



**TENNESSEE BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243
615.741.2241**

Board Meeting Minutes for April 2, 2026
First Floor Conference Room 1-A
Davy Crockett Tower

Tennessee Board of Architectural and Engineering Examiners met on April 2, 2026, and the following business was transacted:

BOARD MEMBERS PRESENT: Frank Wagster, Jeff Nalley, Philip Lim, Brian Tibbs, Rick Thompson, Melanie Doss, Blair Parker, Jason Carder, Dr. Ashraf Elsayed, James Collins, Eddie Jett, Alton Hethcoat

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Glenn Kopchak, Laura Martin, Ariel Carter, Joseph Kennedy, Melanie Holcomb, Alexandria Griffey, Tammy Roehrich, Ashley Byrd

COMMITTEE MEETINGS

ENGINEER COMMITTEE

CALL TO ORDER/ROLL CALL

James Collins called the meeting to order at 9:00 am, and Director Glenn Kopchak took roll call.

DESIGN DELIVERABLES PRESENTATION

Jennifer Lloyd, Design Director for TDOT, presented an overview of TDOT's design deliverables and ongoing transition from traditional 2D plan production to 3D modeling and digital project delivery.

Ms. Lloyd explained that TDOT has long-used Bentley products and is now placing greater emphasis on model-based design, including roadway geometry, drainage, utilities, and related design elements within a single digital environment.

The presentation focused on how 3D modeling improves visualization, coordination, and constructability review. Ms. Lloyd described the value of model-based workflows for identifying conflicts earlier in the design process, improving communication across disciplines, and supporting

contractor use of digital information in the field. She also discussed the amount of training and standardization required for successful implementation and the need for consultants, contractors, and TDOT staff to remain aligned as the technology continues to develop.

Committee members asked questions regarding contractor reliance on the model, the relationship between the model and sealed plan sheets, engineer responsibility for digital deliverables, and how liability and quality control are addressed as model use expands. Discussion also included the growing use of machine control and the importance of clearly defining how digital design information is used during construction.

NEW BUSINESS

The committee discussed ways to improve efficiency in handling complaints. Members discussed adopting use of a consent agenda or prior deliberation in committee before the full board meeting.

BYLAWS COMMITTEE

CALL TO ORDER / ROLL CALL / NOTICE OF MEETING

James Collins called the meeting to order at 10:00 am and Director Glenn Kopchak took roll call.

REVIEW

The Committee reviewed the Board's existing bylaws and discussed the need for updates that ensure conformity to statute and the elimination of committees that are no longer necessary. James Collins will draft a work product for discussion at a future meeting.

NEW BUSINESS

No new business was presented.

BOARD MEETING

CALL TO ORDER / ROLL CALL / NOTICE OF MEETING

Frank Wagster called the meeting to order at 10:30 am and Director Glenn Kopchak took roll call.

ANNOUNCEMENTS

Director Glenn Kopchak introduced Joseph Kennedy as the new Associate General Counsel. Director Kopchak also announced that the Retrospective Rules, which included definitions, were approved and will be effective June 3, 2026.

AGENDA

Alton Hethcoat made a motion to approve the agenda with two amendments: to add "Grant Guidelines" after the NCARB Regional Summit Update and to add an "Application Review" following the Legal Case Report. This was seconded by Dr. Ashraf ElSayed. The motion passed by unanimous voice vote.

FEBRUARY MINUTES

Brian Tibbs made a motion to adopt the February minutes. This was seconded by Jason Carder. The motion passed by unanimous voice vote.

PROFESSIONAL SOCIETY REPORTS

Allie Bierman and Hannah Finch, representing American Society of Interior Designers (ASID) and International Interior Design Association (IIDA), announced updates for the organizations to include upcoming monthly meetings and events. They further reported that emergency consortium funding had been obtained to retain a lobbyist and that an amendment submitted for SB2224/HB2530 which removes interior design deregulation was being tracked. If passed with the amendment, interior design will remain regulated under the Board.

DIRECTOR'S REPORT

Budget Report

Director Kopchak presented the financial report for December through February, noting an increase under "Other" and "Technology" line items were attributable to grant disbursements, with one remaining payment delayed due to a vendor maintenance issue that was expected to be resolved and a technology related admin cost back associated with the Division's CORE cloud hosting services.

NCARB Regional Summit update

Board members who attended the NCARB Regional Summit provided an update on NCARB Region 3 discussions. Members noted that Tennessee's current board structure and the ongoing discussion regarding potential interior design deregulation under SB2224/HB2530 generated interest and discussion among the regional participants.

GRANT GUIDELINES

Alton Hethcoat made a motion to approve the grant guidelines as amended, with an additional amendment to include listing "professors" in the first paragraph when referencing "examination fees". This was seconded by Blair Parker. The motion passed by unanimous voice vote.

The board recessed for a 10-Minute Break

LEGAL

Legal Report (presented by Laura Martin, Joseph Kennedy, & Aerial Carter)

1. 2025037701 (TB)

First Licensed: 04/01/2019

Expiration: 07/31/2027

Type of License: Professional Engineer

History (5 yrs.): None.

Reviewed by Board member: Eddie Jett

During the reapplication process, Respondent answered “yes” when asked if they had worked in Tennessee since their license expired. Respondent’s registration was that of an A&E Engineer.

Respondent was unlicensed from May 1, 2023, through July 2, 2025, for approximately twenty-six (26) months.

Response: Respondent stated in June of 2022 they started a preliminary project. The final architectural drawings were provided in June of 2023, and the final engineering was completed in November of 2023. Respondent stated the project consisted of three (3) buildings containing a total of eighteen (18) units of four (4) story wood-framed townhomes. Respondent indicated they performed “structural, mechanical, plumbing and electrical engineering for these units.” Respondent stated at the time they were unaware their license had expired and only became aware when they went to renew in 2025. Respondent stated based on their review of the emails and the timeframe, it’s unclear why the process for renewal was not completed in 2023 other than a noted address change. Respondent also attached a pocket license to practice engineering in North Carolina and also provided all continuing education logs/certificates.

