

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

3 In the Matter of:
4 AFSAR HASAN

Case No. X0052
FINAL ORDER BY DEFAULT

5 On or about June 11, 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 Afsar Hasan (Hasan). The Notice assessed a civil penalty in the amount of \$1000, and it
8 designated the Board file on this matter as the record for purposes of establishing a *prima facie*
9 case upon default. Hasan did not respond to the Notice and did not request a hearing on the
10 matter. Therefore, upon consideration of the facts and law, the Board enters the following Order:

11 **FINDINGS OF FACT AND ULTIMATE FACTS**

- 12 1. Hasan was a licensed professional engineer (PE) in Oregon, 88505PE, issued on January 12,
13 2013, but has been delinquent since December 31, 2019.
- 14 2. Hasan had also been licensed as a professional engineer in Missouri, stating that he had been
15 licensed in Missouri since 2013.
- 16 3. On January 4, 2016, the Missouri Board for Architects, Professional Engineers, Professional
17 Land Surveyors and Professional Landscape Architects (Missouri Board) executed a
18 Settlement Agreement against Hasan, placing his Missouri PE license on probation for one
19 year.
- 20 4. Hasan applied to renew his Oregon PE license on December 23, 2019 and reported the
21 Missouri disciplinary action at that time. 1442 days elapsed between the Missouri Board's
22 settlement agreement being executed and Hasan reporting the discipline to the Board.
- 23

- 1 5. A Settlement Agreement placing a PE license on probation is a disciplinary action or
2 sanction related to the practice of engineering.

3 **APPLICABLE LAW**

- 4 1. *Former* OAR 820-020-0045(4) (2006), a rule of professional conduct, provided that an
5 applicant or registrant must give written notification to the Board of any disciplinary action
6 or sanction related to the practice of engineering, land surveying, or photogrammetric
7 mapping imposed by any licensing agency immediately upon receiving notice of the action
8 or sanction.¹
- 9 2. Under ORS 672.325(1), the Board may impose a civil penalty of up to \$1,000 per violation.

10 **CONCLUSIONS OF LAW**

- 11 1. Because the Missouri Settlement Agreement placing Hasan's PE license on probation is a
12 disciplinary action or sanction related to the practice of engineering, Hasan was required to
13 report it.
- 14 2. Because the Missouri Settlement Agreement was entered on January 4, 2016, *former* OAR
15 820-020-0045(4) (2006) applied.
- 16 3. Because Hasan did not report his Missouri PE license discipline to the Board immediately, he
17 violated *former* OAR 820-020-0045(4) (2006).
- 18 4. The conduct described above is the basis for discipline under ORS 672.325. Pursuant to
19 672.325(1), the Agency may impose a maximum civil penalty of \$1,000 per violation.

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22 ¹ Effective May 9, 2019, OAR 820-020-0045(4) currently reads: "An applicant or registrant must give written
notification to the Board of any disciplinary action or sanction related to the practice of engineering, land surveying,
or photogrammetric mapping imposed by any licensing agency within 45- days of the final order being issued."


23 Had Hasan been subject to the current rule, he would still be in violation because more than 45 days passed without
him having reported the Missouri discipline.

1 **ORDER**

2 For the reasons above, the Board HEREBY assesses a **\$1000 civil penalty against Hasan** for
3 violating OAR 820-020-0045(4).

4 DATED this 8th day of September, 2020.

5
6 OREGON STATE BOARD OF EXAMINERS
FOR ENGINEERING AND LAND SURVEYING

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8 
9 Daren L. Cone, PE, PLS, President
Oregon State Board of Examiners for
Engineering and Land Surveying

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11 **NOTICE**

12 Civil penalties, if unpaid, may be recorded and filed with the county clerks as liens against
13 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.

14 **APPEAL RIGHTS**

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