



Oregon

Kate Brown, Governor

**State Board of Examiners for
Engineering & Land Surveying**

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BEFORE THE OREGON STATE BOARD OF EXAMINERS

FOR ENGINEERING AND LAND SURVEYING

In the Matter of:

Case No. 3022

BARRY HOUSEAL

FINAL ORDER BY DEFAULT

On November 4, 2016, the Oregon State Board of Examiners for Engineering and Land Surveying (Board) properly served a Notice of Intent to Assess a Civil Penalty (Notice) on Barry Houseal (Houseal). Houseal did not request a hearing. The Notice designated the Board file on this matter as the record for purposes of establishing a *prima facie* case upon default. Therefore, upon consideration of the facts and law, the Board enters the following Order:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1.

At all relevant times, Houseal was an Oregon Professional Engineer, registration number 17981PE. The Board issued his certificate of registration on July 25, 1995, and it is currently unexpired.

2.

Houseal was registered with the Arizona State Board of Technical Registration (Arizona Board) as a professional engineer until June 1986 when his registration became delinquent. Houseal's Arizona registration remained delinquent until he renewed in May 2016. On or about August 17, 2015, Houseal signed and sealed a set of structural calculations for Heritage

1 Academy in Laveen, Arizona using his expired Arizona professional engineer's seal. Houseal
2 submitted the calculations to the City of Phoenix. The Arizona Board found Houseal guilty of
3 advertising, offering and practicing engineering in Arizona without registration as well as
4 causing "the illegal use of a registrant's seal, signature or stamp on documents prepared by the
5 Respondent, and non-registrant." On December 15, 2015, Houseal was charged a \$5,453.00
6 civil penalty by the Arizona Board. Houseal never reported the disciplinary action to OSBEELS.

7 3.

8 Under OAR 820-020-0045(4) "An applicant or registrant must give written notification
9 to the Board of any disciplinary action or sanction related to the practice of engineering, land
10 surveying, or photogrammetric mapping imposed by any licensing agency immediately upon
11 receiving notice of the action or sanction."
12

13 4.

14 Houseal failed to notify the Board of disciplinary action he received from the Arizona
15 Board, which was related to the practice of engineering, thereby violating rule of professional
16 conduct OAR 820-020-0045(4). This conduct is the basis for discipline under ORS 672.200(6)
17 and 672.325(1).

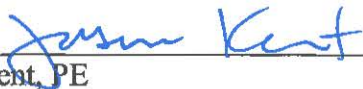
18 **FINAL ORDER**

19 Based on the foregoing and pursuant to ORS 183.745 and ORS 672.325, it is **HEREBY**
20 **ORDERED** that a civil penalty is imposed on Barry Houseal in the amount of \$1,000 for the

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22 ///

1 violation of OAR 820-020-0045(4). The civil penalty is due and payable 70 days after the date
2 of this order, unless the penalty has already been paid.

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5 Jason Kent, PE
6 Board President
Oregon State Board of Examiners for
Engineering and Land Surveying

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Date 1-10-2017

NOTICE

Civil penalties, if unpaid, may be recorded and filed with the county clerks as liens against property 10 days after the expiration of the statutory appeals period (70 days after issuance of this order). Make checks payable to the Oregon State Board of Examiners for Engineering and Land Surveying.

APPEAL RIGHTS

You are entitled to judicial review of this order in accordance with ORS Chapter 183.482. You may request judicial review by filing a petition with the Court of Appeals in Salem, Oregon within 60 days from the date of service of this order.