In short, Respondent went approximately twenty-six (26) months ranging from May 2023 through July 2025 with an expired A&E Engineer Registration due to purportedly not receiving the mailed notice due to an address change. Respondent worked on a project consisting of three (3) buildings with a total of eighteen (18) units

Mitigating Factors: Self-Report

Aggravating Factors:

Recommendation: \$4,000.00 civil penalty related to the violation of unlicensed practice and Respondent must take and pass the laws and rules exam.

Board Decision: Concur.

2. 2025042151 (TB)

First Licensed: 09/23/1985

Expiration: 07/31/2027

Type of License: Professional Engineer

History (5 yrs.): None.

Reviewed by Board member: James Collins

During the reapplication process, Respondent answered “yes” when asked if they had worked in Tennessee since their license expired. Respondent’s registration was that of a Professional Engineer.

Response: Respondent indicated that they had been licensed in Tennessee for 39 years as of the date of the expiration and that they had not had any registration related issues prior to this incident.

Respondent stated when they were made aware of the expiration they contacted a staff member and were told that a notification had been mailed in April 2023 indicating that the registration would expire in May of 2023. Respondent stated that they did not receive the letter, were unaware that their license was set to expire, and were unaware that for the last twenty-six (26) months they had been working on an expired registration. Respondent further provided that they are seventy-four (74) years old and have been retired for seven (7) years and that during their retirement they have worked about two (2) days per week primarily in the role of operational guidance to municipal and industrial wastewater treatment plants and to provide advice to treatment facilities to help them operate more efficiently. Respondent stated, "I have visited several wastewater treatment plants and provided wastewater training and operational guidance in the last year." Respondent reiterated that failing to renew the license in May of 2023 was unintentional and was the first incident of its kind since becoming licensed in 1984

Summary: Respondent went approximately twenty-six (26) months ranging from May 2023 through July 2025 with an expired Professional Engineer Registration due to purportedly not receiving the mailed notice indicating that expiration of the registration was approaching in April of 2023.

Mitigating Factors: Respondent is retired and has not prepared any plans during the time his license was expired. Respondent self reported the expiration and immediately took action to renew his license once he was aware. Respondent does not have any prior history of discipline.

Aggravating Factors:

Recommendation: \$1,000.00 civil penalty related to the violation of unlicensed practice. Further, Respondent must take and pass the laws and rules exam.

Board Decision: Concur.

3. 2025050621 (TB)

First Licensed: 03/29/2017

Expiration: 03/31/2024

Type of License: Professional Architect

History (5 yrs.): None.

Reviewed by Board member: Rick Thompson

Respondent, a licensed professional architect, had sealed plumbing and mechanical design drawings as part of a "Building HVAC Updates" project. Complainant included these drawings as an attachment to their complaint.

Respondent replied through legal counsel indicating that all design work related to the project was performed by properly licensed professionals. Respondent stated with regard to the mechanical and plumbing design scope, all such design was originally performed by a properly licensed mechanical engineer employed at an engineering firm. However, the employee overseeing these plans left

employment at the firm and thus an outside mechanical/plumbing consulting engineer was hired to complete the necessary design work, inclusive of reviewing, altering, and approving the final MEP design for the project. However, when the project design was issued for bid advertisement, the seal of Respondent was applied to the two MEP drawings identified in the complaint. Respondent clarified that Respondent was the project architect and principal designer supporting the overall design of the project while other licensed professionals from the engineering served as the electrical engineer and project manager and the MEP design was completed by the third party. Respondent stated that ultimately the third party continued to provide design drawings by its mechanical engineer and that all of these design plans were replaced in the full set of project drawings, but the two (2) sheets attached to the complaint were overlooked. However, although Respondent states that they did not perform any design services for MEP scope or otherwise perform design beyond their professional expertise or scope of the professional license, Respondent's counsel does provide, "[Respondent's] stamp was placed on the noted mechanical drawing sheets," and that "although [Respondent's] stamp appears on the two drawings noted, such was a mistake."

Complainant submitted a rebuttal stating that their complaint did not involve any amended documents, but focused on documents submitted by Respondent for review and approval. Complainant attached a copy of the drawings as approved which included Respondent's stamp on five (5) plumbing drawings as well as sixteen (16) mechanical drawings. Complainant stated it was irrelevant whether the third party provided subsequent modifications as it would not replace these drawings. Complainant attached additional drawings to the rebuttal.

Mitigating Factors:

Aggravating Factors:

Recommendation: \$15,750.00 civil penalty (represented as a \$750.00 civil penalty for the five (5) plumbing drawings and the sixteen (16) mechanical drawings stamped by Respondent) in violation of Rule 0120-02-.03(3). Further, Respondent must take and pass the laws and rules exam.

Board Decision: Concur.

4. 2025007011 (TB)

First Licensed: 04/01/2013

Expiration: 04/30/2027

Type of License: Professional Engineer

History (5 yrs.): 2024 – One complaint closed with letter of warning for reported discipline by another state's licensing board. 2020 – One complaint closed with letter of warning for reported discipline by another state's licensing board.

Respondent stated they are an officer and employee of an engineering firm and that they, individually, hold professional engineering licenses in 41 states, including Wyoming. Respondent stated they have been licensed in Wyoming since June 11, 2012. Respondent explained that between September 2015 to 2022, while holding a valid personal license in Wyoming, the engineering firm provided professional

services in Wyoming for twelve (12) projects. Respondent stated that while he personally held proper Wyoming licensure, he was unaware that Wyoming also required the engineering firm to hold a Business Entity License which was then obtained on September 13, 2024. As a result of conducting twelve (12) projects without the proper Business Entity License, the Wyoming Board stipulated to formal discipline that required the engineering firm to have its new Business Entity License reprimanded and a civil penalty of \$1,200.00 assessed. Additionally, Respondent individually was determined to be at fault for failing to ensure that the firm had proper business licensure. Wyoming stayed the informal reprimand against Respondent's personal license for six (6) months and the stay became permanent once Respondent took and passed Wyoming's Laws and Ethics exam and completed three (3) hours of continuing education in ethics. Respondent stated they anticipated those requirements would be complete within the next few weeks (this letter was authored on February 5, 2025).

Respondent reiterated that both forms of discipline occurred because the engineering firm did not have a proper Business Entity License as required by Wyoming, but that the reprimands did not include findings that Respondent had failed to apply the appropriate technical knowledge and skill, or that the work performed had fallen below professional standards.

