

**BEFORE THE ARKANSAS STATE BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS
IN THE MATTER OF ENSO ENGINEERING, INC., RESPONDENT**

Case #2018-05

CONSENT AGREEMENT

A Complaint alleging that ENSO Engineering, Inc. (hereinafter referred to as “the Respondent”) violated Ark. Code Ann. §17-30-303 et seq. (hereinafter referred to as “the Act”) has been received by the Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter referred to as “the Board”). In lieu of a formal hearing on these issues, and in the interest of prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements, and the responsibilities of the Board, the undersigned parties enter into this Consent Agreement as a final disposition of this matter.

Paul Serrano, on behalf of Respondent, agrees to the following:

1. Respondent, having read the proposed Consent Agreement, acknowledges his/her/their right to consult with counsel, and enters into this Consent Agreement on Respondent’s own volition and without any reliance upon any representations by the Board or any officer, employee, agent or other representative thereof, other than expressly set forth herein.
2. Respondent hereby waives any further procedural steps including, without limitation, Respondent’s right to a hearing and all rights to seek judicial review or to otherwise challenge or contest the validity of this Consent Agreement.
3. Respondent agrees that the Board will review and determine whether to approve this Consent Agreement. Furthermore, Respondent agrees that should this Consent

Agreement not be approved by the Board, the presentation and consideration of this Consent Agreement by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of the matters involved herein at any subsequent hearing.

4. Respondent understands and agrees that approval and entry of this Consent Agreement shall not preclude additional proceedings by the Board against Respondent for acts or omissions not specifically addressed herein.
5. Respondent understands and acknowledges that this Consent Agreement and the Board's records concerning this matter are public records and available to the public pursuant to the Freedom of Information Act, Ark. Code Ann. §25-19-101, et seq.
6. This agreement shall not become a valid and enforceable order of this Board unless and until accepted and approved by the Board at an official meeting and executed by the President of the Board or his designee.

FINDINGS OF FACT

1. On June 6, 2017 Respondent conducted a flood damage assessment for Selective Insurance Company of America as part of the National Flood Insurance Program on the property located at 1022 HWY 14 Newport, Arkansas 72112.
2. Respondent has not been issued a Certificate of Authorization (C.O.A) by the Board.

CONCLUSIONS OF LAW

1. Respondent's actions, as set forth in Findings of Fact 1-2, above, constitute a violation of Ark. Code Ann. §§ 17-30-301 and 303 in that the Respondent

practiced engineering in the state of Arkansas without first obtaining a C.O.A. from the Board.

ORDER


THEREFORE, IT IS SO ORDERED THAT:

1. For the violation described above, the Respondent shall pay to the Board a civil penalty of Five Hundred (\$500) dollars. The total civil penalty shall be paid to the Board within Thirty (30) days of service of this fully-executed Order.

IT IS FURTHER ORDERED that the Board shall retain jurisdiction of this matter for purposes of implementing and enforcing this Consent Order and Respondent's failure to comply with any term or condition of this Consent Order shall constitute grounds to impose disciplinary action pursuant to Ark. Code Ann. § 17-30-305.

IT IS SO ORDERED.

AGREED this 5 day of December 2018.



Paul Serrano, Enso Engineering, Inc.

5, Dec, 2018
Date



Brian Moore, President
Arkansas State Board of Professional Engineers
And Professional Surveyors

1/8/19
Date