



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

Board Meeting Minutes for August 6, 2026
First Floor Conference Room 1-A
Davy Crockett Tower

Tennessee Board of Architectural and Engineering Examiners met on August 6, 2026, and the following business was transacted:

BOARD MEMBERS PRESENT: Philip Lim, Dr. Ashraf Elsayed, Jason Carder, Rick Thompson, Frank Wagster, Brian Tibbs, Gary Clark, Justin Rains, Tommy Young, Blair Parker, Melanie Doss (virtual), Jeff Nalley, Alton Hethcoat, James Collins, and Eddie Jett

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Glenn Kopchak, Laura Martin, Joseph Kennedy, Erica Cable, Melanie Holcomb, Alexandria Griffey, Tammy Roehrich, Philip Allocco

COMMITTEE MEETINGS

ARCHITECT COMMITTEE

CALL TO ORDER/ROLL CALL

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

APPLICATION REVIEW

Frank Wagster made a motion to approve the education for Mara Lowry (F109118) under Rule 0120-01-.11(3)(b). This was seconded by Rick Thompson. The motion passed by majority voice vote.

NEW BUSINESS

No new business was presented.

LAND SURVEYOR COMMITTEE

CALL TO ORDER / ROLL CALL / NOTICE OF MEETING

Gary Clark called the meeting to order at 9:15 am and Director Glenn Kopchak took roll call.

MAY MINUTES

Tommy Young made a motion to adopt the May minutes. This was seconded by Justin Rains. The motion passed by unanimous voice vote.

SAMPLE PLAT AND DESCRIPTIONS REVISIONS

Justin Rains made a motion to approve the revisions to the sample plat and descriptions. This was seconded by Tommy Young. The motion approved by unanimous vote.

NEW BUSINESS

Attorney Erica Cable announced that the Land Surveyor members will begin receiving complaint assignments that require an expert review.

BOARD MEETING

CALL TO ORDER / ROLL CALL / NOTICE OF MEETING

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

ANNOUNCEMENTS

Attorney Laura Martin expressed her gratitude to Kyle Johnson for his diligent service as Attorney for the former Land Surveyor Board and announced that he will no longer be serving in this role.

Director Glenn Kopchak requested that "Wall Certs and Seals" be added to the agenda.

AGENDA

Jason Carder made a motion to approve the agenda with an amendment to add "Wall Certs and Seals" after the "NCARB Annual Meeting Update" agenda item. This was seconded by Blair Parker. The motion passed by unanimous voice vote.

JUNE MINUTES

Brian Tibbs made a motion to adopt the June minutes. This was seconded by Blair Parker. The motion passed by unanimous voice vote.

PROFESSIONAL SOCIETY REPORTS

Ashley Cates, Executive Vice President of the American Institute of Architects (AIA-TN), announced their upcoming conference in Chattanooga, TN. Ms. Cates also announced, on behalf of the Tennessee Society of Professional Engineers/American Council of Engineering Companies of Tennessee (TSPE/ACEC-TN), that the Tennessee Engineers Conference will take place September 21-23, 2026, at the Franklin Marriott, and the upcoming Vertical Summit will be held on December 10, 2026, at the Four Seasons.

Charles Schneider, the American Society of Landscape Architects, TN Section, (ASLA-TN), announced their annual spring conference will be held in April.

Melanie Doss announced, on behalf of ASID Tennessee and IIDA Tennessee, their upcoming meetings, including the Strategic Planning meeting on July 30 in Nashville; the ASID State meeting in Chattanooga on September 10-11; the ASID National meeting, Gather Catalyst, in Dallas on September 16-17; and their Advocacy Event scheduled for October 22.

LAND SURVEYOR EDUCATION REPORT

Alabama Society of Professional Surveyors	1366	Integrated Survey Technologies: Field Data to Advanced Mapping Solutions	4	Approved
Halfmoon Education Inc.	1367	The Art of Retracement for Surveyors	6	Approved
McKissock	1368	Advanced Land Descriptions	14	Approved
McKissock	1369	Adverse Possession and Prescriptive Easements	4	Approved
McKissock	1370	Boundary Disputes - A Surveyor's Perspective	2	Approved
McKissock	1371	Cadastral Surveying	3	Approved
McKissock	1372	Design of Onsite (Septic) Wastewater Treatment Systems	4	Denied
McKissock	1373	Documentation: Armor for the Modern Age	2	Approved
McKissock	1374	Engineering and Surveying - an Uncommon Language	2	Approved
McKissock	1375	Ethical Practice in Engineering and Land Surveying	3	Approved
McKissock	1376	Exploring Floodplains	2	Approved
McKissock	1377	FEMA Elevation Certificates 101 - A Tutorial	2	Approved
McKissock	1378	Flooding: Cause and Effect	2	Approved
McKissock	1379	Fundamentals of Electric Vehicles	2	Denied
McKissock	1380	Geophysical Surveying - Methods and Applications	4	Denied
McKissock	1381	Global Information Systems (GIS): A Tutorial	4	Approved
McKissock	1382	GIS Large and Small: A Case Study	2	Approved
McKissock	1383	Global Navigation Satellite Systems Receivers (GNSS)	3	Approved
McKissock	1384	Land Surveyors and Utilities	4	Approved
McKissock	1385	Legal Descriptions of Land and Property	3	Approved