Respondent stated the firm has since paid the civil penalty and that resolution against their personal license was anticipated to be resolved soon.

However, upon the Board Member's review, Respondent and the Business Entity's website implies that engineering services may be provided in Tennessee. While Respondent is properly licensed in Tennessee, the Business entity is not.

Reviewed by Board member: James Collins

Mitigating Factors: Self-Report

Aggravating Factors: Respondent, through their website, advertises that services may be provided in Tennessee despite the business entity not having appropriate Tennessee licensure.

Recommendation: Letter of Warning related to this complaint while a complaint is administratively opened against Respondent and the Business entity relating to the advertisement of engineering services without proper licensure.

Board Decision: Concur.

5. 2025030111 (ADM)

First Licensed: 03/24/2021

Expiration: 03/31/2025

Type of License: Professional Engineer

History (5 yrs.): None.

This is an administratively opened complaint, referred by the Board of Examiners for Land Surveyors

("BELS"). Respondent is a professional engineer and licensed in multiple jurisdictions. The original Complainant is a licensed land surveyor. Complainant alleges Respondent created multiple websites offering land surveying services in this state and throughout the nation. Complainant alleges Respondent has multiple businesses that include the name "land surveying" in the title. Complainant further alleges that Respondent contacted them, offering to give Complainant portions of Respondent's workload, and Respondent has also attempted to outsource to another individual located outside of the country. Lastly, Complainant alleges that Respondent offered to forward Complainant leads for work.

Respondent did not submit a response. Based on the information provided, it appears that Respondent also holds an engineering form license and is using it to advertise land surveying services in this state. Counsel for the BELS referred this matter to the Board due to possible failure to disclose reportable disciplinary action in 2023, 2024, and 2025 in three (3) separate states. Upon research, it appears that Respondent did report the 2023 disciplinary action for one (1) state upon application. However, Respondent failed to report the most recent disciplinary actions in 2024 and 2025, which included assessment revocation and of a civil penalty and license suspension, respectively. While Respondent's license expired on March 31, 2025, these disciplinary actions occurred in February of 2025, prior to license expiration.

Counsel recommends Respondent's license be revoked for violation of Tenn. Comp. R. & Regs. 0120-02-.07(5)(c) or failing to respond to the Board's requests and investigations within thirty (30) days of the mailing of communications and violations of Tenn. Comp. R. & Regs. 0120-02-.07(5)(b) or failing to report a license or certification of registration suspension because of a disciplinary proceeding to the Board within sixty (60) days of the action. Additionally, should Respondent reapply, Counsel recommends that, prior to reinstatement, Respondent be required to appear before the Board.

Reviewed by Board member: Eddie Jett

Mitigating Factors: None.

Aggravating Factors: Respondent did not answer the complaint, and Respondent failed to report disciplinary action from another jurisdiction. License revocation in a separate jurisdiction

Recommendation: Revocation for violations of Tenn. Comp. R. & Regs. 0120-02-.05(b) and Tenn. Comp. R. & Regs. 0120-02-.07(5)(c).

Board Decision: Concur.

6. 2025035051 (ADM)

First Licensed: 10/03/1992

Expiration: 11/30/2026

Type of License: Professional Engineer

History (5 yrs.): 2021 – One complaint closed with a letter of caution for failure to provide a clear scope of project to client.

Complainant is a Tennessee codes department. Respondent is a professional engineer. On or about November 11, 2024, Complainant issued a "stop work order" for work beyond the approved permit application. Complainant alleges Respondent submitted an incomplete engineer's letter stating the current phase of the single-family dwelling reconstruction and demolition was code-compliant. Specifically, the letter failed to include code reference and concerns over structural items, including foundation and framing. Complainant provides Respondent submitted an updated letter, which was later reviewed and found issues with the footer, lack of reinforcement, and demonstrated signs of cracking and settling. Additionally, Complainant provides that construction has continued, despite no building department inspection. Complainant closes by stating there are concerns of inadequate protection against dead/live load, seismic, and wind load. Lastly, Complainant states that Respondent informed the property owner that work could continue until the final inspection stage.

Respondent answered the complaint, stating they are working with local codes to address the site and that Respondent's recommendations have not been followed or implemented by the workers on the project. Respondent states they were unaware of the remaining concerns of Complainant until receipt of the complaint. In their response, Respondent contests Complainant's assertion that the original inspection contained compliance statements, instead insisting that more work was required, nor did anything need to be removed or undone. Respondent states they were making attempts to ensure the property was structurally safe, the work was ready to be approved, and that Respondent informed their clients they should contact Respondent when ready for further inspections. Respondent states they became aware of local codes concerns through the complaint process and had no knowledge of Complainant's digging/concerns of the footer. Also, Respondent mentions the foundation requirement is difficult to fulfill when the old house foundation does not make the new requirements practicable, hence Respondent's recommendation the water be drained. Respondent closes stating following the complaint Respondent has more concerns than before the joint visit as it appears the workers are not complying with the required inspections and have covered up items since Respondent's inspection.

Complainant submitted a rebuttal of an email sent to Respondent issuing a new "stop work order" until corrective action is submitted by Respondent and approved by Complainant. The areas mentioned in Complainant's email include structural, plumbing, mechanical, insulation, fire caulk/foam, exterior weatherization, and wooden deck construction. Complainant informed Respondent that once the matters are remedied, construction may resume per the inspection schedule. Based on the information provided, Counsel finds Respondent in violation of several rule provisions. Specifically, Counsel recommends a Five Hundred Dollar (\$500.00) civil penalty for violation of Tenn. Comp. R. & Regs. 0120-02-.02(1); Five Hundred Dollar (\$500.00) civil penalty for violation of Tenn. Comp. R. & Regs. 0120-02-.02(2); One Thousand Dollar (\$1,000.00) civil penalty for violation of Tenn. Comp. R. & Regs. 0120-02-.03(5); and take and pass the Laws and Rules examination.

Reviewed by Board member: Alton Hethcoat

Mitigating Factors: Respondent answered the complaint

Aggravating Factors: None.

