



Oregon

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:

MICHAEL COLLINS LOWELL


Case No. 2977

FINAL ORDER INCORPORATING
SETTLEMENT AGREEMENT

Based on the attached Settlement Agreement, incorporated herein, the Oregon State Board of Examiners for Engineering and Land Surveying (Board) finds that Michael Collins Lowell (Lowell) violated ORS 672.020(2) and OAR 820-020-0020(2).

IT IS HEREBY ORDERED that pursuant to ORS 672.325 and ORS 183.745, the Board assesses Lowell a civil penalty of \$500.

DATED this 14 day of November, 2017.


Shelly Duquette, PE, SE President
Oregon State Board of Examiners for
Engineering and Land Surveying

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SETTLEMENT AGREEMENT

The Board, by and through its President, Shelly Duquette, PE, and Michael Collins Lowell (Lowell), do hereby agree and stipulate as follows:

1. The Board and Lowell agree to settle this matter in accordance with ORS 183.417(3).
2. Lowell is an Oregon registered Professional Engineer, number 84178PE. The Board issued his certificate of registration on May 11, 2010. Lowell's registration is currently in Active status with an effective date of December 31, 2018.
3. On February 27, 2017, the Board issued a Notice of Intent to Assess Civil Penalty against Lowell and assesses a civil penalty of \$1,000. The Board charged Lowell with violating ORS 672.020(2) and OAR 820-020-0020(2) for failing to maintain supervision and control.
4. On or about March 21, 2017, Lowell requested an informal conference with the Law Enforcement Committee (LEC) of the Board on the matter.
5. On August 10, 2017, the LEC and Lowell had an informal conference to discuss the settlement. Lowell agreed to settle the matter, therefore no hearing is required.
6. The Board finds that Lowell committed the violations as alleged in the Notice.
7. On or about April 9, 2014, Lowell applied his Oregon Professional Engineer's seal to the Structural Design and Detailing documents engineered by Jacob T. Wright (Wright), for a basement remodel on the Ferney Residence at 5320 SE Pine in Hillsboro, OR. Wright was not and is not a licensed engineer in Oregon or elsewhere.
8. On or about May 9, 2016, Lowell applied his Oregon Professional Engineer's seal to the Structural Design and Detailing documents for the Hugot Deck Addition located at 4772 Ireland Ave, West Linn, Oregon, which were also created by Wright.
9. The Final Order Incorporating Settlement Agreement sets forth the entire agreement of the parties. Lowell agrees that the determination of any violation of this settlement agreement is entirely within the Board's discretion.

1 10. The Board and Lowell agree that Lowell is assessed a civil penalty of \$500, \$250
2 for each instance of violating ORS 672.020(2) and OAR 820-020-0020(2).

3 11. Payment shall be made to the "Oregon State Board of Examiners for Engineering
4 and Land Surveying" and delivered or mailed to 670 Hawthorne Street SE, Suite 220, Salem,
5 Oregon 97301, no later than December 29, 2017.


6 12. IF Lowell fails to pay any part of the civil penalty on its due date, the Board will
7 assess a 15% interest rate on any unpaid balance.

8 13. Lowell acknowledges that the Final Order Incorporating Settlement Agreement is
9 a public record and may be disclosed in accordance with Oregon's public records law.

10 14. Lowell represents that he has carefully read this Settlement Agreement and
11 Consent Order, understands the intent and content of the document, and signs below of his own
12 free will, without coercion or duress. Respondent hereby waives any and all rights to appeal or
13 challenge this Settlement Agreement and Consent Order.

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MICHAEL COLLINS LOWELL

11/13/17
Date

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Shelly Duquette, PE, President
19 Oregon State Board of Examiners
20 for Engineering and Land Surveying

11/14/17
Date