McKissock	1386	Overview of Hydrographic and Bathymetric Surveying	5	Approved
McKissock	1387	Understanding the NFIP (National Flood Insurance Program)	2	Approved
McKissock	1388	Adverse Possession and Prescriptive Easements	4	Approved
McKissock	1389	Boundary Disputes - A Surveyor's Perspective	2	Approved
McKissock	1390	Cadastral Surveying – Online Correspondence	3	Approved
McKissock	1391	Design of Onsite (Septic) Wastewater Treatment Systems - Online Correspondence	4	Denied
McKissock	1392	Documentation:Armor for the Modern Age – Online Correspondence	2	Approved
McKissock	1393	Engineering and Surveying - An Uncommon Language - Online Correspondence	2	Approved
McKissock	1394	Ethical Practice In Engineering and Land Surveying - Online Correspondence	3	Approved
McKissock	1395	On Demand: Ethical Practice in Engineering and Land Surveying	2	Approved
McKissock	1396	Online Correspondence: Exploring Floodplains	2	Approved
McKissock	1397	Online Correspondence: FEMA Elevation Certificates 101 - A Tutorial	2	Approved
McKissock	1398	Online Correspondence: Flooding: Cause and Effect	2	Approved
McKissock	1399	Online Correspondence: Fundamentals of Electric Vehicles	2	Denied
McKissock	1400	Online Correspondence: Geophysical Surveying - Methods and Applications	4	Denied
McKissock	1401	Online Correspondence: Global Information Systems (GIS): A Tutorial	4	Approved
McKissock	1402	Online Correspondence: Global Information Systems (GIS) Large and Small: A Case Study	2	Approved
McKissock	1403	Online Correspondence: Global Navigation Satellite Systems Receivers (GNSS)	3	Approved
McKissock	1404	Online Correspondence: Land Surveyors and Utilities	4	Approved
McKissock	1405	Online Correspondence: Legal Descriptions of Land and Property	3	Approved
McKissock	1406	Online Correspondence: Overview of Hydrographic & Bathymetric Surveying	5	Approved
McKissock	1407	Online Correspondence: Understanding the NFIP (National Flood Insurance Program)	2	Approved
Halfmoon Education	1408	Aerial Mapping for Land Surveyors and Civil Engineers	6	Approved

Halfmoon Education	1409	Highway Surveying Best Practices	6	Approved
Kerr Seminars	1410	Surveyor's Reputation & Duties – Part 1	8	Approved
Kerr Seminars	1411	Surveyor's Reputation & Duties – Part 2	8	Approved
Kerr Seminars	1412	2026 TN Ethics & Standards of Practice	2	Approved

Tommy Young made a motion to approve the education report. This was seconded by Gary Clark. The motion passed by unanimous voice vote.

BYLAWS REVISIONS

Alton Hethcoat made a motion to update the bylaws to include land surveyors, clarified teleconference rules, and adjusted officer terms to align with the fiscal year. This was seconded by James Collins. The motion passed by unanimous voice vote.

DIRECTOR'S REPORT

Budget Report

Director Kopchak presented the financial report for April through May, noting that a reallocation under "Technology" was due to an identified overcharge that has since been corrected and returned to the board.

Grant Awards Process

Alton Hethcoat made a motion to approve moving to a reimbursement-based grant process for stronger financial controls starting fiscal year 2028. This was seconded by Brian Tibbs. The motion passed by unanimous voice vote.

NCARB Annual Meeting Update

Brian Tibbs provided a summary of the recent NCARB Annual Meeting, highlighting election outcomes and discussions regarding forthcoming changes to architect licensure pathways, as well as the need to update rules to preserve legacy exam requirements.

Wall Certifications & Seals

Alton Hethcoat made a motion to approve the adopted consolidated wall certificate and seal design for the merged board. This was seconded by Philip Lim. The motion passed by unanimous roll call vote.

ARCHITECT and LAND SURVEYOR COMMITTEE REPORT

Please see summaries provided above.

LEGAL

Legal Report (presented by Joseph Kennedy, & Erica Cable)

1. 2025072751 (JK)

First Licensed: 01/26/1999
Expiration: 01/31/2027
Type of License: Professional Engineer
History (5 yrs.): None.

The Complainant is a public adjuster who alleges that the Respondent, a professional engineer, provided a deficient engineering report following the inspection of a commercial building which experienced wind and hail damage. The Complainant alleges that the engineering report fails to meet professional standards and the requirements of Tennessee insurance law, and the Complainant included documentation of a complaint filed against the property insurer with the Department of Commerce and Insurance. Specifically, Complainant alleges that the report uses generic examples and boilerplate language, contradictory statements regarding hail damage, fails to address property-specific conditions, and contains weather data discrepancies. The complaint included documentation regarding the insurance coverage dispute as well as the results of a general contractor's "routine inspections" of the property. The general contractor's findings and the Respondent's findings in the engineering report ultimately disagree on whether damage to the roof of the property was caused by (i) hailstone impact damage or (ii) construction defects, material defects, mechanical, damage, or age-related conditions.

The Respondent disputes the Complainant's allegations regarding any deficiencies in the engineering report. The Respondent asserts that the engineering report, which was prepared for the insurer's use, adequately provided the information requested from the Respondent's client to be included in the engineering report. The Respondent ultimately concluded that the damage was not congruent with typical hail damage and instead was congruent with the tight installation of the tiles, mechanical damage due to foot traffic, and other causes. The Respondent asserts that the engineering report and other materials are the result of opinions based on the Respondent's education, experience, and training.