Recommendation: Five Hundred Dollar (\$500.00) civil penalty for violation of Tenn. Comp. R. & Regs. 0120-02-.02(1); Five Hundred Dollar (\$500.00) civil penalty for violation of Tenn. Comp. R. &

Regs. 0120-02-.02(2); One Thousand Dollar (\$1,000.00) civil penalty for violation of Tenn. Comp. R. & Regs. 0120-02-.03(5); and take and pass the Laws and Rules examination.

Board Decision: Concur.

7. 2025063411 (KS)

First Licensed: N/A (Unlicensed)

Expiration: N/A

Type of License: Professional Engineer

History (5 yrs.): None.

Complainant alleges that a third party reached out to Complainant via text message on and notified Complainant that Respondent was trying to use Complainant's license number for structural engineering work through an online website called "upwork." Complainant does not know Respondent. The Complainant does not know the address or any contact information for the Respondent. This matter was sent out for investigation.

The investigator obtained an unsworn statement from the third part stating that he had a conversation with Respondent wherein Respondent told the third party that he was a licensed PE in Tennessee under the Complainant's License number. The third party subsequently reported the Respondent's account on the freelancer site. The investigator was unable to find or obtain contact information for the Respondent. The whereabouts of the Respondent are unknown.

Based upon the fact that the investigator was unable to gain substantial information about the Respondent's location or whereabouts, the Board should close.

Reviewed by Board member: James Collins

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Close and refer to the proper entity.

8. 2025029431 (KS)

First Licensed: N/A (Unlicensed)

Expiration: N/A

Type of License: Architectural Firm

History (5 yrs.): None.

Complainant alleges that the Respondent was the designer of several homes built that are structurally flawed with poor design. Complainant alleges the Respondent was not licensed or permitted to design

buildings over 2-floors in height. Complainant alleges that prior to purchasing the subject homes, the Complainant reviewed the building plans and Respondent's name with the appellation "Architectural Services" was printed on the blueprints and submitted on initial application for Residential Building. However, Complainant admits that the blueprints on other homes states that the Respondent is not a licensed architect.

The Respondent provided the Board with a response through its attorney. The Respondent denies entering into a contractually relationship with the Complainant. The Respondent acknowledges he contracted with a third party for general designs related to the subject Property in or before 2016, roughly a decade ago. The Respondent alleges that it has never claimed to be, or advertised himself as, an architect. However, Respondent acknowledges that prior to 2018, Respondent operated under the d/b/a name "[Respondent's name] Architectural Services." In 2017 Respondent changed his d/b/a name to "[Respondent's name] & Associates." Respondent has operated under this new name for the past eight years.

Reviewed by Board member: Rick Thompson.

Mitigating Factors: The Respondent disclosed that he was not a licensed architect and has since removed the "architectural" appellation from its name

Aggravating Factors:

Recommendation: Issue a cease and desist with respect to preparing plans and specification for any buildings and structures except for those listed under the exemptions in 62-2-102(b) until the Respondent becomes registered in Tennessee. Authorize formal charges for violations TCA 62-2-102 (a)(using an appellation that gives the impression that Respondent is an Architect) and TCA 62-2-102 (b)(preparing plans and specifications for a building greater than two stories in height) and assess a civil penalty of \$1,000 by consent order.

Board Decision: Concur.

9. 2025017601 (KS)

First Licensed: N/A (Unlicensed)

Expiration: N/A

Type of License: Engineering Firm

History (5 yrs.): None.

Complainant alleges it performed a website search and found the Respondent advertising electrical engineering. Complainant then searched TN.gov and found no A&E firm registration for Respondent's company. This matter was sent out for investigation. The owner of Respondent's company provided the State's investigator with a sworn statement Respondent's company operates as a DBA under an engineering firm that is registered with the Board. Respondent states that all engineering contracts initiated through Respondent's company are conducted under the registered engineering firm, which includes contracts. Insurance coverage, invoicing, and payment processing. The Respondent stated that he is the owner of both the engineering firm and Respondent's company and is the registered

engineer of record for the engineering firm. Although the engineering firm is registered with the Board, Respondent's company is not.

Reviewed by Board member: Eddie Jett

Mitigating Factors:

Aggravating Factors:

Recommendation: Issue a cease and desist order to the respondent to immediately and forever stop advertising engineering services under the firm name which is not registered until the Respondent registers the firm name. Authorize formal charges for violations of Tenn. Code Ann. 62-2-601(b)(failure of firm to file a disclosure form with the board) assess a civil penalty of \$1,000 by consent order.

Board Decision: Concur.

10. 2025037511 (KS)

First Licensed: 06/08/2011

Expiration: 07/31/2027

Type of License: Professional Engineer

History (5 yrs.): None.

This is an administrative Complaint that was opened by the Board based upon Respondent's reapplication. The Respondent's license had previously expired on June 30, 2023. On the Reapplication, Respondent was asked if he had worked on his license since it has been expired. The Respondent answered "yes" to this question. This matter was sent out for investigation to determine how many projects Respondent had worked on while the license was on expired status. The Respondent was cooperative with the investigator and provided the investigator with a sworn statement. In this statement, Respondent stated that when his application was submitted he erroneously indicated that he had practiced engineering in Tennessee or worked with the public in the profession during the expired period of his license.

In its sworn statement, the Respondent denied that he worked on any projects in Tennessee for the time period of June 30, 2023-July 1, 2025 (while the license was on expired status). Respondent also denied that he has held himself out as a Professional Engineer in the State of Tennessee during that time period.

Respondent stated that he did not live, work, or perform any professional engineering activities in Tennessee for during the time the license was on expired status. Respondent relocated to Mississippi, in early 2023 and resided and worked exclusively in Mississippi since then. Respondent did, however, work as a preconstruction manager for a separate company in the State of Mississippi.

Reviewed by Board member: Alton Hethcoat.

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

11. 2024067961 (JK)

First Licensed: 09/15/2015

Expiration: N/A

Type of License: Engineer Intern

History (5 yrs.): None.

Complainant is a past HOA president and current resident of an apartment community of approximately 30 units. Complainant states that the community's property manager, through the HOA, engaged a company to conduct a "Building Evaluation and Reserve Fund Study" and provide a report regarding future maintenance and repair obligations to determine a capital needs projection. Complainant provided written notice to the HOA and fellow homeowners highlighting items that Complainant believed (i) were already accomplished, resulting in over \$50,000 of costs forecasts and (ii) some are "excessive" at this time and should be inspected, touched up, or covered by warranty. Complainant offered to provide his findings with the preparer of the report.

