

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

3 In the Matter of:
4 IRA ALAN MARTIN

Case No. X0086
FINAL ORDER BY DEFAULT

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6 On or about April 27, 2021, the Oregon State Board of Examiners for Engineering and
7 Land Surveying (Board) properly served a Notice of Intent to Assess a Civil Penalty (Notice) on
8 Ira Alan Martin (Martin). The Notice assessed a civil penalty in the amount of \$2000, and it
9 designated the Board file on this matter as the record for purposes of establishing a *prima facie*
10 case upon default. Martin did not request a hearing. Therefore, upon consideration of the facts
11 and law, the Board enters the following Order:

12 **FINDINGS OF FACT AND ULTIMATE FACTS**

- 13 1. Martin was a licensed professional engineer (PE) in Oregon, license no. 72237PE, issued on
14 November 20, 1998, expired on December 31, 2016, and currently in delinquent status.
- 15 2. On or about January 4, 2021, Martin created and stamped engineering drawings for a
16 residential structure in Wasco County, Oregon.
- 17 3. Martin provided stamped plans to a client, who in turn submitted the stamped plans to Wasco
18 County Building Codes Division.
- 19 4. Martin’s stamped plans included four pages, each stamped with Martin’s seal bearing an
20 invalid expiration date of “10/21.”
- 21 5. Engineering drawings are a professional report.

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1 **APPLICABLE LAW**

- 2 1. ORS 672.020(1) provides that in order to safeguard life, health and property, no person shall
3 practice or offer to practice engineering in this state unless the person is registered and has a
4 valid certificate to practice engineering issued under ORS 670.002.
- 5 2. OAR 820-020-0025(1) provides that registrants and applicants must be objective and truthful
6 and include all relevant and pertinent information in all professional reports, statements or
7 testimony, applications for registration and enrollment as an intern, and references on
8 applications for registration and enrollment.
- 9 3. Under ORS 672.325(1), the Board may impose a civil penalty of up to \$1,000 per violation
10 without amending its Notice.

11 **CONCLUSIONS OF LAW**

- 12 1. Because Martin allowed his Oregon engineering licensure to expire he is not licensed to
13 practice in Oregon.
- 14 2. Because Martin stamped and signed engineering drawings for a client for a residential
15 structure in Wasco County, Oregon, he practiced engineering without a license and thus
16 violated ORS 672.020(1).
- 17 3. Because Martin wrote a date on his stamp to read “10/21” when his license had in fact
18 expired in December, 2016, and because the engineering drawings are a professional report,
19 Martin was not truthful in a professional report and therefore violated OAR 820-020-
20 0025(1).

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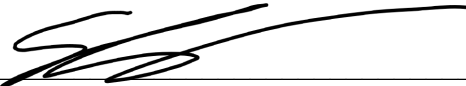
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ORDER

For his violations of ORS 672.020(1) and OAR 820-020-0025(1) as detailed above, the Board
HEREBY assesses a \$2000 civil penalty against Martin.

DATED this 13 day of July, 2021.


Sean W. St. Clair, PE, President
Oregon State Board of Examiners for
Engineering and Land Surveying

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.