The reviewing Board member determined that the Respondent's report did not sufficiently address the evidence provided by the Complainant's findings which conflict with the Respondent's determination that the damage was not caused by hail.

Reviewed by Board member: Alton Hethcoat

Mitigating Factors:

Aggravating Factors:

Recommendation: Issue a Letter of Caution reminding the Respondent of their obligation to protect the public health, safety, and welfare, without regard to perceived obligation to the party procuring the services, pursuant to Tenn. Comp. R. & Regs. 0120-02-.02 Proper Conduct of Practice and 0120-02-.03 Service in Areas of Competence.

Board Decision: Concur.

2. 2024046891 (JK)

First Licensed: 07/19/2007

Expiration: 07/31/2027

Type of License: Professional Engineer

History (5 yrs.): 2021 – One complaint closed with a letter of warning for self-reporting discipline by another state's licensing board.

The Complainant, a municipal government employee, alleges that deficient plans were submitted to the regional planning board stamped by the Respondent, a PE. The Complainant also alleges that the Respondent has unreported out-of-state discipline.

The Respondent denies any involvement in the plans which were submitted to the regional planning board or any discussions regarding the project with the site owner. The Respondent states that they did not sign or seal the site plan.

This matter was sent for investigation and did not yield any evidence that the Respondent was involved with the plans submitted to the regional planning board. The Respondent's violations and penalties report with the National Council of Examiners for Engineering and Surveying reflects substantial discipline which has not been reported to the Board as required by Tenn. Comp. R. & Regs. 0120-02-.07(5)(b) – the unreported discipline includes: fines (West Virginia, June 17, 2025), probation (Missouri, September 14, 2023), suspension (Wyoming, March 25, 2022; Kentucky, October 23, 2020; North Carolina, September 28, 2021), and revocation (Delaware, December 11, 2024). The Respondent disclosed discipline for Texas, May 2020; New York, September 2019; and Ohio, March 2021.

The Respondent's renewal application for licensure dated June 21, 2023, questions whether "[i]n the past two (2) years, have you been convicted of or please nolo contender/no contest to a felony or been subject to disciplinary action by any government or professional agency?" The Respondent answered "No." The Respondent had incurred disciplinary action by government or professional agencies in Wyoming, March 25, 2022 (suspension) and North Carolina, September 28, 2021 (suspension).

The Respondent's repeated failure to disclose discipline and the selective disclosure of other discipline appear to be a pattern and practice for which the Respondent has been disciplined by numerous jurisdictions.

Counsel recommends Respondent's license be revoked for violation of: (1) Tenn. Comp. R. & Regs. 0120-02-04(1) for failure to be completely objective and truthful in all professional reports, statements or testimony; (2) Tenn. Comp. R. & Regs. 0120-02-.07(5)(b) for failing to report the revocation or suspension as a result of discipline; (3) Tenn. Comp. R. & Regs. 0120-02-.07(5)(e) for knowingly providing false information on the renewal application; and (4) Tenn. Code Ann. § 62-2-308(a)(1)(A) for fraud or deceit in obtaining a certificate of registration.

Reviewed by Board member: Dr. Ashraf Elsayed

Mitigating Factors:

Aggravating Factors: Respondent falsely indicated on the renewal application that the Respondent had no disciplinary action within the prior two years. Respondent failed to report several disciplinary

actions from other jurisdictions. Respondent's license was suspended in two jurisdictions and revoked in another.

Recommendation: Authorize Revocation of the Respondent's license via consent order for violations of Tenn. Comp. R. & Regs. 0120-02-04(1), Tenn. Comp. R. & Regs. 0120-02-.07(5)(b), Tenn. Comp. R. & Regs. 0120-02-.07(5)(e), and Tenn. Code Ann. § 62-2-308(a)(1)(A).

Board Decision: Concur.

3. 2025067461 (JK)

First Licensed: 08/20/2020

Expiration: 08/31/20206

Type of License: Professional Engineer

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

This is an administratively opened complaint due to the Respondent, a PE, reporting out-of-state discipline by the Ohio State Board of Registration for Professional Engineers and Surveyors for offering and providing engineering services without the required certificate. The Respondent's violation was resolved with a Settlement Agreement, dated October 21, 2025, imposing a civil penalty.

Reviewed by Board member: Jason Carder

Mitigating Factors: The Respondent timely reported out-of-state discipline.

Aggravating Factors: This is Respondent's second instance of out-of-state discipline within the last five years.

Recommendation: Issue a Letter of Warning regarding informing the Board of out-of-state disciplinary actions related to Respondent's PE license and to avoid similar infractions in Tennessee.

Board Decision: Concur.

4. 2025071141 (JK)

First Licensed: 01/23/2009

Expiration: 12/31/2027

Type of License: Professional Engineer

History (5 yrs.): None.

This complaint was opened administratively following Respondent's application for renewal of their PE license where Respondent indicated on the application that they had practiced the profession in Tennessee since their registration's expiration. During the relevant time period, the Respondent served in a role as a director of engineering of a city.

The Respondent's license expired on January 31, 2025, and was renewed on December 4, 2025.