Respondent is an employee of a property advisory company that provides reserve study services for homeowners' associations. The company specifically does not work directly with individual homeowners. Respondent states that he performed his work in accordance with the terms of the agreement between the company and the HOA. Respondent states that the company coordinated with the community's HOA, made 3 revisions to the report, and submitted the final report to the HOA on August 26, 2024. Respondent acknowledges reviewing the letter and discussing the concerns raised by the Complainant, and Respondent disagrees with the methodology by which the Complainant has determined the costs savings and Respondent states that some of the "excessive" items identified by Complainant are commonly included in a proper reserve study.

Respondent provided a letter dated January 23, 2025, wherein the community's HOA addressed the complaint submitted by Complainant, and the HOA stated that they "were very pleased with the [Respondent] and will be utilizing them in the future."

Reviewed by Board member: Ashraf Elsayed

Mitigating Factors:

Aggravating Factors:

Recommendation: Close. This is a dispute between an individual homeowner and the homeowner's association.

Board Decision: Concur.

12. 2025031801 (JK)**First Licensed: 08/10/2023****Expiration: 08/31/2025****Type of License: Professional Engineer****History (5 yrs.): None.**

Complainant is a licensed public adjuster hired by a homeowner following storm damage to a home, and Respondent is a licensed PE that was hired to inspect the home following storm damage. Complainant states that the home pressurized during the storm when the front doors blew open, water entered the home, and the storm caused drywall dust to fall with fractures, cracks, and nail pops. Complainant stated that Respondent was to treat Complainant as the main contact for the project, but Respondent arrived over an hour early without notice to Complainant. Complainant states the homeowner was present for the exterior inspection, but Respondent only questioned whether there were damages inside the home and Respondent did not collect "any standard and necessary background information such as the dwelling history, a timeline of events surrounding the loss, descriptions of observed damages, or whether any temporary repairs had been performed." Complainant states it was unable to be in attendance for the full exterior inspection due to the early arrival, and Complainant states the interior inspection was limited to approximately 10 minutes, lacked any meaningful interaction with the damaged elements, and that Respondent spent "roughly 30 seconds per room on average." Complainant states that Respondent took photos of damage, but that such photos were "broad overviews lacking sufficient detail to capture the condition or damage on the property." Complainant states that a subsequent inspection with a different organization lasted 5 hours covering the exterior and 20 interior rooms. Complainant states that Respondent "refused to accept additional information regarding fallen trees on the property during the storm." Complainant states that it is concerned that the report prepared by Respondent was not conducted with diligence, accuracy, or professionalism.

Respondent states this complaint is unjustified and without merit. Respondent states that it was not under any agreement to meet with the Complainant at the property, and Respondent performs inspections "independently of any outside influence so as to obtain unbiased information and form an objective opinion, which is standard procedure in the Forensic Engineering Profession." Respondent states that the homeowner was asked about interior damages "in a manner that is consistent with residential inspection standards." Respondent stated that the timeline of events was reviewed prior to Respondent's arrival at the home. Respondent states that a third-party was used to assess the roof and provide photos of the roof's conditions which were included in the report prepared by Respondent. Respondent stated that over his career he has "developed the expertise to be able to determine the extent and authenticity of the alleged damages as presented by plaintiffs, insured, and code officials." Respondent specifically refutes Complainant's claim that the home "pressurized" and states that there was no scientific basis or other evidence to support this claim, nor was data for the pressure or differential pressure taken or provided to substantiate Complainant's claims.

Following Respondent's response to the complaint, Complainant concedes that no formal agreement existed for Complainant and Respondent to be on-site simultaneously; however, Complainant states that the failure to contact Complainant "limited the accuracy and completeness" of Respondent's evaluation. Complainant states that trees had fallen during the storm and damaged the fence and detached garage, and the trees were removed prior to Respondent's inspection. Complainant states

that Respondent's report failed to mention the impacts of the trees in the report. Complainant states Respondent was informed that "the insured temporarily bent back a creased metal panel on the carport to mitigate further damage after the storm" and that the homeowner's insurer "previously acknowledged tree impacts to the roof in three locations. However, Complainant states that Respondent's report concluded "There was no weather-related damage to the metal roof panels" which Complainant states is "demonstrably inaccurate based on visual evidence and prior acknowledgements by the carrier." Complainant states that pressure differential data was not submitted to Respondent in advance. Complainant had documentation available at the time of the inspection but was not provided an opportunity to present it. Complainant states that the homeowner has independently retained an engineer, and such engineer's findings "directly contradict the majority of [Respondent's] conclusions and opinions."

Comparison of the Respondent's report (the "First Report") and the report provided by the Complainant on behalf of the homeowner prepared by an independent licensed engineer (the "Second Report") shows that there was not a comprehensive effort made during the Respondent's investigation when compared with the level and depth of detail provided in the Second Report. The photos contained in the Respondent's First Report were mostly taken at some distance from the actual exterior of the structure and of the interior walls, ceilings, floors, etc., with very few interior photos. The Respondent asked the property owner whether there was interior damage, which is concerning given that an interior inspection should have been a critical part of any inspection following a claim for damage due to a storm event. Although the insurance company had already acknowledged that there was damage to the property as a result of the storm event, the Respondent spent approximately ten minutes on the interior inspection of the house for the inspection of approximately twenty rooms. For comparison, Complainant's own records included over 300 pictures, many of which were taken from much more comprehensive and "close-up" perspectives than those in the First Report.

Additionally, although the Complainant offered to provide the Respondent with their findings and all of the supporting data and information, the Respondent refused to accept any information from either the Complainant or the property owner, and would not review the property with the Complainant present. The Complainant did accompany the Respondent during the Respondent's interior inspection of the house, and the Complainant noted that the Respondent did not closely inspect the windows, did not assess or measure any drywall cracks, and declined to acknowledge or take census on the numerous nail pops or other signs of damage typically associated with pressurization damage caused by the storm event.

In response to the Complaint, Respondent stated that as a result of Respondent's thirty years of experience, Respondent felt that they had developed the expertise to determine the authenticity of the information presented by plaintiffs, insureds, and code officials. Respondent's statements raise concerns as it implies that Respondent may make determinations of whether someone is telling the truth, when only the actual evidence should determine the truth.

