





1 map within 45 days, the surveyor shall, within 45 days of establishing or  
2 reestablishing a boundary monument, provide written notice to the county surveyor  
3 containing the reasons for the delay, an estimate of the amount of time reasonably  
4 necessary to complete the survey but not exceeding 180 days, and a temporary map  
5 showing the position of monuments established or reestablished.

### 6 CONCLUSIONS OF LAW

- 7 1. Loomis submitted a survey, to Lincoln County Surveyor's Office that failed to have  
8 the monuments set as annotated on the survey, thus violating ORS 92.050(1).
- 9 2. A monument set by Loomis was 2.47 feet out of position as described on the survey,  
10 thus violating ORS 92.060(4).
- 11 3. A monument not of record, on the survey, was set by Loomis, on or about April 6,  
12 2024. This monument has been in the ground over 45days, without being recorded,  
13 thus violating ORS 209.250(1).
- 14 4. The conduct described above is the basis for discipline under ORS 672.325. Pursuant  
15 to 672.325(1), the Board may impose a maximum civil penalty of \$1,000 per  
16 violation. The Board proposes to assess a civil penalty of \$1000 for one violation  
17 each of ORS 92.050(1), ORS 92.060(4) & ORS 209.250(1), for a total proposed civil  
18 penalty of \$3000.

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1 **ORDER**

2 For the reasons above, the Board HEREBY imposes a \$3000 civil penalty against Loomis for  
3 one violation each of ORS 92.050(1), ORS 92.060(4) & ORS 209.250(1).

4 DATED this 12 day of November, 2024.

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6   
7 Tim Fassbender, PLS, CWRE, President  
8 Oregon State Board of Examiners for  
Engineering and Land Surveying

9 **NOTICE**

10 Civil penalties, if unpaid, may be recorded and filed with the county clerks as liens against  
11 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.

12 **APPEAL RIGHTS**

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