

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

Complainant:

Arkansas State Board of Licensure for
Professional Engineers and Professional
Surveyors

Case #2009-30

Respondent:

Mr. James W. Gore, PE
Gore Engineering Associates Inc
2 Willow Bank Circle
Bentonville, AR 72712-3843

DISCIPLINARY HEARING

On March 30, 2010, the Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter “the Board”) held a formal hearing to consider the referenced matter. Finding proper notice had been given the Respondent, and after considering all evidence presented, the Board issues the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. The Respondent is now, and was at all times relevant to the complaint, a Professional Engineer licensee of the Board, and the Board has jurisdiction over his conduct.
2. Edmund Simpson (“Simpson”) built a house in Fayetteville which was sold to Joel & Irene Spalter (“Spalters”).
3. The Spalters believed the house had defects, and in 2006, the Spalters retained the Respondent to make an engineering inspection of the house and draft a report of his findings.

4. The Respondent's report identified several defects, some of which were significant, and did so on an admittedly limited investigation.

4. Subsequent investigations by other engineering firms took issue with the Respondent's findings and conclusions.

5. The Respondent's report also contained a recommendation that he be hired to develop and implement a corrective action plan for the defects he noted in the report.


CONCLUSIONS OF LAW


The conduct of the Respondent, as outlined in the Findings of Fact above, does not constitute violation of the Rules of the Board or the laws governing engineering practice in Arkansas.

ORDER

Based on these Findings and Conclusions, the complaint against the Respondent is dismissed.

ORDERED this 3rd day of June, 2010.



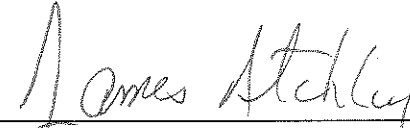
Tommy Bond, Board Vice-President


CERTIFICATE OF SERVICE

I, James Atchley, Investigator of 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 3rd day of June, 2010, to:

James W. Gore, PE
Gore Engineering Associates Inc
2 Willow Bank Cir
Bentonville, AR 72712-3843

J. Jason Boyeskie
Attorney at Law
26 East Meadow Street, Suite 6
Fayetteville, AR 72702



James Atchley, Board Investigator