The Respondent did not respond timely to the Board's request for additional information. During the time that the Respondent's license was expired, Respondent served in the role of director of engineering for a city. Although the Respondent allowed the license to lapse, the Respondent took immediate action upon discovery of the issue. The Respondent served in the role for approximately eleven (11) months without valid licensure.

Reviewed by Board member: Eddie Jett

Mitigating Factors: Given that this individual has been licensed since 2009 without prior discipline and works in a public service role, counsel recommends that the term of service to the profession be considered a mitigating factor.

Aggravating Factors:

Recommendation: Assess a civil penalty of Five Thousand Five Hundred Dollars (\$5,500) via a consent order, which consists of \$500 per month for eleven (11) months during which the Respondent was in the role without an active license, pursuant to Tenn. Code Ann. § 62-2-105(b)(1).

Board Decision: Concur.

5. 2026014111 (JK)

First Licensed: N/A (Unlicensed)

Expiration: N/A

Type of License: Professional Architect

History (5 yrs.): None.

This Complaint, No. 202601411, and Complaint No. 2026005721, were received when concerned citizens forwarded screenshots from an organization's Facebook page showing the Respondent in a photograph and the phrase "Meet [Respondent] – Our Architect" along with an advertisement and hashtags, including #ArchitectDesign.

The Respondent, through counsel, acknowledges that the social media post contained his image or likeness, but the Respondent's counsel refutes that the social media post constitutes an advertisement or presentation as an architect. The Respondent states that the complaint does not allege that the Respondent "held [themselves] out as an architect, owned or controlled the company who posted it, or approved the social media post (which twice misspells his last name . . . but uses his image or likeness)."

The Respondent's counsel provided an updated Facebook advertisement that removes the phrases "Meet [Respondent] – Our Architect" and "#ArchitectDesign" and reflects an advertisement for renovations, from "sketches and layouts to detailed designs."

The Respondent's use of the appellation "architect" in the original advertisement constitutes violations of Tenn. Code Ann. § 62-2-102(a).

Reviewed by Board member: Rick Thompson

Mitigating Factors:

Aggravating Factors:

Recommendation: Authorize formal charges for violations Tenn. Code Ann. § 62-2-102 (a) and assess a civil penalty of \$1,000 via a consent order. Discipline to be combined with Complaint No. 2026005721.

Board Decision: Concur.

6. 2026005721 (JK)

First Licensed: N/A (Unlicensed)

Expiration: N/A

Type of License: Professional Architect

History (5 yrs.): None.

This Complaint, No. 2026005721, and Complaint No. 2026014111, were received regarding the same Facebook post.

The Complainant also provided a judgment entered against a limited liability company which the court specifically found was solely owned by the Respondent. The judgment against the LLC awards damages totaling approximately \$1.197 million to was the sole member, for a total of \$1,197,289.94 related to a construction management contract and claims of (i) Fraudulent Inducement, (ii) Conversion / Civil Theft, (iii) Breach of Contract, and (iv) an Exaggerated Lien Claim (Tenn. Code Ann. § 66-11-139) and Contractor's Misapplication of Payments (Tenn. Code Ann. § 66-11-138).

Reviewed by Board member: Rick Thompson

Mitigating Factors:

Aggravating Factors:

Recommendation: Discipline to be combined with Complaint No. 2026014111.

Board Decision: Concur.

7. 2026008521 (JK)

First Licensed: N/A (Unlicensed)

Expiration: N/A

Type of License: Professional Engineer

History (5 yrs.): None.

This Complaint, No. 2026008521, and Complaint No. 2026020081, address the same Respondent.

A complaint was submitted by an individual alleging that the Respondent, an unlicensed individual, verbally represented themselves as a structural engineer in a general sessions criminal court. The Complainant references a Consent Order entered November 28, 2018, between the Respondent and the Board in regard to Complaint No. 2018046151 wherein the Respondent was assessed a civil penalty of \$1,000 and ordered to cease and desist from any continued use of the title "engineer" after the Respondent, on social media and in publications, indicated she was an "engineer," or failed to correct references to themselves as an engineer.

The Respondent states that any accusations made by or including the Complainant are completely false and have been dismissed, and that the Complainant submitted Complaint No. 2025042891, which was dismissed. The Respondent also asserts that Complaint No. 2026020081 was filed by the Complainant.

The Complaint includes reference to the Respondent becoming an officer in a professional organization and a Facebook post where the Respondent's company was identified as providing engineering services. The Respondent's involvement with the professional organization is subject to the rules and requirements of that organization, and the Board does not have authority to determine eligibility for professional organizations. The Facebook post, from 2021, does constitute a violation of the Board's rules by advertising a non-engineering firm as providing engineering services. Although the Facebook post is a violation of the rules, it was posted by a third party, and there is no other evidence that the Respondent has advertised as providing engineering services. Therefore, counsel recommends a letter of warning be issued to the Respondent stating that consistent with the consent order executed by the Respondent in 2018, it is the Respondent's continuing responsibility to ensure that the Respondent does not represent themselves as an engineer or engineering services provider and the Respondent shall correct and request modification of any representations of the Respondent or the Respondent's organization as an engineer or engineering services provider.

Reviewed by Board member: James Collins

Mitigating Factors:

Aggravating Factors:

Recommendation: Discipline to be combined with Complaint No. 2026020081. Issue a Letter of warning to the Respondent stating that, consistent with the consent order executed by the Respondent in 2018, it is the Respondent's continuing responsibility to ensure that the Respondent does not represent themselves as an engineer or their firm as an engineering services provider. The Respondent shall correct and request modification of any representations of the Respondent or the Respondent's organization as an engineer or engineering services provider by any third party.

