

**CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
16TH DIVISION**

**JUSTIN W. HALL AND
HALL ENGINEERING, LTD.**

PETITIONERS

v. CIVIL CASE NO. 60CV-21-4348

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

RESPONDENT

FINAL ORDER

Pursuant to Ark. Code Ann. § 25-15-212, Justin W. Hall and Hall Engineering, LTD. (“Petitioners”) are before the Court to appeal the decision of the Respondent, the Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors (“Board”), to revoke the professional engineer license of Petitioner Justin W. Hall (“Hall”), revoke the certificate of authorization of Petitioner Hall Engineering, LTD., and impose upon them a \$7,500 penalty. Based upon a review of the administrative record and the authority and arguments presented in the pleadings and at the hearing taking place before this Court on May 5, 2022, this Court finds, holds, and orders as follows:

1. The Board’s decision is upheld in part and reversed and remanded in part.
2. The Court affirms the fine imposed by the Board for the violations regarding misrepresentation described in Conclusion of Law #21 of the Board’s Order.

3. The Court reverses the Board's revocations of Petitioner Justin W. Hall's professional engineer license and Petitioner Hall Engineering, LTD.'s certificate of authorization as being arbitrary and capricious and an abuse of discretion; the matter is remanded to the Board to amend its Order and fashion a remedy that protects the public and includes the following:

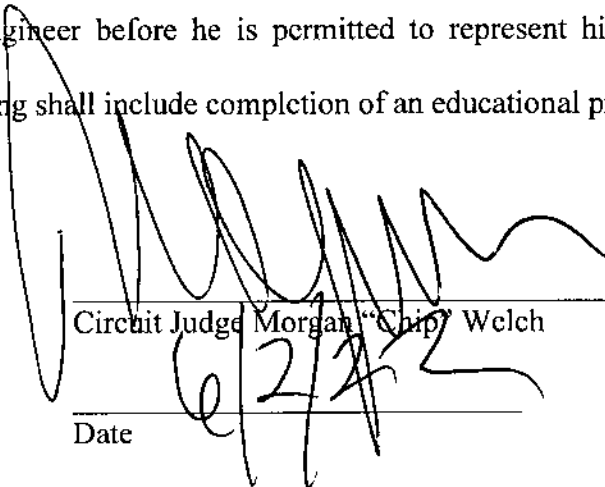
A. Reduces the penalty to \$2,000 for the violations described in Conclusion of Law #21 regarding misrepresentation;

B. Prohibits Petitioner Justin W. Hall from referring to himself as a structural engineer;

C. Requires Petitioners to take down the website www.justinhallpe.com and to satisfy the Board that Petitioners are not representing Justin W. Hall as being a structural engineer; and

D. Requires Petitioner Justin W. Hall to satisfy the Board that he has had training as a structural engineer before he is permitted to represent himself as a structural engineer. Such training shall include completion of an educational program.

IT IS SO ORDERED.



Circuit Judge Morgan "Chip" Welch

Date

Prepared by:

/s/ Sara Farris

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

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

ORDER

The Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors (“the Board”) held a hearing on June 15, 2021, to determine whether Justin W. Hall, AR PE #11050, (“Hall”) and Hall Engineering, LTD d/b/a Hall Engineering Group, Ltd., COA #982 (“Hall Engineering”) (collectively, “Respondents”) have violated Ark. Code Annotated §17-30-101 et seq. or the Rules of the Board. The Board was represented by Assistant Attorney General Sara Farris. Chris Corbitt appeared on behalf of the Respondents. Based on the evidence presented, the Board finds as follows:

FINDINGS OF FACT

1. Hall has been actively licensed since June 14, 2002.
2. Hall received his Bachelor of Science in Mechanical Engineering from the University of Arkansas in May 1997. He also obtained a Management Specialization in Aeronautical Science from Embry-Riddle Aeronautical University.
3. Hall attended and passed the NCEES Principles and Practices of Engineering Mechanical Engineering exam in April 2002. Hall obtained his pre-licensure professional experience at Raytheon Aircraft.

4. Hall Engineering received its certificate of authorization on November 17, 2003 and has been continuously licensed thereafter. Hall Engineering, LTD operates under the fictitious name of Hall Engineering Group, Ltd.
5. Hall is the president of Hall Engineering, LTD. Hall is also the designated professional engineer in responsible charge of Hall Engineering, LTD, pursuant to Ark. Code Ann. § 17-30-303(b)(1).
6. Respondents have multiple websites, such as www.justinhallpe.com, that offer Respondents' services in structural engineering and forensic engineering. The site www.justinhallpe.com advertises Hall as having a "Bachelors in Mechanical (& Structural) Engineering" and touts Hall as a licensed structural engineer, an expert structural engineer, an expert in explosion forensics, and a specialist in forensic engineering.

