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

Complaint No. 2021-09

IN THE MATTER OF: Justin W. Hall, PE 11050 Hall Engineering LTD, COA 982

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

A hearing on the above-referenced matter was held before the Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors ("the Board") on November 8, 2022, at the Office of the Arkansas Board of Licensure for Professional Engineers and Professional Surveyors 623 Woodlane, Little Rock, Arkansas. The Respondent appeared in person, and by and through his legal counsel, Harrison Kemp. The Board was represented by Assistant Attorney General Samuel J. West. The Board, from all the evidence presented and the stipulations of the parties, makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

- 1. Respondent Hall has been actively licensed since June 14, 2002.
- Respondent Hall received his Bachelor of Science in Mechanical Engineering from the University of Arkansas in May 1997.
- Respondent Hall attended and passed the NCEES Principles and Practices of Engineering Mechanical Engineering exam in April 2002. Respondent Hall obtained his pre-licensure professional experience at Raytheon Aircraft.
- 4. Respondent Hall Engineering received its certificate of authority on November 17, 2003, and has been continuously licensed thereafter. Respondent Hall Engineering, LTD operates under the fictitious name of Hall Engineering Group, Ltd.

- 5. Respondent Hall is the president of Respondent Hall Engineering, LTD. Respondent Hall is also the designated professional engineer in responsible charge of Respondent Hall Engineering, LTD, pursuant to Ark. Code Ann. § 17-30-303(b)(1).
- 6. On or about May 19, 2021, Respondent Hall was hired by the Dioceses of Little Rock ('Complainant") for an engineering design project at All Saints Catholic Church in Mt. Ida, Arkansas. The project was to design a reinforcement of a preexisting structure to install a prefab steeple.
- 7. On or about June 2, 2021, Respondent Hall sent his design to Diane Campbell, administrator for All Saints Catholic Church. The design was presented to Complainant's Building Committee.
- 8. On June 26, 2021, Respondent Hall Engineering invoiced \$2,000.00 for "Structural Drawings." All Saints Catholic Church paid this amount on June 28, 2021.
- Respondent Hall's plans failed to account for proper gravity loads, lateral wind loads, and stability outside of standard engineering practices.
- 10. On multiple occasions between August 31 and November 1, 2021, Complainant requested that Respondent Hall provide the stamped plans and proof of liability insurance. Respondent Hall failed to provide the church with the requested documents.
- 11. On or about November 2, 2021, Complainant moved on to another engineer. Respondent Hall failed to provide a usable design and failed to refund the \$2,000.00 fee paid to him.

CONCLUSIONS OF LAW

12. Respondent Hall's actions stated in Findings of Fact 1-11 in accepting payment for work not completed and not returning the money to Complainant violates Ark. Code Ann. §17-

30-305(a)(1)(K), which prohibits "engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud, or harm the public."

13. Respondent Hall's submission of the deficient plans and designs stated in Findings of Fact 1-11 is a violation of Board rules Article 20.B(1), which states, "Licensees shall undertake assignments only when qualified by education or experience in the specific technical fields of engineering or surveying involved." It is also a violation of Board Rules Article 20.B(2), which states, "Licensees shall not affix their signatures of seals to any plans or documents dealing with subject matter in which they lack competence."

ORDER

- 1. Respondent is ordered to pay a civil penalty in the amount of \$2,000.00 for the violation stated in Paragraph 12.
- 2. Respondent is ordered to pay a civil penalty in the amount of \$4,000.00 for the violation stated in Paragraph 13
- 3. Further, Respondent's license is suspended for a period of four (4) months.
- 4. Pursuant to Ark. Code Ann. § 25-15-212, Respondent may petition for judicial review of this decision by filing a petition in circuit court within thirty (30) days after the service of this Order.

IT IS SO ORDERED this day of November, 2022

Arkansas Board of Licensure for Professional Engineers and Professional Surveyors

MURRY'E. CLINE, P.E. VICE-PRESIDENT