

1 BEFORE THE OREGON STATE BOARD OF EXAMINERS
2 FOR ENGINEERING AND LAND SURVEYING

3 In the Matter of:

Case No. X0063

4 CHRISTOFER NICKERSON

FINAL ORDER BY DEFAULT

5 On or about May 19, 2020, the Oregon State Board of Examiners for Engineering and
6 Land Surveying (Board) properly served a Notice of Intent to Assess a Civil Penalty (Notice) on
7 Christofer Nickerson (Nickerson). The Notice assessed a civil penalty in the amount of \$100, and
8 it designated the Board file on this matter as the record for purposes of establishing a *prima facie*
9 case upon default. Nickerson timely requested a hearing on the matter. However, on June 22,
10 2020, Nickerson submitted a written withdrawal of his request for hearing. Therefore, upon
11 consideration of the facts and law, the Board enters the following Order:

12 **FINDINGS OF FACT AND ULTIMATE FACTS**

- 13 1. Nickerson was a licensed professional engineer (PE) in Oregon, 83061PE, issued on May 12,
14 2009, but had been delinquent since December 31, 2018.
- 15 2. Nickerson had also been licensed as a professional engineer in Idaho, stating that he had been
16 licensed in Idaho since 2010.
- 17 3. On August 5, 2019, the Idaho Board of Licensure of Professional Engineers and Professional
18 Land Surveyors (Idaho Board) executed a final order against Nickerson, revoking his Idaho
19 PE license.
- 20 4. Nickerson applied to renew his Oregon PE license on January 15, 2020 and reported the
21 Idaho disciplinary action at that time. 163 days elapsed between the Idaho Board's final
22 order being executed and Nickerson reporting the discipline to the Board.
- 23

1 **APPLICABLE LAW**

- 2 1. OAR 820-020-0045(4) An applicant or registrant must give written notification to the Board
3 of any disciplinary action or sanction related to the practice of engineering, land surveying,
4 or photogrammetric mapping imposed by any licensing agency within 45-days of the final
5 order being issued.
- 6 2. Under ORS 672.325(1), the Board may impose a civil penalty of up to \$1,000 per violation.

7 **CONCLUSIONS OF LAW**

- 8 1. Because Nickerson did not report his Idaho PE license discipline to the Board within 45 days
9 of the issuance of Idaho’s final order, he violated OAR 820-020-0045(4).
- 10 2. The Board may assess up to a \$1,000 civil penalty for this violation of OAR 820-020-
11 0045(4).

12 **ORDER**

13 For the reasons above, the Board **HEREBY assesses a \$100 civil penalty against Nickerson** for
14 violating OAR 820-020-0045(4).

15 DATED this 14th day of July, 2020.

17 OREGON STATE BOARD OF EXAMINERS
18 FOR ENGINEERING AND LAND SURVEYING

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Daren L. Cone, PE, PLS, President
Oregon State Board of Examiners for
Engineering and Land Surveying

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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.