Reviewed by Board member: Alton Hethcoat

Mitigating Factors:

Aggravating Factors:

Recommendation: There is sufficient evidence to find that Respondent did not exercise due diligence and is in violation of Rules 0120-02-.02 (1), Proper Conduct of Practice; 0120-02-.03 (5), Service in Areas of Competence and Professional Conduct; 0120-02-.03 (6)(a), Service in Areas of Competence; and 0120-02-.04 (1), Professional Conduct; and therefore, it is recommended to impose a civil penalty in the amount of \$2,000 for the violations and require Respondent to take and pass the Law and Rules examination.

Board Decision: Concur.

13. 2025033231 (JK)

First Licensed: 03/10/2007

Expiration: 03/31/2027

Type of License: Professional Engineer

History (5 yrs.): None.

These Complaints #13 (2025033231) and Complaint #14 (2025033201) are complaints submitted against the individual's license and the individual's firm license regarding related events.

Complainant is a former employee of the Respondent, and Complainant alleges that Respondent and company management engage in un-ethical and inappropriate behavior. Complainant raises specific concerns regarding projects in Alabama, Kentucky, Virginia, and Texas – Complainant does not include a project located in Tennessee. Complainant states that after raising concerns to Respondent including that Respondent's organization was changing documentation without proper review and approval, Complainant was terminated by Respondent.

Respondent provided a detailed response to the complaint, including reports related to the out-of-state projects in Alabama and Texas. Respondent disputes Complainant's assertions that Respondent and company management engage in un-ethical or inappropriate behavior.

Based on all the information, it does not appear that the Complaint contains any actionable behavior which would be subject to discipline of the Board.

Reviewed by Board member: Jason Carder

Mitigating Factors:

Aggravating Factors:

Recommendation: Close. The projects completed out of state have not been the subject of discipline by out-of-state governing bodies. The Board may choose to close and flag the complaint in the event of future out-of-state action.

Board Decision: Close and flag the complaint.

14. 2025033201 (JK)

First Licensed: 08/09/2009

Expiration: N/A

Type of License: Engineering Firm

History (5 yrs.): None.

These Complaint #17 (2025033231) and Complaint #18 (2025033201) are complaints submitted against the individual's license and the individual's firm license regarding related events.

Complainant is a former employee of the Respondent firm, and Complainant alleges that Respondent's employees submitted "controls submittals" that were rejected due to deficiencies. Complainant alleges that upon the rejection, review of the deficiencies revealed that the submission which had been reviewed and rejected was not the report which Complainant had worked on, and that the modified report was inadequate in meeting institutional healthcare occupancy requirements and building codes. Complainant states that the modified report was produced by two unlicensed individuals. Complainant states that the concerns regarding the replacement According to the documents attached to the complaint, the specific project raised by the Complainant in this Complaint are regarding a project in Alabama.

Respondent acknowledged the project being located in Alabama and states that the "project involved the replacement of a facility Air Handling Unit (AHU) whose operation was degraded." Respondent states that during the design phase, Respondent's engineering team specified a unit that required more control system inputs than were available from the facility's building automation system (BAS). Respondent acknowledges that the control submittals issued by the client were rejected by Respondent's engineering under the control of the Complainant because such submittals did not match the controls on the drawings. Respondent states that upon such discovery, Respondent directed Complainant to "revisit the controls and to reduce them to the minimums required to operate the unit on a temporary basis" until the BAS could be upgraded. Respondent stated that Complainant did provide a reduced list of controls, but Respondent states that such updates still exceeded the onsite infrastructure. Following Complainant's reduced list, Respondent states Complainant refused to find a temporary work around and Complainant removed itself from further discussions about the issue. Respondent states its director of projects did approve the limited work scope without involvement of Respondent's engineering department overseen by Complainant, and Respondent states the limited work scope was done to allow the unit to work on a temporary basis while Respondent and the project customer began to determine what changes were required for the BAS. Respondent states that Complainant "misconstrued the actions of the project management team as 'unethical' and 'not meeting building codes' when they were simply trying to provide the hospital a viable temporary solution until the permanent solution could be obtained."

The Board is not aware of any discipline or investigation of Respondent in regard to this project in Alabama, and Respondent has provided a change order which Respondent states contains signature approval from the project customer.

Based on all the information, it does not appear that the Complaint contains any actionable behavior which would be subject to discipline of the Board.

Reviewed by Board member: Jason Carder

Mitigating Factors:

Aggravating Factors:

Recommendation: Close. The projects completed out of state have not been the subject of discipline by out-of-state governing bodies. The Board may choose to close and flag the complaint in the event of future out-of-state action.

Board Decision: Close and flag the complaint.

15. 2026000561 (JK)

First Licensed: 06/04/2013

Expiration: 01/31/2028

Type of License: Professional Engineer

History (5 yrs.): None.

This complaint was opened administratively following Respondent's reapplication for a PE license where Respondent indicated that it had practiced the profession in Tennessee since its registration expired.

Respondent answered the complaint by stating that (1) Respondent believed the license renewal was on the calendar year schedule; (2) Respondent did not stamp any documents after discovery of the license expiration; and (3) Respondent has now updated its firm's information in Core to provide the correct address after a change in late 2023. Respondent has also implemented a process to track licenses of its firm to avoid this mistake again. Respondent's license expired June 30, 2025, and was renewed January 5, 2026.

Respondent states that two (2) projects were stamped (six (6) plan sheets total) during the time that the licensure was expired; however, Respondent states that these projects have not yet been constructed, and the stamps may be updated for reissuance.

Reviewed by Board member: James Collins

Mitigating Factors: Respondent self-reported performing unlicensed work and took immediate action to correct the violation once he became aware of the violation. It appears that this is an isolated incident which appears unlikely to be repeated by Respondent. Respondent responded to questions from the Board regarding the activities undertaken while Respondent's license was expired.