Board Decision: Concur.

8. 2026020081 (JK)

First Licensed: N/A (Unlicensed)

Expiration: N/A

Type of License: Professional Engineer
History (5 yrs.): None.

This Complaint, No. 2026020081, and Complaint No. 2026008521, address the same Respondent.

The Complainant asserts that the Respondent has violated a Consent Order that was previously entered between the Respondent and the Board. Complainant asserts that the Respondent has presented themselves as being able to provide engineering services and has characterized their work as structural and civil engineering roles.

The Respondent refutes representing themselves as an engineer and states that they have not worked in any roles with the understanding that they have a PE license. The Respondent asserts that this Complaint and Complaint No. 2026008521 were submitted by the same individual.

Counsel recommends a letter of warning be issued to the Respondent stating that consistent with the consent order executed by the Respondent in 2018, it is the Respondent's continuing responsibility to ensure that the Respondent does not represent themselves as an engineer or engineering services provider and the Respondent shall correct and request modification of any representations of the Respondent or the Respondent's organization as an engineer or engineering services provider.

Reviewed by Board member: James Collins

Mitigating Factors:

Aggravating Factors:

Recommendation: Discipline to be combined with Complaint No. 2026008521. Issue a Letter of warning to the Respondent stating that, consistent with the consent order executed by the Respondent in 2018, it is the Respondent's continuing responsibility to ensure that the Respondent does not represent themselves as an engineer or their firm as an engineering services provider. The Respondent shall correct and request modification of any representations of the Respondent as an engineer or the Respondent's organization as an engineering services provider by any third party.

Board Decision: Concur.

9. 2026008751 (JK)

First Licensed: N/A (Unlicensed)

Expiration: N/A

Type of License: Professional Engineer

History (5 yrs.): None.

A complaint was submitted alleging that the Respondent, an unlicensed individual, has identified themselves as a mechanical engineer on LinkedIn as well as the "VP of Engineering" for their employing organization, in which the Respondent is part owner. The Respondent holds a degree in Mechanical Engineering. The Complainant states that there is litigation between the Complainant, the Respondent, the Respondent's organization, and the Respondent's employees.

The Respondent states that this complaint is unfounded and without merit and that the Respondent's organization has not violated professional standards or regulatory requirements.

The Respondent signed the response to the complaint with the title "Vice President Engineering." The Respondent's LinkedIn includes the titles "Project Engineer" and "Mechanical Engineer" and the organization's website reflects that the Respondent "leads the engineering team" as "VP Engineering." The website also lists "our core consists of only the preeminent, expertly trained, engineers. . ."

Pursuant to Tenn. Code Ann. § 62-2-102(a), an individual is not required to be registered as an "engineer" provided that the individual does not use the appellation "engineer" or an appellation that compounds, modifies or qualifies the word "engineering" or use an appellation that gives the impression that the person using the word is an engineer.

Here, the Respondent's use of "Project Engineer" and "Mechanical Engineer" on LinkedIn as well as the Respondent's job title of "Vice President Engineering" as an unlicensed individual are in violation of Tenn. Code Ann. § 62-2-102(a). Further, the Respondent's bio, identifying the Respondent as "VP Engineering," states that they "lead the engineering team" with "23+ years experience in engineering & project management." The Respondent's use of these titles gives the public a clear impression that the Respondent (1) practices engineering in the State of Tennessee, and (2) has engineers on staff and is offering engineering services

Reviewed by Board member: **James Collins**

Mitigating Factors:

Aggravating Factors:

Recommendation: Issue a cease and desist with respect to the Respondent's use of the appellation "engineer" and assess a civil penalty of \$3,000 via a consent order for the Respondent's use of the appellation "engineer" pursuant to Tenn. Comp. R. & Regs. 0120-02-.09(2) in violation of Tenn. Code Ann. § 62-2-105(b)(1) and Tenn. Code Ann. § 62-2-102(a). Open an administrative complaint against the Respondent's employer to determine whether the employer provides engineering services.

Board Decision: Concur.

10. 2026012701 (JK)

First Licensed: 08/20/1997

Expiration: 08/31/2027

Type of License: Professional Engineer

History (5 yrs.): 2025 – One complaint closed with a letter of warning for self-reporting discipline by another state's licensing Board.

This is an administratively opened complaint due to the Respondent, a PE, reporting out-of-state discipline by the Oregon State Board of Examiners for Engineering and Land Surveying. The Oregon Board imposed discipline for the Respondent's failure to timely report discipline that was imposed on

Respondent by the Oklahoma Board. The Respondent's violation was resolved with a Notice of Intent to Assess Civil Penalty, which was dated January 21, 2026, and the Respondent provided notice to the Board on or about February 25, 2026.

Reviewed by Board member: James Collins

Mitigating Factors: The Respondent timely reported out-of-state discipline.

Aggravating Factors: This is Respondent's second instance of out-of-state discipline within the last five years.

Recommendation: Issue a Letter of Warning regarding informing the Board of out-of-state disciplinary actions related to Respondent's PE license and to avoid similar infractions in Tennessee.

Board Decision: Concur.

11. 2026011151 (JK)

First Licensed: 08/04/2017

Expiration: 08/31/2027

Type of License: Professional Architect

History (5 yrs.): None.

