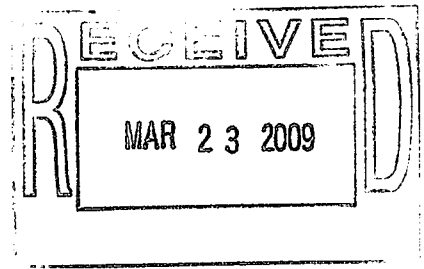


STATE OF ALABAMA  
BOARD OF LICENSURE FOR  
PROFESSIONAL ENGINEERS AND  
LAND SURVEYORS



**IN RE THE MATTER OF:**

**BUILDING ENGINEERING CONSULTANTS, INC**

**Case No. 09-286-B**

**CONSENT ORDER**

Robert J. Hinojosa in his capacity as the licensed professional engineer of record (hereinafter referred to as "Principal") and Building Engineering Consultants, Inc, a Florida Corporation certified to practice engineering in the State of Alabama (hereinafter referred to as "Firm") hereby stipulates and agrees, subject to approval of the State of Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as the "Board") as follows:

**STIPULATED FACTS**

Principal stipulates on April 6, 2007 he received a license to practice engineering in the State of Alabama from the Board and has held that certificate continuously from that date to the present.

Principal stipulates on April 13, 2001 the Firm received a Certificate of Authorization (CA number 2236-E) from the Board to practice or offer to practice engineering in the State of Alabama. Principal further stipulates Board records at that time listed Mr. Seelye Nagel as Firm's licensed engineer of record.

Principal stipulates on January 31, 2008, the Firm's Certificate of Authorization lapsed and remained in lapsed status until February 12, 2009 when Firm submitted a Certificate of Authorization application form with Principal listed as the licensed engineer of record.

Principal stipulates on February 2, 2009 the Board received a complaint from Mr. John A. Fowler, a licensed professional engineer (hereinafter referred to as "Complainant") alleging Firm may have violated the Board's Administrative Code in reference to providing engineering services in the State of Alabama without a valid Certificate of Authorization from the Board or hiring a professional engineer licensed to practice engineering in the State of Alabama.

Principal stipulates Information was obtained relative to an internet website advertisement dated January 27, 2009 which indicated Firm offered to practice engineering in the State of Alabama during a period of time when its Certificate of Authorization had lapsed.

#### STIPULATED CONCLUSIONS OF LAW

Principal, in his capacity as the engineering principal for the Firm, admits in such capacity Firm is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11 and the jurisdiction of the Board.

Principal stipulates Firm's conduct as set forth in the foregoing "Stipulated Facts" may constitute violations of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-15(a) and § 34-11-16(a)1.

Principal stipulates the conduct of Firm set forth in the "Stipulated Facts" is a violation of those rules and statues set forth above, and that Firm is subject to disciplinary action under Title 34, Chapter 11, Code of Alabama 1975, Section 34-11-15.

#### STIPULATED DISPOSITION

1. Firm shall not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama 1975.

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

3. Firm shall pay to the Board a fine of \$2,000.00 (two thousand dollars) within thirty (30) days of date of Final Order.

4. Firm shall be subject to one (1) year **Probation** immediately upon date of Final Order.

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

6. Firm understands 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.

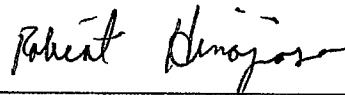
7. Firm understands in order to make a decision relative to approving this Consent Order discussions must take place between Board members, Board Staff and Board Counsel. Firm understands that this discussion will take place at the Board's regularly scheduled meeting at 9:00 a.m. on April 30, 2009 in Montgomery Alabama.

Firm understands it has the right to be present when this matter is discussed but hereby waives that right.

8. Firm for the purpose of avoiding further administrative 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.

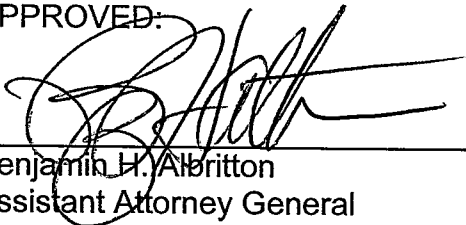
9. Firm expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and the Final Order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

SIGNED this the 20 day of March, 2009.



Robert J. Hinojosa  
Principal

APPROVED:



Benjamin H. Albritton  
Assistant Attorney General

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

**IN RE THE MATTER OF:**

**BUILDING ENGINEERING CONSULTANTS, INC**

**CASE NO. 09-286-B**

**FINAL ORDER**

On May 1, 2009 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, and Mr. Preston L. Jackson. 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 based upon a Consent Order dated March 20, 2009 and signed by Mr. Robert J. Hinojosa, engineering principal for Building Engineering Consultants, Inc,) (hereafter referred to as Firm). In said Consent Order, Mr. Hinojosa stipulated Firm violated the Code of Alabama 1975 § 34-11-15(a) and § 34-11-16(a)1.

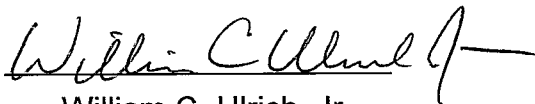
Upon Consideration of the above it is ORDERED the Consent Order dated March 20, 2009 is adopted by the Board and hereby made a part of this Final Order. It is further ORDERED that Firm abide by the Final Order in this manner.

ENTERED this the 1st day of May 2009.

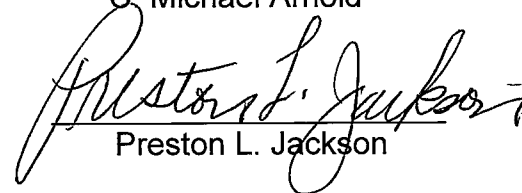
  
Don T. Arkle

  
Al I. Reisz

**RECUSED**

  
William C. Ulrich, Jr

  
C. Michael Arnold

  
Preston L. Jackson