Aggravating Factors:

Recommendation: Assess a late fee of \$70 pursuant to Tenn. Comp. Rules and Reg. 0120-01-.25(4) (penalty fee for late renewal of \$10 for each month or fraction of a month which lapses during the six-month late renewal period before payment is tendered); impose a civil penalty in the

amount of \$2,000 for stamping two projects (total of six pages) while unlicensed pursuant to Tenn. Code Ann. § 62-2-105(b)(1) (potential penalty of \$500 to \$1,000 per each separate violation); and Respondent shall be required to take and pass the Law and Rules examination.

Board Decision: Concur.

16. 2026011511 (JK)

First Licensed: 04/20/2007

Expiration: 02/29/2028

Type of License: Interior Designer

History (5 yrs.): None.

This Complaint was opened administratively by the Board following Respondent's submission to renew licensure, and Respondent indicated that "Registered Interior Designer" was listed below Respondent's email signature following the expiration of Respondent's licensure. Respondent's licensure expired October 29, 2021, and was reinstated on February 20, 2026.

Reviewed by Board member: Melanie Doss

Mitigating Factors: Upon application for renewal, Respondent informed the Board of the usage of "Registered Interior Designer" while the licensure was expired.

Aggravating Factors: The designation was used for approximately 4 years and 3 months without licensure.

Recommendation: There is sufficient evidence to find that Respondent used the title of "registered interior designer" in violation of Tenn. Code Ann. § 62-2-903, and therefore, it is recommended to impose a civil penalty in the amount of \$500 for the violation.

Board Decision: Concur.

17. 2025073441 (AC)

First Licensed: 01/0/1993

Expiration: 06/30/2017

Type of License: Professional Architect

History (5 yrs.): None.

A complaint was submitted against the Respondent for unlicensed activity. They stated that the Respondent developed multiple structures that exceeded two (2) stories in height, which required a licensed professional

Additionally, the Respondent's business name was not registered with the state of Tennessee name included the word "design" and could imply that they were advertising as a registered Architect.

The Respondent stated that they prepared design drawings for a three-story residential structure at

the request of a builder. They stated that their involvement was limited to providing design and drafting services. At no time did they represent themselves as an Architect, Engineer, or any other licensed design professional. They stated that they didn't use any protected titles, nor did they apply or attempt to apply a professional seal to the drawings. The Respondent asserted that they didn't violate Tenn. Code Ann. § 62-2-101 because they didn't claim licensure, didn't imply licensure, and didn't submit any documents as "architectural" or "engineered" plans.

Furthermore, the Respondent stated that they met the exemption for registration under Tenn. Code Ann. § 62-2-102, which outlines the exemptions from registration. The Respondent wanted to clarify that they only provided design drawings, without any representation of professional licensure. They stated that they didn't submit any drawings to any permitting authority. The drawings sent to the builder were supposed to be given to an engineer for review and ultimately a stamp or seal. If the preliminary design drawings were created for permitting purposes by the builder, it was done independently, without their knowledge or authorization. They were assured by the builder that their drawings were given to a licensed engineer who reviewed the plans, made any necessary modifications, and provided the required professional seal. Therefore, all final construction documents were prepared, approved, and sealed by a properly licensed professional in accordance with Tennessee law.

Here, although the residential structure was less than five thousand square feet (5,000 sq. ft.) in total gross area, the structure was three (3) stories. Therefore, this exemption doesn't apply to the structure. Counsel recommends that the Respondent be assessed a civil penalty of Two Hundred and Fifty Dollars (\$250.00). for each page of the drawing that was submitted in the complaint for a total of \$4,500 (or \$250 for 18 drawings)

Reviewed by Board member: Brian Tibbs

Mitigating Factors:

Aggravating Factors:

Recommendation: Assess a Civil Penalty of in the total amount of Four Thousand, Five Hundred Dollars (\$4,500) (or Two Hundred and Fifty Dollars (\$250.00) for each page of the eighteen (18) drawings that were submitted in the complaint; and require the Respondent to take and pass the Laws and Rules Exam.

Board Decision: Concur

18. 2025003931 (AC)

First Licensed: N/A

Expiration: N/A

Type of License: Engineering Firm

History (5 yrs.): None.

The Complainant is a building official in Tennessee, who regularly oversees their city's construction and

building regulations. The Respondent is an Engineering Firm. A complaint was submitted against the Respondent for approving sub-standard framing as an Engineer. The Complainant stated that they received an engineering letter that approved framing. However, the framing was not compliant with local codes. The complaint requested that the Respondent's practices be investigated.

The Respondent didn't provide a response. Counsel reached out and requested a response to the complaint, but additional information wasn't provided.

The letter received was titled as "structural report" and included the following language: "we, [Redacted Respondent Firm Name] take the responsibility for all the framing work that has been installed at the residential home at the address aforementioned." The pictures attached in the complaint were part of the documents that were submitted by the Respondent when they sought approval.

After review, it is recommended that the Respondent be assessed a civil penalty of Five Hundred Dollars (\$500.00) for a violation of Tenn. Comp. R. & Regs. 0120-02-.02(1); assess a civil penalty of One Thousand Dollar (\$1,000.00) for a violation of Tenn. Comp. R. & Regs. 0120-02-.02(5); and require the Respondent to Take and Pass the Laws and Rules Exam

Reviewed by Board member: Alton Heathcoat

Mitigating Factors:

Aggravating Factors:

Recommendation: Assessed a Civil Penalty in the amount of Five Hundred Dollars (\$500.00) for a violation of Tenn. Comp. R. & Regs. 0120-02-.02(1); Assess a Civil Penalty of One Thousand Dollars (\$1,000.00) for a violation of Tenn. Comp. R. & Regs. 0120-02-.02(5); and require the Respondent to Take and Pass the Laws and Rules Exam.

Board Decision: Concur.

RE-PRESENTATIONS

19. 2025006061 (AC)

First Licensed: 08/11/1987

Expiration: 04/30/2026

Type of License: Professional Engineer

History (5 yrs.): None.

Complaint number 2025006061 (#13), complaint number 2025007221 (#14), and complaint number 2025029641 (#15) are all related to the same incident. Although each Respondent was responsible for different aspects of the construction, the Complainant is the same for the related cases, and another complaint was filed with the Contractor's Board, which is currently in litigation monitoring.

The Complainant stated that they hired a contractor who hired unlicensed architects and engineers in

the construction of their home.