This is an administratively opened complaint following an audit of the Respondent's continuing education requirements, which found that the Respondent did not fulfill the requirement.

In review of this Complaint, the Respondent provides information regarding activities that the Respondent asserted to be continuing education activities, but the information provided failed to establish that the requirements of Tenn. Comp. R. & Reg. 0120-05-.04.

Reviewed by Board member: Frank Wagster

Mitigating Factors:

Aggravating Factors:

Recommendation: Close without action because the Respondent has executed the Agreed Citation, paid the civil penalty, and has agreed to complete the outstanding continuing education hours.

Board Decision: Concur.

12. 2026007191 (JK)

First Licensed: 10/21/1993

Expiration: 10/31/2027

Type of License: Professional Architect

History (5 yrs.): None.

The Complainant, counsel for a contractor, states that several AIA documents were submitted to the Respondent for certification, but the requests went unanswered. Complainant also states that the plans were not approved when they were given to the contractor, resulting in a stop-work order, and that the Respondent texted the Complainant regarding the plan's approval three months later; the contractor never received a set of the approved plans.

The Respondent failed to respond to the Board's request for a response to this Complaint.

Reviewed by Board member: Rick Thompson

Mitigating Factors:

Aggravating Factors:

Recommendation: Assess a civil penalty of \$500 via a consent order for violation of Tenn. Comp. R. & Regs. 0120-02-.07(5)(c) for failing to respond to the Board's requests and investigations within thirty (30) days of the mailing of communications.

Board Decision: Conduct additional investigation into this matter to determine whether the Respondent had a contractual obligation to review and approve AIA documents related to this project and represent this matter at the October 2026 meeting of the Board.

13. 2026017891 (JK)

First Licensed: 01/01/1993

Expiration: N/A

Type of License: Engineering Firm

History (5 yrs.): 2021 – One complaint closed with a letter of warning for reported discipline by another state's licensing Board.

A complaint was submitted by a concerned citizen regarding the stormwater impacts affecting their property against the Respondent, a licensed engineering firm. The Complainant's property is adjacent to a recent development. The Complainant requested that the Board review whether downstream stormwater impacts were properly analyzed, whether discharge velocity and volume increases were mitigated, and whether erosion and sediment controls were adequately designed and maintained.

The Respondent states that none of the matters raised by the Complainant fall within the scope of services performed by Respondent at the development. Respondent states it did not prepare, review, approve, or certify any engineering design, stormwater calculations, drainage management plans, hydraulic analyses, or erosion and sediment plans for the development.

As the Respondent's scope of services did not include stormwater, drainage, and the other items listed above, counsel recommends this Complaint be closed without action.

Reviewed by Board member: Jason Carder

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

14. 2026019151 (JK)

First Licensed: N/A (Active)

Expiration: N/A

Type of License: Architectural Firm

History (5 yrs.): None.

The Complainant, a contractor, filed a complaint against the Respondent, an architectural firm, alleging that the Respondent failed to issue a notice to proceed, was delinquent in submittal processing, failed to process invoices in a timely manner, and failed to respond to RFIs. The Complainant asserts that the plans contained significant errors and omissions, and Respondent directed unapproved changes. The Complainant alleges the Respondent made intentional misrepresentations to the property owner, failed to generate owner-requested ASIs in a timely manner, unlawfully withheld the retainage, and drafted and enforced unlawful specifications.

The Respondent specifically refutes the Complainant's allegations.

Counsel and the Board's expert reviewer did not find evidence of any violations of the Board's rules or statutes, and counsel recommends that this Complaint be closed without action.

Reviewed by Board member: Brian Tibbs

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

15. 2026017901 (JK)

First Licensed: 02/13/1997

Expiration: 02/28/2027

Type of License: Professional Engineer

History (5 yrs.): None.

A complaint was submitted by a concerned citizen regarding the stormwater impacts affecting their property against the Respondent, the city's engineer. The Complainant's property is adjacent to a recent development. The Complainant requested that the Board review whether stormwater discharge conditions, downstream hydraulic impacts, and channel stability were appropriately evaluated and addressed as part of the engineering review and oversight of the development that the Complainant asserts impacts their property.

The Respondent asserts that the development, which the Complainant asserts impacts their property, is located in a separate municipality under the supervision and control of that municipality's engineer. The Respondent acknowledges being aware of the Complainant's concerns, but states there is no drainage easement on the Complainant's property.

As the property is located outside of the Respondent's jurisdiction, counsel recommends closure.

Reviewed by Board member: Dr. Ashraf Elsayed

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

16. 2026021671 (JK)

First Licensed: 07/25/2025

Expiration: N/A

Type of License: Engineer Intern

History (5 yrs.): None.

An anonymous complaint was submitted alleging that the Respondent, an engineer intern, uses the job title "senior engineer."

The Respondent states that their job title with the city changed from Staff Engineer to Senior Staff Engineer. The Respondent states that they work under the supervision and approval of the city engineer, and the Respondent has not stamped any documents and has not claimed to be a registered engineer. The Respondent states that they are working actively towards the PE license as their role with the city requires the individual to hold licensure or obtain licensure within two years.

Reviewed by Board member: Eddie Jett

Mitigating Factors: The Respondent works under the supervision of the city engineer and has not stamped any plans.

