

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

In the Matter of:

KAVEH DOLATABADY


Case No. 2023-5

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 because Kaveh Dolatabady certified a Mechanical Compliance Certificate for another for a project in Oregon without holding a valid professional engineer's license, he violated both ORS 672.020(1) and ORS 672.045(1). Additionally, because Dolatabady did not hold a valid professional engineer's license in Oregon on or about March 21, 2022, at the time he applied his signature and expired professional engineer seal to the Mechanical Compliance Certificate, he falsely represented that he was authorized to practice engineering and thus violated ORS 672.045(2).

IT IS HEREBY ORDERED that pursuant to ORS 672.325 and ORS 183.745, the Board assesses Dolatabady a civil penalty of \$1,000, to be paid in 10 consecutive, monthly payments of \$100 each, payments to be received at the OSBEELS office no later than the first day of the month they are due, first payment due August 1, 2023.

DATED this 11TH day of July, 2023.


H. Timothy Fassbender, PLS, CWRE, President
Oregon State Board of Examiners for
Engineering and Land Surveying

1 **SETTLEMENT AGREEMENT**

2 The Board, by and through its President, H. Timothy Fassbender, PLS, CWRE, and
3 Kaveh Dolatabady (Dolatabady), do hereby agree and stipulate as follows:

- 4 1. The Board and Dolatabady agree to settle this matter in accordance with ORS 183.417(3).
- 5 2. Dolatabady was first registered as a professional engineer in Oregon on January 8, 2008
6 (License No. 80372PE). From December 31, 2011 to March 14, 2023, Dolatabady’s license
7 was expired due to failing to timely renew.
- 8 3. On or about March 21, 2022, Dolatabady certified a Mechanical Compliance Certificate for a
9 project in St. Helens, Oregon, by applying his signature and expired professional engineer
10 seal to the document.
- 11 4. On May 5, 2023, the Board issued a Notice of Intent to Assess Civil Penalty (Notice)
12 assessing Dolatabady a civil penalty of \$1,000. The Board charged Dolatabady with violating
13 ORS 672.020(1), ORS 672.045(1), and ORS 672.045(2) for certifying a Mechanical
14 Compliance Certificate for another for a project in Oregon without holding a valid
15 professional engineer’s license at the time of that project.
- 16 5. On June 8, 2023, the LEC and Dolatabady met in an informal conference to discuss a
17 settlement. Dolatabady and the LEC did not agree to settle this matter at that time.
- 18 6. On June 8, 2023, Dolatabady withdrew his request for an Administrative Hearing, and
19 OSBEELS and Dolatabady agreed to settle the matter at that time.
- 20 7. The Board finds and Dolatabady admits that Dolatabady certified a Mechanical Compliance
21 Certificate for a project in St. Helens, Oregon, by applying his signature and expired
22 professional engineer seal to the document when he did not have a valid license to do so. The
23 Board finds and Dolatabady admits that by engaging in the conduct above, Dolatabady
24 violated ORS 672.020(1), ORS 672.045(1), and ORS 672.045(2).
- 25 8. The Board and Dolatabady agree that, pursuant to ORS 672.325 and ORS 183.745 and for
26 the violations above, the Board assesses Dolatabady a civil penalty of \$1,000, to paid by

1 Dolatabady in 10, consecutive, monthly payments of \$100 each, with the first monthly
2 payment due no later than August 1, 2023, and subsequent monthly payments due on the first
3 day of the month they are due.

4 9. Payment shall be made to the “Oregon State Board of Examiners for Engineering and Land
5 Surveying,” and delivered or mailed to 670 Hawthorne Street SE, Suite 220, Salem, Oregon
6 97301.

7 10. The full \$1,000 civil penalty shall be paid no later than May 1, 2024.

8 11. If Dolatabady fails to pay any part of the civil penalty on its due date, the Board will assess a
9 9% interest rate on any unpaid balance, and the unpaid balance will become immediately
10 due.

11 12. Any violation of this order may result in further discipline.

12 13. The Final Order Incorporating Settlement Agreement sets forth the entire agreement of the
13 parties. Dolatabady agrees that the determination of any violation of this settlement
14 agreement is entirely within the Board’s discretion.

15 14. Dolatabady understands and acknowledges that the Final Order Incorporating Settlement
16 Agreement is a public record and may be disclosed in accordance with Oregon’s public
17 records law.

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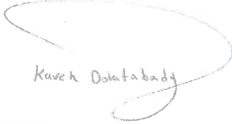
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1 15. Dolatabady represents that he has carefully read this Settlement Agreement, understands the
2 intent and content of the document, and signs below of his own free will, without coercion or
3 duress. Dolatabady understands this Settlement Agreement is a Final Order and he hereby
4 waives any and all rights to judicial review, or to otherwise appeal or challenge this
5 Settlement Agreement.

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8 Kaveh Dolatabady

06/16/2023

Date

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10 H. Timothy Fassbender, PLS, CWRE, President
11 Oregon State Board of Examiners
12 for Engineering and Land Surveying

7-11-23

Date