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

In	the	Matter	of.
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Case No. 2023-26

Timothy Wolden

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 Wolden created calculations for the High Life Project in Oregon, which were created for another; required engineering education, training, and experience; were connected with a structure or building; and required the application of special knowledge of the mathematical, physical, and engineering sciences to an original work for consultation, evaluation, planning, and design, Wolden's calculations for the High Life Project were the practice of engineering as defined in ORS 672.005(1). Additionally, because Wolden created the calculations for the High Life Project, he engaged in the practice of engineering. Because Wolden engaged in the practice of engineering without being registered or having a valid certificate to practice engineering, Wolden violated ORS 672.020(1).

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1	IT IS HEREBY ORDERED that pursuant to ORS 672.325 and ORS 183.745, the Board		
2	assesses Wolden a civil penalty of \$1,000, to be paid in five (5) consecutive, monthly payments		
3	of \$200 each, payments to be received at the OSBEELS office no later than the first day of the		
4	month they are due, first payment due June 1, 2024.		
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6	DATED thisiday of May, 2024.		
7	A. For Well		
8	H. Timothy Fassbender, PLS, CWRE, President		
9	Oregon State Board of Examiners for Engineering and Land Surveying		
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## SETTLEMENT AGREEMENT

- The Board, by and through its President, H. Timothy Fassbender, PLS, CWRE, and
- 3 Timothy Wolden (Wolden), do hereby agree and stipulate as follows:
- 4 1. The Board and Wolden agree to settle this matter in accordance with ORS 183.417(3).
- 5 2. At all relevant times, Wolden was not registered or licensed in any capacity under the
- 6 Board's authority to engage in the professional practice of engineering in Oregon.
- 7 3. On or about July 2023, Wolden created engineering calculations for a client for a High Life
- 8 Pavilion project in Warrenton, Oregon (High Life Project).
- 9 4. On or about October 2023, these calculations were submitted to Clatsop County as part of the
- review and permitting process for the High Life Project.
- 11 5. On February 22, 2024, the Board issued a Notice of Intent to Assess Civil Penalty (Notice)
- assessing Wolden a civil penalty of \$1,000 for violating ORS 672.020(1).
- 13 6. On March 4, 2024, Wolden submitted to OSBEELS a request to settle this matter through a
- 14 payment plan.

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- 15 7. The Board finds and Wolden admits that Wolden created calculations for the High Life
- Project in Oregon, which were created for another; required engineering education, training.
- and experience; were connected with a structure or building; and required the application of
- special knowledge of the mathematical, physical, and engineering sciences to an original
- work for consultation, evaluation, planning, and design, Wolden's calculations for the High
- Life Project were the practice of engineering as defined in ORS 672.005(1). Additionally,
- because Wolden created the calculations for the High Life Project, he engaged in the practice
- of engineering. The Board finds and Wolden admits that by engaging in the conduct above,
- 23 Wolden violated ORS 672.020(1), ORS 672.045(1).
- 24 8. The Board and Wolden agree that, pursuant to ORS 672.325 and ORS 183.745 and for the
- violations above, the Board assesses Wolden a civil penalty of \$1,000, to paid by Wolden in
- 26 five (5), consecutive, monthly payments of \$200 each, with the first monthly payment due no

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1 later than June 1, 2024, and subsequent monthly payments due on the first day of the month 2 they are due. 9. Payment shall be made to the "Oregon State Board of Examiners for Engineering and Land 3 4 Surveying," and delivered or mailed to 670 Hawthorne Street SE, Suite 220, Salem, Oregon 5 97301. 6 10. The full \$1,000 civil penalty shall be paid no later than October 1, 2024. 7 11. If Wolden fails to pay any part of the civil penalty on its due date, the Board will assess a 9% 8 interest rate on any unpaid balance, and the unpaid balance will become immediately due. 12. Any violation of this order may result in further discipline. 9 10 13. The Final Order Incorporating Settlement Agreement sets forth the entire agreement of the 11 parties. Wolden agrees that the determination of any violation of this settlement agreement is 12 entirely within the Board's discretion. 13 14. Wolden understands and acknowledges that the Final Order Incorporating Settlement 14 Agreement is a public record and may be disclosed in accordance with Oregon's public 15 records law. 16 15. Wolden represents that he has carefully read this Settlement Agreement, understands the 17 intent and content of the document, and signs below of his own free will, without coercion or 18 duress. Wolden understands this Settlement Agreement is a Final Order and he hereby 19 waives any and all rights to judicial review, or to otherwise appeal or challenge this 20 Settlement Agreement. 21 22 Timothy Wolden 23 24 25 H. Timoth Tassbender, PLS, CWRE, President Oregon State Board of Examiners 26 for Engineering and Land Surveying

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