EMOBA HAUNTED HOUSE

7. On October 1, 2018, Respondents provided a "Structural Inspection Report" for client EMOBA for a 3-story church located at 1200 Louisiana in Little Rock. The client wanted to use the church for a two-week haunted house event. The report was stamped with Respondents' professional seals.

8. The EMOBA Structural Inspection Report states:

Generally, the walking and occupied areas for the haunted house were safe with some minor repairs needed. The areas of most concern are in areas that people will not walk.

The report fails to describe the areas in which people will and will not walk and also fails to recommend barricades to ensure people are aware of the dangers present in certain areas.

9. The EMOBA Structural Inspection Report opines that “[s]tructural repairs and shoring are needed immediately after the haunted house event.” This statement nonsensically implies that the structure is only safe for the time period in which it will be used as an amusement event for the public but not afterward.

HERITAGE HOUSE INN

10. On January 14, 2019 Respondents submitted to the City of Little Rock a document entitled “Structural Inspection Report” for the property at 7500 S. University, commonly known as the Heritage House Inn. The report was stamped with Respondents’ professional seals.

11. Respondents’ report stated that the west building was structurally safe for occupancy. Page 4 of the Structural Inspection Report contains the following paragraph:

As far as safety of occupants, there is no reason to believe that the building will simply fall in anywhere because it will not currently. The level of damage is not severe enough to warrant vacating any room or rooms. The observed damage is generally causing wall cracking, racked doorways and soft and bouncy floors. It is not suggested to vacate any portion of the building due to these conditions however repairs must begin soon to maintain integrity.

12. On July 12, 2019, the City of Little Rock hired Cromwell Architects & Engineers to conduct a second structural evaluation (“Cromwell Report”) of the Heritage House Inn. The Cromwell report concluded that the west building was in very poor condition due to an excessive amount of degradation of the ground floor sheathing, ground floor joist and girders and fire damaged roof trusses. The Cromwell report stated that the building should not be occupied until all structurally compromised elements were repaired.

13. Gilbert “Jamie” Collins, an employee of the City of Little Rock, filed a complaint with the Board against Hall Engineering, with one of the issues being Respondents’ report on the west building of the Heritage House Inn. Hall responded and stated that one of the reasons he found the building safe to occupy was because “the rooms with the worst damage were used for storage”, a caveat he omitted from the report.
14. On October 22, 2019, Respondents provided the City of Little Rock a report detailing the scope of repair for the Heritage House east building. The scope of repair included structural engineer drawings that were stamped and sealed by Respondents.
15. The scope of repair references “Repairs Required per Cromwell Report” but only references certain parts of the Cromwell report. The entire Cromwell report should have been attached to the scope of repair.

TRIPLEX

16. In January of 2020 builder Jim Harney submitted plans to the City of Little Rock for a proposed triplex on Indiana Ave in Little Rock. The proposed plans included sealed drawings from Respondents. The submitted drawings included components of structural, electrical, and civil engineering. The City of Little Rock rejected the plans.
17. On or about August 2020, the City of Little Rock refused to accept any plans from Respondents.

BRADFORD ESTATES

18. On August 20, 2020 Respondents submitted a “Mechanical System Inspection & Evaluation” report to the City of Little Rock for Building “H” at Bradford Estates Apartments, formerly known as Alexander Apartments. The report was stamped with Respondents’ professional seals.
19. The report notes that the report was an update from a report from 2016 and that no new inspection had been performed. Hall updated the report without performing a new inspection and without an acknowledgment in the report that a unit had been damaged due to a fire.

TEXAS CONSENT ORDER

20. a. On September 8, 2020, the Board learned that on November 15, 2018, Hall entered into a Consent Order with the Texas Board of Professional Engineers for the following:

...[F]or at least 29 engineering reports of damage assessments for properties in Texas damaged by Hurricane Harvey, Mr. Hall signed and sealed these reports that were issued under the firm name of Enso Engineering, Inc. (Enso), South Berwick, Maine. Further, these reports were dated between September 24, 2017 and October 9, 2017. Board records show that Mr. Hall does not show a employee relationship with Enso, rather his records shows his employer as Hal Engineering Group (HEG) located in Little Rock, Arkansas. Board records also show that Enso did not become registered with our Board until December 21, 2017. Therefore, it appears that either Mr. Hall failed to notify our Board that he had changed employers from HEG to Enso; and/or that he aided and abetted Enso in unlawfully providing engineering services on projects in Texas by signing and sealing engineering work he performed for these Texas projects that was provided by Enso prior to it being registered with our Board.

b. Hall was fined \$3,446, accepted a one year probated suspension of his Texas license with contingencies, and agreed to successfully complete the Engineering Ethics Basic Course at Texas Tech University.