The Complainant stated that on October 12, 2020, the concrete was poured. The construction began on or before October 23, 2020. The complaint alleged that the Respondent didn't sign off on the foundation until December 22, 2020 (71 days later). The construction began before the Respondent Engineer ever signed off on it. Additionally, the Complainant stated that the Respondent didn't provide any pictures of the inspection or proof that they were ever on site.

The house is 3,900 sq. ft., and the foundation was "a monolithic pour with no vibration on a large footprint." Immediately after pouring, they noticed extensive honeycombing in the foundation, large gaps they could stick small branches through, and a foundation buildup of 4-6 feet per a separate engineer letter. They stated they have had issues with the foundation since closing, including a belly under the slab that began in December 2021 (6 months after closing/14 months after foundation pour), and it required a 26ft x ~2.5-3ft trench be placed through the center of the home for a month in order to repair it. It was alleged that the Respondent failed to properly supervise the Engineering Firm, which performed the pre-construction concrete and affixed their seal on plans that the Respondent didn't personally see.

The Respondent is a licensed engineer and was responsible for supervising the pre-construction concrete pour done by the Engineering Firm. The Respondent denied the allegation that they were not present at the construction site. They stated that the Engineering Firm was under their supervision. The Complainant stated that it was normal for builders to delay in informing them about the building permit number, which accounts for the discrepancy in the dates.

Based on the information provided, the Respondent was responsible for supervising the engineering firm, but failed to realize that the Engineering Firm was unlicensed. Additionally, the Respondent signed off on the foundation after the construction started, which seemed to be a significant delay. Counsel believes that the Respondent affixed their seal on an unlicensed individual's work for the concrete pouring. It is believed that the Respondent is in violation of Tenn. Comp. R. & Regs. 0120-02-.03(3), Tenn. Comp. R. & Regs. 0120-02-.03 (6)(a)(1), Tenn. Comp. R. & Regs. 0120-02-.07(1), and/or Tenn. Comp. R. & Regs. 0120-02-.07(3).

Therefore, Counsel recommends that this matter be discussed by the Board to determine if disciplinary action is appropriate.

Reviewed by Board member: Jason Carder/ Ed Jett

Mitigating Factors:

Aggravating Factors:

Recommendation: Discuss

Board Decision: Defer to the next Board meeting and request additional information from the Respondent.

New Information:

New Recommendation: Issue the Respondent a Letter of Warning to ensure that due diligence when interacting with professionals they supervise, in compliance with Tenn. Comp. R. & Regs. 0120-02-.07(1) and Tenn. Comp. R. & Regs. 0120-02-.07(3).

New Board Decision: Concur.

20. 2025029641 (AC)

First Licensed: 08/11/1987

Expiration: 03/31/2026

Type of License: Professional Engineer

History (5 yrs.): None.

Complaint number 2025006061 (#13), complaint number 2025007221 (#14), and complaint number 2025029641 (#15) are all related to the same incident. Although each Respondent was responsible for different aspects of the construction, the Complainant is the same for the related cases, and another complaint was filed with the Contractor's Board, which is currently in litigation monitoring.

The Complainant stated that they hired a contractor who hired unlicensed architects and engineers in the construction of their home. This complaint alleged that the Respondent engaged in multiple ethical and professional conduct violations related to the engineering inspections conducted. The complaint alleged that the Respondent failed to disclose that they worked for or maintained an ongoing business relationship with the contractor. They stated that the Respondent was retained to provide an objective engineering evaluation of the home and its foundation due to numerous concerns during the building process, as well as after closing. However, they learned that the Respondent worked with the contractor for years and provided reports for other homes in the neighborhood on the contractor's behalf. After discovering the conflict, the Complainant requested copies of reports and billing records relating to the property, but the Respondent refused to provide them. They further alleged that the Respondent had a clear bias and gave the contractor preferential treatment and would freely provide them with reports.

The Respondent is a licensed engineer and denied the allegations in the complaint. They stated that they worked with the contractor previously but didn't provide reports to the contractor for the Complainant's project. They also deny showing a bias towards the contractors.

Tenn. Comp. R. & Regs. 0120-02-.05(1) states, the registrant shall conscientiously strive to avoid conflicts of interest with his or her employer or client; but, when such conflict is unavoidable, the registrant shall forthwith disclose the circumstances to his or her employer or client in writing.

Here, it appears that the Respondent and contractor had an ongoing professional relationship but failed to inform the Complainant. The Respondent doesn't appear to be an employee of the contractor, but due to their relationship, may have a financial benefit in approving their construction plans. This provides an appearance of conflict as it is unlikely that the Respondent can advocate for both clients with impartiality.

As this is related to other complaints, it is recommended that this matter be discussed by the Board to

determine if a violation occurred and the appropriate civil penalty. Counsel would suggest a civil penalty of Two Hundred and Fifty Dollars (\$250.00.) for failing to disclose a potential conflict of interest in violation of Tenn. Comp. R. & Regs. 0120-02-.05(1).

Reviewed by Board member: Jason Carder/ Ed Jett

Mitigating Factors:

Aggravating Factors:

Recommendation: Discuss

Board Decision: Defer to the next Board meeting and request additional information from the Respondent.

New Information:

New Recommendation: Assess a Civil Penalty of Two Hundred and Fifty Dollars (\$250.00) for failing to disclose a potential conflict of interest, in violation of Tenn. Comp. R. & Regs. 0120-02-.05(1); and require the Respondent to Take and Pass the Laws and Rules Exam.

New Board Decision: Assess a Civil Penalty of Five Hundred Dollars (\$500.00) for failing to disclose a potential conflict of interest, in violation of Tenn. Comp. R. & Regs. 0120-02-.05(1); and require the Respondent to Take and Pass the Laws and Rules Exam.

APPLICATION REVIEW

Jason Carder made a motion to deny the applicant's request at this time, with the understanding that the matter may be reconsidered once the applicant's Ohio license has been restored to active status. This was seconded by Rick Thompson. The motion passed by unanimous voice vote.

ENGINEER and BYLAWS COMMITTEE REPORT

Please see summaries provided above.

PUBLIC COMMENT PERIOD RELATED TO ITEMS ON THE AGENDA

There were no comments from the public.

ADJOURNMENT

There being no new business, Frank Wagster adjourned the meeting at 12:30 p.m.