Aggravating Factors:

Recommendation: Issue a Letter of Warning, informing the Respondent that their job title constitutes a violation of Tenn. Code Ann. § 62-2-102 and shall be modified to avoid future discipline, and counsel shall provide notice of this Letter of Warning and the underlying circumstances to the applicable municipality.

Board Decision: Issue a Letter of Warning, informing the Respondent and their employer that

their job title constitutes a violation of Tenn. Code Ann. § 62-2-102 and should be modified to avoid future discipline.

17. 2026019911 (JK)

First Licensed: 02/03/2009

Expiration: 02/28/2027

Type of License: Professional Engineer

History (5 yrs.): None.

The Complainant, a PE, alleges that the Respondent, a PE, submitted a set of structural drawings on the same project/permit that the Complainant began, but the drawings changed the structural design of a portion of the project. Approximately one year later, the local municipality issued a corrections notice outlining concerns regarding the additional submitted drawings. The Complainant asserts that the Respondent responded to the notice without the awareness of the Complainant that the Respondent's additional drawing took priority over the initially submitted plans.

The Respondent states that they were under the understanding that the Complainant had been removed from the project, and the Respondent came to the agreement to redesign and provide new drawings and calculations for the existing roof that had already been removed.

The plans submitted by the Respondent were for the same item for which the Complainant submitted plans, and the Respondent stated that the Respondent's plans were to take priority without properly informing the Complainant or ensuring that the Complainant's relationship with the project had been terminated.

Reviewed by Board member: Dr. Ashraf Elsayed

Mitigating Factors:

Aggravating Factors:

Recommendation: Assess a civil penalty of \$1,000 via a consent order for violation of Tenn. Comp. R. & Reg. 0120-02-.08(5)(a).

Board Decision: Concur.

18. 2026021651 (JK)

First Licensed: 01/08/2008

Expiration: 01/31/2028

Type of License: Professional Engineer

History (5 yrs.): None.

A complaint was submitted by a concerned citizen regarding the stormwater impacts affecting their property against the Respondent, a PE. The Complainant's property is adjacent to a recent development. The Complainant requested that the Board review whether downstream impacts were adequately evaluated and addressed during the design process; whether the design, calculations, and

overall stormwater management approach for this project meet applicable engineering standards; and whether the system is performing as intended under real-world conditions.

The Respondent asserts that the pre-development and post-development drainage maps show that the design adequately mitigates any potential issues that could have been created by the development. The Respondent asserts that the Complainant's property is surrounded on the south and east side by a creek which drains approximately 492 acres through the Complainant's property.

Upon review of the Respondent's plans by the Board's expert, the expert found that the Respondent appeared to have followed the appropriate regulatory guidelines when designing the stormwater system of the development. Therefore, counsel recommends that this Complaint be closed without action.

Reviewed by Board member: Jason Carder

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

19. 2026022311 (JK)

First Licensed: 06/23/2010

Expiration: 06/30/2026

Type of License: Professional Engineer

History (5 yrs.): 2025 – One complaint closed with a \$10,500 civil penalty for stamping plans not prepared by the Respondent.

The Complainant obtained a letter from the Respondent, a PE, regarding a residential deck, and the Respondent's letter included findings that the footings met the required dimensions, were installed at appropriate depth, and that the bearing soils were adequate with an estimated capacity of 2000 PSF. Complainant asserts that they hired an independent engineering firm to review the deck, and the independent firm raised significant concerns regarding the Respondent's initial findings.

The Respondent states that he was hired by the Complainant's deck contractor for the limited purpose of conducting a third-party inspection of the footer excavations for the deck renovation, evaluating the necessity of an additional post, and a soil check.

Counsel and the reviewing expert found no violations of the Board's rules or statutes, and therefore, counsel recommends that this Complaint be closed without action.

Reviewed by Board member: Eddie Jett

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

20. 2026018241 (JK)

First Licensed: 04/03/2017

Expiration: 04/30/2027

Type of License: Professional Engineer

History (5 yrs.): None.

The Complainant filed a complaint alleging that the Respondent, a PE, was hired to design and submit plans for the Complainant's residence. The Complainant asserts that the project was initially due in April 2024, but the project remains incomplete, and the Complainant states that the Respondent has caused delays in the project, including failing to timely respond to comments on the plans.

The Respondent asserts that the Complainant has failed to make the payments as contracted between the parties, and the Respondent states that the Complainant has repeatedly changed the project plans and refused to pay the corresponding extra fees.

This appears to be a contractual dispute that is outside of the Board's jurisdiction to resolve, and therefore, counsel recommends that this Complaint be closed without action.

Reviewed by Board member: Eddie Jett

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

21. 2026034141 (JK)

First Licensed: N/A

Expiration: N/A (Active)

Type of License: Engineering Firm

History (5 yrs.):

The Complainant, a licensed PE, was employed by Respondent, an engineering firm. The Complainant asserts that the Respondent unfairly pressured them to stamp deficient design documents and drawings, and the Complainant states that they were terminated by Respondent for alleged insubordination and violation of the professional conduct policy.

The Respondent asserts that the Complainant's allegation regarding stamping deficient plans is

patently false, and that the Respondent is uncertain which project Complainant asserts was stamped under pressure.

This appears to be an employment dispute that is outside of the Board's jurisdiction to resolve, and therefore, counsel recommends that this Complaint be closed without action.

