of Alabama 1975, Section 34-11-11 and the rules and regulations of the Board's *Administrative Code* §330-X-14-.06(a)1, 5, 6 and 11.

Respondent stipulates his conduct set forth in the "Stipulated Facts" is a violation of those rules and statues set forth above, and he is subject to disciplinary action under Title 34, Chapter 11, Code of Alabama 1975, Section 34-11-11.

STIPULATED DISPOSITION

1. Respondent shall not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama 1975, or the Rules and Regulations of the *Administrative Code* and the Rules of Professional Conduct promulgated together.

2. Respondent understands this Consent Order and subsequent Final Order will become a matter of public record.

3. Respondent shall cease and desist the practice of allowing an un-licensed Individual to offer engineering services and accepting payments to review and place his professional seal and signature to documents prepared by the un-licensed individual.

4. Respondent agrees his license to practice engineering is **suspended** for one (1) year, with said suspension stayed, commencing the date a Final Order is issued by the Board.

5. Respondent shall pay a fifteen hundred dollar (\$1,500.00) fine to the Board in six (6)

monthly payments of two hundred and fifty dollars (\$250.00) beginning thirty days from the date a Final Order is issued by the Board. The monthly payment shall be due on the twenty fourth day of each consecutive month until paid in full.

6. Respondent agrees failure to submit any payment of the specified monthly penalty, within sixty days of its due date, shall cause the entire monetary amount to become due. Respondent agrees failure to pay the total fine within six months of the due date of the final payment shall cause his license to practice engineering in the State of Alabama to be revoked (pending ratification of the Board). This matter would then be presented to the Board for ratification at its next regularly scheduled meeting. Respondent understands he has the right to appear at that meeting and present any facts or extenuating circumstances to the Board.

7. Respondent agrees this Consent Order is subject to the approval of the Board and has no force and effect until a Final Order based upon it is rendered by the Board.

8. Respondent agrees any violation of the terms of this Consent Order, may result in the Board filing additional charges in accordance with Title 34, Chapter 11, Code of Alabama 1975.


9. Respondent understands in order to make a decision relative to approving this Consent Order, discussions must take place between Board Members, Board Staff and Board Counsel. Respondent understands this discussion will take place at the Board's regularly scheduled meeting on ~~July 23, 2009~~ ^{October 8th, 2009} in Montgomery, Alabama. Respondent understands he has the right to be present when this matter is discussed but hereby waives that right.

10. Respondent for the purpose of avoiding further administrative or criminal action with respect to this cause executes this Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation in or resolution of these proceedings. Likewise, if this Consent Order is not

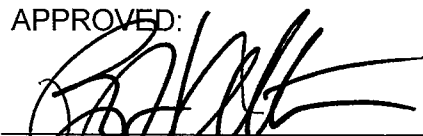
accepted, the Board shall not take into consideration the contents of this Order as evidence of an admission.

11. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and the Final Order of the Board incorporating said Consent Order.

Signed this the 1 day of Oct., 2009.


Robert N. Hall
Respondent

APPROVED:


Benjamin H. Albritton
Assistant Attorney General
Board Counsel

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FINAL ORDER

On October 8, 2009 at 1:00 p.m. the Alabama Board of Licensure for Professional Engineers and Land Surveyors convened for a regularly scheduled Board meeting. The Board Members in attendance at the meeting were: Mr. Don T. Arkle, Mr. Al I. Reisz, Mr. William C. Ulrich, Jr, Mr. C. Michael Arnold, Mr. W. Gerald Wilbanks, Dr. Daniel S. Turner and Mr. Phillip E. Santora. Also present at the Board Meeting were Ms. Regina Dinger, Executive Director of the Board, and Mr. William R. Huett, Assistant Executive Director and Investigator for the Board. Mr. Benjamin Albritton, Assistant Attorney General, appeared as counsel for the Board.

This Final Order is presented to the Board upon a Consent Order signed by Mr. Robert N. Hall and dated October 1, 2009.


In said Consent Order, Respondent stipulated that he violated the Code of Alabama 1975 § 34-11-11(a) (2), and the Rules of Professional Conduct of the Board's *Administrative Code* § 330-X-14-.06(a) 1, 5, 6 and 11.

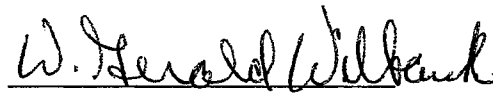
Upon Consideration of the above it is ORDERED that the Consent Order dated October 1, 2009 is adopted by the Board and hereby made a part of this Final Order. It is further ORDERED that Respondent abide by the Final Order in this manner.

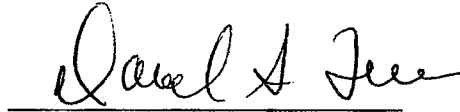
ENTERED this the 9th day of October 2009.



Mr. William C. Ulrich


Mr. Don T. Arkle


Mr. C. Michael Arnold


Mr. W. Gerald Wilbanks


Dr. Daniel S. Turner


Mr. Phillip E. Santora

RECUSED


Mr. Al. I. Reisz