

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

<b>Complainant:</b>	)	
	)	
Arkansas State Board of Licensure for	)	
Professional Engineers and Professional	)	
Surveyors	)	
	)	<b>Case #2009-20</b>
	)	
<b>Respondent:</b>	)	
	)	
Peachtree Protective Covers, Inc	)	
1477 Rosedale Drive	)	
Hiram, GA 30141	)	
	)	
	)	

**CONSENT AGREEMENT AND ORDER**

The Arkansas Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter "the Board") and Peachtree Protective Covers, Inc (non-licensee, hereinafter "Peachtree") agree as follows in full settlement of the charges in this matter.

**FINDINGS OF FACT**

1. Peachtree does not now, nor has it ever, held a valid Certificate of Authorization to provide or offer to provide engineering services in Arkansas.
2. On February 23, 2009, the Board received an application from Bennett Lee Hearn for Professional Engineering licensure by comity.
3. When the application was reviewed by the Board on June 9, 2009, Hearn's statements in the "NOTICE" indicated he was employed as a design engineer by Peachtree,

who was bidding on projects in Arkansas, and that he intended to seal drawings to indicate code compliance.

### **CONCLUSIONS OF LAW**

The conduct of Peachtree, as set forth above in the Findings of Fact, constitutes one count of providing or offering to provide engineering services without a valid Certificate of Authorization, in violation of Arkansas Code Annotated §17-30-303.

### **CONSENT AGREEMENT**

In the interest of a prompt and speedy settlement, consistent with the public interest and the responsibilities of the Board, the undersigned parties enter into this Consent Agreement as a final disposition of these matters presently before the Board.

1. Peachtree has been afforded an opportunity to obtain legal counsel and has chosen to proceed, with the understanding that the facts and conduct described above in the Findings of Fact are admitted.

2. In lieu of a formal hearing, Peachtree agrees to the following Order and waives all rights to a hearing, appeal or judicial review relating to the Order.

3. Peachtree understands that all investigative materials prepared or received by the Board concerning these allegations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.

**ORDER**

Peachtree shall obtain a Certificate of Authorization from the Board within fifty (50) days of the service of this order, or cease to provide or offer to provide engineering services in Arkansas until such time as it obtains a Certificate of Authorization from the Board.

AGREED TO BY: *E. E. Mark* VP OF OPERATIONS  
Signature of the Respondent PEACHTREE PROTECTIVE  
COVERS, INC.

Sworn to and subscribed before me this 17<sup>th</sup> day of June, 2010



*Shaniqua V. Lovejoy*  
Notary Public

SHANIQUA V LOVEJOY  
NOTARY PUBLIC  
PAULDING COUNTY, GEORGIA  
My commission expires  
MY COMMISSION EXPIRES JULY 26, 2012

AGREED TO AND ORDERED BY:

\_\_\_\_\_  
Board President