

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

IN RE THE MATTER OF:

LARRY KEITH DUNBAR

CASE NO. 2013-03-B

CONSENT ORDER

Larry Keith Dunbar, an Alabama licensed professional engineer (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to approval of the Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as the "Board") as follows:

STIPULATED FACTS

Respondent stipulates he received an Alabama professional engineer license (number 13396) from the Board on June 5, 1981 and has held that license continuously from that date until the present.

Respondent stipulates on November 1, 2012 the Board, by and through its Executive Director Ms. Regina A. Dinger, filed a complaint based on information obtained during a separate investigation. Respondent was notified of the complaint via regular mail and was asked to provide copies of documents bearing his professional seal and signature that he provided to SafeSteel, Inc. relative to the T.M.A. Steel Above Ground Unit, Garage Underground Unit, Garage Below Ground Roll-Away Stairs, Garage Below Ground Typical Lid, and Underground Unit-King. The documents were to include but not be limited to; design plans, work orders and correspondence.

Respondent stipulates he placed his signature and professional engineer seal on engineering design drawings dated 5.24.11, with the label **Garage Placement Plan**, also

identified as Garage Underground Unit with the firm name Safesteel Inc, which were determined to contain structural errors, omissions and code violations.

Respondent stipulates he placed his signature and professional engineer seal on engineering design drawings dated 07.1.11, with the label **Side View and End View**, also identified as T.M.A. Steel Above Ground Unit with the firm name Safesteel Inc, which were determined to contain structural errors, omissions and code violations.

Respondent stipulates he placed his signature and professional engineer seal on engineering design drawings dated 3-2-12, with the label **Top View, Floor Plan, Side View and End View**, also identified as Underground Unit with the firm name Safesteel Inc, which were determined to contain structural errors, omissions and code violations.

Respondent stipulates he placed his signature and professional engineer seal on engineering design drawings dated 3-2-12, with the label **Plan View, Foundation Plan, Slab Section**, also identified as Above Ground Unit with the firm name Safesteel Inc, which were determined to contain structural errors, omissions and code violations.

Respondent stipulates he placed his signature and professional engineer seal on engineering design drawings dated 1.20.12, with the label **Existing Floor Plan, Exist. Ceiling Plan**, also identified as Custom Design with the firm name Safesteel Inc, which were determined to contain structural errors, omissions and code violations.

STIPULATED CONCLUSIONS OF LAW

Respondent admits he is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11 and the jurisdiction of the 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(a) 2 and the Rules and Regulations of the Board's *Administrative Code* § 330-X-14-.05(g), and § 330-X-14-.06(a)(1) and (5).

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

STIPULATED DISPOSITION

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 of the Board.

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

Respondent shall submit to the Board via certified check a fine in the amount of five thousand dollars (\$5,000) with this signed Consent Order.

Respondent understands his Alabama professional engineer license is suspended (with that suspension stayed) for a period of three years from the date a Final Order is issued by the Board. Respondent understands during this stayed suspension period he is permitted to engage in the practice of engineering without limitation. This stayed suspension period is un-supervised and compliance with the terms of the consent order will cause the stayed suspension period to automatically cease at the end of the specified time period.

Respondent understands that failure to comply with any term of this consent order shall cause his professional engineer license to be revoked. Respondent further understands the matter would be presented to the Board at a regularly scheduled meeting at which he could attend and present evidence on his behalf.

Respondent 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.

Respondent 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.

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 that this discussion will take place at a regularly scheduled meeting of the Board.

Respondent understands he has the right to seek the advice of legal counsel. Respondent also understands he has the right to a formal fact finding hearing before the Board, to compel the testimony of witnesses, to cross-examine witnesses against him, and to obtain judicial review of the Board's decision in said formal hearing but expressly waives these rights with execution of this Consent Order and Final Order of the Board.

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.

Respondent 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.

SIGNED this the 17 day of October, 2013


Larry Keith Dunbar

APPROVED:


Benjamin W. Albright
Assistant Attorney General

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FINAL ORDER

On December 4, 2013, the Alabama Board of Licensure for Professional Engineers and Land Surveyors convened for a regularly scheduled meeting. The Board Members in attendance at the meeting were: Mr. Phillip E. Santora, Mr. Earl Foust, Mr. Marc S. Barter, Mr. Charles P. Willis, Mr. Frazier Christy, Mr. W. Gerald Wilbanks and Dr. Daniel S. Turner.

This Final Order is based upon a Consent Order signed by Larry Keith Dunbar (hereafter referred to as "Respondent") and dated October 17, 2013. In the Consent Order, Respondent stipulated he violated the Code of Alabama 1975, § 34-11-11(a) 2, and the Rules and Regulations of the Board's Administrative Code § 330-X-14-.05(g), and § 330-X-14-.06(a)(1) and (5).

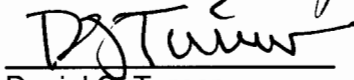
Upon Consideration of the above it is **ORDERED** that the Consent Order dated October 17, 2013 is adopted by the Board and hereby made a part of this Final Order. It is further **ORDERED** that Respondent abide by the Final Order in this manner.


ENTERED this the 4th day of December, 2013


Phillip E. Santora


Marc S. Barter


Frazier Christy


Daniel S. Turner


Earl R. Foust


Charles P. Willis


W. Gerald Wilbanks

RECUSED