

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

IN THE MATTER OF:

Robert Leon Luebbers, PE
5013 Deer Drive
Downington, PA 19335

Respondent



Case No. 2016-01-B

CONSENT ORDER

Robert Leon Luebbers, a 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 on July 14, 2015, the Board issued him certificate of licensure number 35293 authorizing him to practice as a professional engineer in the State of Alabama.

Respondent stipulates on February 17, 2016, the Board received a complaint from Mr. Peter Olivero that indicated Respondent placed his signature and professional engineer seal on design documents titled "Metal Carport Installation Plans and Details and Framing and Fastener Specifications" for a project located in Mobile County, Alabama that did not meet the stated design criteria.

Respondent stipulates he placed his signature and professional engineer seal on a metal building design drawing for Carolina Carports that was purchased and installed on property located in Mobile County, Alabama.

Respondent stipulates the design plans containing his professional engineer seal and

signature did not contain site specific language that identified the particular project location, and a review of the design plans by a contracted engineering firm indicated the design plans were not suitable for high wind areas, and the plans were rejected.

Respondent stipulates a Board Technical Advisor reviewed the design plans and provided a report that stated the plans did not meet the minimum requirements of the building code, and the wind loading criteria listed on the drawings does not meet the requirements for Mobile County, Alabama.

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, § 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).

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

STIPULATED DISPOSITION

Respondent agrees he will not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama, or the Rules and Regulations of the Administrative Code of the Board and the Rules of Professional Conduct promulgated together.

Respondent understands that he is formally and publicly reprimanded for the actions described above.

Respondent agrees to submit to the Board with this signed Consent Order a check or

money order made payable to the PE/PLS Fund in the amount of two hundred and twenty-five dollars (\$225) for the cost of this investigation.

Respondent understands this Consent Order and subsequent Final Order will become a matter of public record. Respondent further understands this information will be placed on the Board's website, in its newsletter, and posted to the National Council of Examiners for Engineers and Surveyors (NCEES) Enforcement Exchange.

Respondent understands that failure to comply with any term of this consent order shall cause his professional engineer license to be **revoked** pending ratification by the Board. Respondent further understands this 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 to comply with the terms of this Consent Order and understands failure to comply with the terms of the Consent Order may result in additional charges or discipline.

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. It is agreed that presentation to and consideration of the Consent Order by the Board requires certain factual information related to this matter be disclosed to the Board members. Should the Consent Order not be accepted by the Board, it is therefore expressly agreed that the reviewing, and consideration of this Consent Order, and the information provided to the Board for their review, shall not unfairly prejudice the Board and shall in no way act to disqualify any Board member from any further participation in this matter through its resolution, including, but not limited to, any contested hearing on this matter should one be necessary. 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 20th day of July, 2016


Robert L. Luebbers, PE

APPROVED:


Benjamin H. Albritton
Assistant Attorney General

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

IN THE MATTER OF:)

Robert Leon Luebbers)
5013 Deer Drive)
Downington, PA 19335)

Respondent)
_____)



Case No. 2016-09-B

FINAL ORDER

The Alabama Board of Licensure for Professional Engineers and Land Surveyors having considered the consent order signed by Robert Leon Luebbers, Professional Engineer, license number 35293, in which he 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), hereby adopts the Consent Order and issues this Final Order.

The Consent Order and Final Order take immediate effect upon the signing of this Final Order and the Respondent is **ORDERED** to abide by the Consent Order and Final Order as approved by the Alabama Board of Licensure for Professional Engineers and Land Surveyors.

ENTERED this the 11th day of August 2016



Marc S. Barter

DID NOT ATTEND

M. Elisabeth Hyde



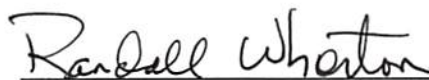
Nathan G. Johnson



A. Frazier Christy

RECUSED

Richard G. Grace



Randall D. Whorton