

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

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

COMPLAINANT

Case #2014-05

MATT JOHNSTON

RESPONDENT

CONSENT AGREEMENT AND ORDER

The Arkansas Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter "the Board") and Matt Johnston, (hereinafter "Respondent") agree as follows in full settlement of the charges in this matter.

ALLEGATIONS OF FACT

A1. The Respondent is not now, nor has he ever been, licensed as a Professional Engineer in Arkansas.

A2. At no time relevant to this matter did the Respondent's firm have a valid Certificate of Authorization to offer or provide engineering services in Arkansas.

A3. Precision Foundation Specialists, Inc. is a foundation repair contractor located in Springdale, Arkansas. On the firm's website, the Respondent is listed as Vice President of Operations for the firm.

A4. On January 19, 2013, the Respondent, on the letterhead of the Respondent's firm, issued a report which could be considered the work product of the practice of engineering. The last paragraph of the report denotes the report as a "cursory engineering survey."

REC'D JAN 27 2015

A5. The Respondent's firm's website uses the term "engineering" and variants of the term to describe the services the firm is willing to provide.

CHARGES

C1. If proven true, the conduct of the Respondent, as set forth above in the Allegations of Fact, constitutes one count of the unlicensed practice, or offer to practice, engineering in Arkansas, in violation of Article 1.A of the Rules of the Board.

C2. If proven true, the conduct of the Respondent's firm, as set forth above in the Allegations of Fact, constitutes one count of offering and/or providing engineering services in Arkansas without obtaining a Certificate of Authorization from the Board, in violation of Arkansas Code Annotated §17-30-303.

CONSENT AGREEMENT

In the interest of a prompt and speedy settlement, consistent with the public interest and the responsibilities of the Board, the undersigned parties enter into this Consent Agreement as a final disposition of these matters presently before the Board.

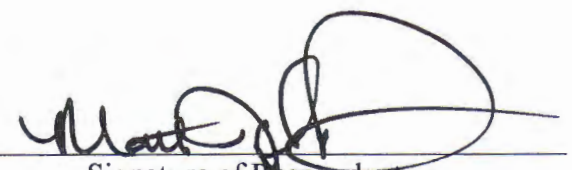
1. The Respondent has been advised by legal counsel and has chosen to proceed with the understanding that the facts and conduct described above in the Allegations of Fact are admitted.

2. In lieu of a formal hearing, the Respondent agrees to the following Order and waives all rights to a hearing, appeal or judicial review relating to the Order or charges. Respondent acknowledges that this Consent Agreement and Order is not effective until accepted by the full Board.

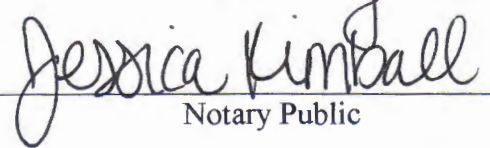
3. The Respondent understands that all investigative materials prepared or received by the Board concerning these allegations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.

ORDER

For each of the violations described above, the Respondent shall pay to the Board a civil penalty of Five Hundred (\$500) dollars per violation for a total of One Thousand (\$1,000) dollars. The total civil penalty shall be paid to the Board with in fifty (50) days of service of this Order.

AGREED TO BY: 
Signature of Respondent

Sworn to and subscribed before me this 15th day of January, 2015

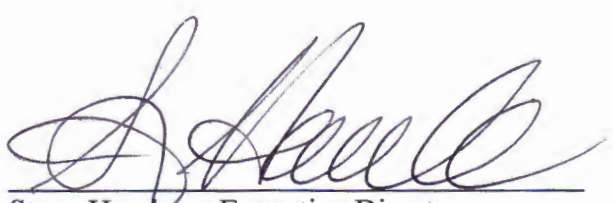

Notary Public

(SEAL)



My commission expires: 8-2-23

AGREED TO AND ORDERED BY:


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