

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

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

COMPLAINANT

CASE NO. 2013-12

THOMAS S. HAMBUCHEN

RESPONDENT

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

A hearing on the above-reference matter was held before the Arkansas Board of Licensure for Professional Engineers and Professional Surveyors ("the Board") on July 9, 2013 at the office of the Board, 623 Woodlane Drive, Little Rock, Arkansas.

Thomas Shaldon Hambuchen (AR-PS #1397 (lapsed), hereinafter "Hambuchen") appeared before the Board representing himself. The Board was represented by Assistant Attorney General Brandon Robinson.

On the basis of the testimony, stipulations of the parties, and other evidence presented during the hearing, the Board makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

A1. Hambuchen received registration as a Professional Surveyor in Arkansas on April 24, 2000. He did not renew in June 2006 for the 2007 licensing year. As of July 1, 2006, his Professional Surveyor registration was therefore lapsed.

A2. After his Professional Surveyor license was lapsed, Hambuchen performed 149 surveys, for which he sealed, signed, and issued plats to clients.

A3. Hambuchen has requested that his Professional Surveyors registration in Arkansas be restored.

CONCLUSIONS OF LAW

C1. Hambuchen's conduct, as outlined in paragraph A1 – A2, constitutes 149 counts of unlicensed practice of surveying, in violation of Arkansas Code Annotated §17-48-201(a)(1).


ORDER

O1. Hambuchen is ordered to pay a civil penalty of One Hundred Dollars (\$100.00) for each of the one hundred forty nine (149) counts of the unlicensed practice of surveying in Arkansas, for a total civil penalty of Fourteen Thousand Nine Hundred Dollars (\$14,900.00). The total civil penalty must be received by the Board within fifty (50) days of the service of this Order.

O2. Hambuchen's application for his Professional Surveyor's Registration to be reinstated is hereby denied.

These Findings of Fact, Conclusions of Law, and Order constitute the final written decision of the Board in this matter. This Order may be appealed within thirty (30) days of service, as specified in the Arkansas Administrative Procedures Act, according to provisions of Arkansas Code Annotated §25-15-201, et al.

Dated this 30th of July, 2013.



Steve Haralson, Executive Director
Arkansas Board of Licensure for Professional
Engineers and Professional Surveyors

Certificate of Service

I, James Atchley, investigator of the Arkansas Board of Licensure for Professional Engineers and Professional Surveyors, do hereby swear and affirm that a true and correct copy of the attached was sent by U.S. Mail to the following address with proper postage affixed on this 30th day of July, 2013, to:

Mr. Thomas S. Hambuchen
 Hambuchen Land Surveying, Inc
 #3 Oak Grove Drive
 Conway, AR 72032-4733

James H. Atchley

James Atchley, Board Investigator
 Arkansas Board of Licensure for Professional
 Engineers and Professional Surveyors

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$ 0.66
Certified Fee	3.10
Return Receipt Fee (Endorsement Required)	2.55
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.31

Sent To: *Hambuchen*

Postmark: STATECAPITAL, Ark, 30, 2013, USPS

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See Reverse for Instructions

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SENDER COMPLETE THIS SECTION

1. Article Addressed to:
 Mr. Thomas S. Hambuchen
 Hambuchen Land Surveying, Inc
 #3 Oak Grove Drive
 Conway, AR 72032-4733

2. Article Number
 (Transfer from service label) 7002 0510 0001 8878 5668

3. Service Type
 Certified Mail
 Registered
 Insured Mail
 Express Mail
 Return Receipt for Merchandise
 C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

A. Signature Agent Addressee
James H. Atchley

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes No
 if YES, enter delivery address below:

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