

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

Case #2006-13, in the matter of Michael Marlar:

COMPLAINT

The Arkansas Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter "the Board") registered a complaint on December 12, 2006, charging Michael P. Marlar (AR-PS #1240, hereinafter "Marlar") with gross negligence and/or incompetence in the practice of surveying, in violation of Arkansas Code Annotated §17-48-102.

FINDINGS OF FACT

1. Marlar was retained to survey the Complainant's property.
2. The resulting survey indicated an overlap with the adjoining property holder.
3. The State Surveyor reviewed the survey and found no evidence of wrongdoing on the part of Marlar. He was of the opinion the fault lay with an ambiguous property description.


CONCLUSIONS OF LAW

Upon review of the evidence in its possession, the Board finds Marlar's actions as described in the Findings of Fact do not constitute a violation of the statutes or rules governing the Arkansas Board of Licensure for Professional Engineers and Professional Surveyors.

ORDER

Based on these findings, the complaint against Marlar is dismissed without further action by the Board.

SO ORDERED this 15th day of September, 2009



Frank Vozel, President

CERTIFICATE OF SERVICE

I, Steve W. Haralson, Executive Director of the Arkansas State Board of Registration for Professional Engineers and Land Surveyors, do hereby certify that I have served a copy of the foregoing order by mailing a copy of the same by first class mail on this 30th day of September, 2009, to:

Mr. Michael P. Marlar, PS
Marlar Engineering
5318 JFK Blvd
North Little Rock, AR 72116



Steve W. Haralson
Executive Director