CONCLUSIONS OF LAW

21. Hall advertised himself as a structural engineer and specialist in forensic engineering. Respondents advertised their services in structural engineering and forensic engineering. Hall's competency lies in mechanical engineering. Therefore, pursuant to Allegation of Fact #6, Respondents are guilty of the following:

a. Arkansas Code Annotated § 17-30-305(a)(1)(B):

(B) Negligence, incompetency, or misconduct in the practice of engineering;

b. Arkansas Code Ann. §17-30-305(a)(1)(K):

(K) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;

c. Violating Board Rules, Article 20.A(1.):

1. Licensees, in the performance of their services for clients, employers and customers, shall be cognizant that their first and foremost responsibility is to the public welfare.

d. Board Rule, Article 20.C(1.):

1. Licensees shall not falsify or permit misrepresentation of their, or their associates; academic or professional qualifications.

22. Respondents performed work, which they stamped with their professional seals, in the fields of structural engineering, civil engineering, and electrical

engineering, all of which are beyond the scope of Hall's competency. Therefore, pursuant to Allegations of Fact #7 - #19, Respondents are guilty of the following:

a. Arkansas Code Annotated § 17-30-305(a)(1)(B):

(B) Negligence, incompetency, or misconduct in the practice of engineering;

b. Arkansas Code Ann. §17-30-305(a)(1)(K):

(K) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;

c. Violating Board Rules, Article 20.A(1.):

1. Licensees, in the performance of their services for clients, employers and customers, shall be cognizant that their first and foremost responsibility is to the public welfare.

d. Violating Board Rules, Article 20.A(2.):

2. Licensees shall approve and seal only those design documents and surveys that conform to accepted engineering and surveying standards and safeguard the life, health, property and welfare of the public.

e. Violating Board Rule, Article 20.B(1.):

1. Licensees shall undertake assignments only when qualified by education or experience in the specific technical fields of engineering or surveying involved.

f. Board Rule, Article 20.C(1.):

1. Licensees shall not falsify or permit misrepresentation of their, or their associates; academic or professional qualifications.

23. Respondents' work product, as described in Allegations of Fact #7-#19, violates:

a. Arkansas Code Annotated § 17-30-305(a)(1)(B):

(B) Negligence, incompetency, or misconduct in the practice of engineering;

b. Arkansas Code Ann. §17-30-305(a)(1)(K):

(K) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;

c. Violating Board Rules, Article 20.A(1.):

1. Licensees, in the performance of their services for clients, employers and customers, shall be cognizant that their first and foremost responsibility is to the public welfare.

d. Violating Board Rules, Article 20.A(2.):

2. Licensees shall approve and seal only those design documents and surveys that conform to accepted engineering and surveying standards and safeguard the life, health, property and welfare of the public.

e. Violating Board Rule, Article 20.B(1.):

1. Licensees shall undertake assignments only when qualified by education or experience in the specific technical fields of engineering or surveying involved.

24. a. For the disciplinary action in the State of Texas, as described in Allegation of

Fact #20, Hall is guilty of violating Ark. Code Ann. §17-30-305(a)(1)(D):

(D) Discipline by another state, territory, the District of Columbia, a foreign country, the United States Government, or any other governmental agency, if at least one (1) of the grounds for discipline is the same or substantially equivalent to those contained in this section;

b. In the Texas Consent Order, Hall admitted that he violated 22 TAC §

137.63(c)(1), which states that an engineer shall not “aid or abet, directly or

indirectly, any unlicensed person or business entity in the unlawful practice of

engineering.” This Texas statute is the same or substantially equivalent to Ark. Code Ann. §17-30-305(a)(1)(G), which allows the Board to take disciplinary action against a professional engineer who is found guilty of “aiding or assisting another person in violating the chapter or the rules of the board.”

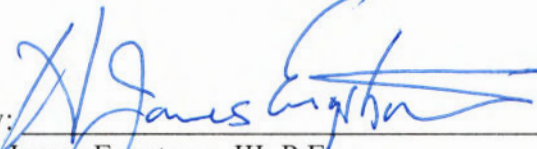
ORDER

For the violations found by the Board and described herein, the Board imposes the following penalties:

- A. For the violations described in Conclusions of Law 21, 22, 23, and 24, Justin W. Hall’s license as a professional engineer and Hall Engineering, LTD’s certificate of authorization are hereby REVOKED; and
- B. For the fifteen (15) violations described in Conclusions of Law 21, 22, and 23, Respondents shall pay a monetary penalty of \$500 per violation, for a total penalty of \$7,500.

Pursuant to Ark. Code Ann. § 25-15-212 , Applicant 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.

Arkansas Board of Licensure for Professional
Engineers and Professional Surveyors

By: 
H. James Engstrom, III, P.E.
President

Date: 6/18/21

Approved as to form:



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