

**BEFORE THE ARKANSAS STATE BOARD OF LICENSURE FOR  
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS**

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

**COMPLAINANT**

**Case #2011-13**

**PATRICK T. CANTRELL AND  
PVE, PLC**

**RESPONDENTS**

**DECISION OF THE BOARD**

On November 8, 2011, the Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter "the Board") held an administrative hearing to consider the referenced matter. Finding proper notice had been given the Respondents, and after considering all evidence presented, the Board issues the following Findings of Fact, Conclusions of Law, and Order:

**FINDINGS OF FACT**

FF1. On June 14, 2011, the Board received a comity Professional Engineering application from Patrick T. Cantrell, principal of PVE, Inc.

FF2. A form required to be completed by comity Professional Engineering applicants is titled "NOTICE TO ALL APPLICANTS FOR REINSTATEMENT OR RECIPROCAL REGISTRATION" (hereinafter referred to as the NOTICE) and it contains 4 questions. Question #3 asks applicants to identify "The current project or projects in Arkansas on which you contemplate performing engineering services if the information is not confidential." In response to that question Cantrell wrote: "Chow Time"

FF3. Question #4 of the NOTICE asks that applicants identify “The status of plans or reports on any project in Arkansas for which you have been retained as the engineer.” In response to that question Cantrell wrote: "City Review"

FF4. On June 20, 2011, James Atchley, Professional Engineer with the Board, contacted Cantrell by phone to seek more information about the responses. Cantrell explained that his firm, PVE, had been engaged and that he had performed mechanical engineering work for a restaurant to be built in Little Rock. Cantrell further explained that while he initially intended to wait until becoming licensed to perform the work, but because his client insisted on going forward anyway, the plans were completed and were currently under City review.

FF4a. At its June 12, 2011 meeting, the Board considered Cantrell’s application and directed the Executive Director to issue a Complaint based on the information in the application and his admissions in the June 20<sup>th</sup> phone call. A complaint was issued dated July 20<sup>th</sup>.

FF5. On August 8, 2011 the Board received Cantrell’s Answer to the complaint dated August 2, 2011. In the answer, Cantrell confirmed his statements made on June 20<sup>th</sup> and added that he had intended to become licensed before the City review was completed and stamping the final drawings.

### **CONCLUSIONS OF LAW**

CL1. The conduct of Cantrell, as set forth above in the Findings of Fact, constitutes one count of practicing or offering to practice engineering in Arkansas, within the meaning of Arkansas Code Annotated §17-30-101(4)(B)(i), without licensure by the Board, in violation of Arkansas Code Annotated §17-30-301.

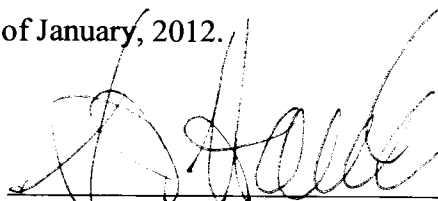
CL2. The conduct of PVE, as set forth above in the Findings of Fact, constitutes one count of providing or offering to provide engineering services without holding a valid Certificate of Authorization, in violation of Arkansas Code Annotated §17-30-303.

**ORDER**

The Respondent is ordered to pay a \$25.00 civil penalty for each of the two counts the Board found Respondent and his firm to be in violation of, for a total civil penalty of \$50.00. Payment must be received by the Board within fifty (50) days of service.

Pursuant to Arkansas Code Annotated § 25-15-212, the Respondent may petition for judicial review of the final written decision by filing a petition in the Circuit Court in the county in which he resides or does business or in the Circuit Court of Pulaski County within thirty days after service of the final order.

Dated this 11<sup>th</sup> day of January, 2012.



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Steve Haralson, Executive Director  
Arkansas Board of Licensure for Professional  
Engineers and Professional Surveyors

**CERTIFICATE OF SERVICE**

I, James Atchley, investigator for the Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors, do hereby certify that I have served a copy of the attached order by mailing copies of same, by first class mail and certified mail, with return receipt requested and postage prepaid, on this 11<sup>th</sup> day of January, 2012, to:

Mr. Patrick T. Cantrell  
 PVE, Inc  
 2311 Count Fleet Ct  
 South Jordan, UT 84095-8361

*James H. Atchley*  
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 James Atchley, Board Investigator

<b>U.S. Postal Service</b>	
<b>CERTIFIED MAIL RECEIPT</b>	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
OFFICIAL USE	
Postage	\$ 64
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 5.79</b>
Postmark J.H. 2012	
Sent To Cantrell/PVE	
Street, Apt. No. or PO Box No.	
City, State, ZIP+4	
PS Form 3800, January 2001 See Reverse for Instructions	

7002 0510 0001 8678 424J

<b>SENDER COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
1. Article Addressed to:  Mr. Patrick T. Cantrell PVE, Inc 2311 Count Fleet Ct South Jordan, UT 84095-8361		A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No if YES, enter delivery address below:	
2. Article Number <i>(Transfer from service label)</i> PS Form 3811, August 2001		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
7002 0510 0001 8678 424J		JAN 18 2012	
Domestic Return Receipt		2ACPRI-03-P-4081	