Reviewed by Board member: Jason Carder

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

22. 2026011501 (JK)

First Licensed: N/A (Unlicensed)

Expiration: N/A

Type of License: Engineering Firm

History (5 yrs.): None.

The Complainant is a licensed professional engineer who wrote to notify the Board of misrepresentation of engineering services, unauthorized use of the engineering firm's identity, potential unauthorized practice of engineering, and conduct that undermines the integrity of licensed professional engineering services and public trust.

The complaint alleges that the Complainant's firm was retained to perform an initial structural inspection, the firm completed the inspection, and prepared a draft engineering report; however, the Complainant's firm was not paid for the services and the report was never finalized, sealed, or signed. Months later, a new contractor took over the project and provided a letter to the Complainant which was allegedly prepared by Complainant's firm due to the header of the letter listing the Complainant's firm and address. The letter was not prepared by or associated with the Complainant or the firm. Upon discovery of the full circumstances, the Complainant notified all parties involved (including Respondent), contacted the original contractor, issued a cease-and-desist notice demanding that all unauthorized use of the firm's name and address cease immediately, and notified the property owner that the fraudulent letter should not be relied upon.

The Respondent is an unlicensed contractor involved with the property which was the subject of the Complainant's engineering report and fraudulent letter. The Respondent stated that they were unaware of the fraudulent letter but that when the Complainant contacted the Respondent, the letter was "signed by our office manager without our permission" and that the "office manager was terminated months ago for other reasons."

Reviewed by Board member: Alton Hethcoat

Mitigating Factors: The Respondent cooperated with the Board's investigation and stated that the individual responsible was terminated.

Aggravating Factors: The forged letter is a serious offense with significant risk of harm to the public.

Recommendation: Assess a civil penalty of \$2,000 via a consent order pursuant to Tenn. Comp. R. & Regs. 0120-02-.09(2) for violation of Tenn. Code Ann. § 62-2-105(a)(1)(C) and Tenn. Code Ann. § 62-2-105(b)(1).

Board Decision: Assess a civil penalty of \$2,000 via a consent order pursuant to Tenn. Comp. R. & Regs. 0120-02-.09(2) for violation of Tenn. Code Ann. § 62-2-105(a)(1)(C) and Tenn. Code Ann. § 62-2-105(b)(1). Additionally, refer this Complaint to the Tennessee Board for Licensing Contractors to determine whether any of that board's rules or regulations were violated.

23. 2026034691 (ES)

First Licensed: 07/13/1979

Expiration: 12/31/2027

Type of License: Land Surveyor

History (5 yrs.): None.

Respondent is a licensed land surveyor who submitted their renewal application on 12/12/25 and attested that they completed all of the required education credits for that renewal cycle. The Program sent Respondent a letter on 5/15/26 informing them that their submitted CE certificates failed to provide the required PDH in the Standards of Practice. A minimum of two PDHs shall be earned by completing a course or activity that has content areas focused on surveying ethics and standards of practice. Respondent was provided with an opportunity to provide at least one PDH in the Standards of Practice taken during the renewal period within four business days, or this complaint would be filed.

Respondent's submitted certificates showed 32 PDHs with 3 hours of Ethics, but no Standards of Practice hours. When Respondent failed to respond or provide any additional information, an Agreed Citation was sent to them assessing a \$100 civil penalty. Respondent failed to sign the Agreed Citation or provide any kind of argument or response.

Counsel recommends issuing a \$500 civil penalty for failure to comply with biennial PDH requirements for licensure.

Reviewed by Board member:

Mitigating Factors:

Aggravating Factors:

Recommendation: Authorize a \$500 civil penalty via consent order for noncompliance with biennial PDH hours

Board Decision: Concur.

24. 2026034791 (ES)

First Licensed: 02/22/1996

Expiration: 12/31/2027

Type of License: Land Surveyor

History (5 yrs.): None.

Respondent is a licensed land surveyor who submitted their renewal application on 11/06/25 and attested that they completed all of the required education credits for that renewal cycle. The Program sent Respondent a letter on 5/11/26 informing them that their submitted CE certificates only added up to 29 of the 30 hours required. Respondent was provided with an opportunity to provide proof of one additional hour of continuing education taken during the renewal period within four business days, or this complaint would be filed.

Respondent's submitted certificates showed 29 continuing education hours, including the required Ethics and Standards of Practice hours. When Respondent failed to provide proof of an additional hour as requested, an Agreed Citation was sent to them assessing a \$100 civil penalty. Respondent provided a response to the Agreed Citation on 06/25/26 explaining that the deficiency resulted from their mistaken understanding of the number of hours awarded for one of the courses included in their submission. The Respondent claims that the error was inadvertent and was not an attempt to misrepresent their continuing education record.

Counsel recommends issuing a \$100 civil penalty for failure to comply with biennial PDH requirements for licensure.

Reviewed by Board member:

Mitigating Factors:

Aggravating Factors:

Recommendation: Authorize a \$100 civil penalty via consent order for noncompliance with biennial PDH hours

Board Decision: Concur.

25. 2026037531 (ES)

First Licensed: 10/28/1983

Expiration: 12/31/2027

Type of License: Land Surveyor

History (5 yrs.): None.

Complainant claims their neighbors had an unlicensed individual survey their property so they could build a fence. Complainant alleges the individual told them that they worked as a surveyor for Respondent, a licensed surveyor. Complainant states they want to get in touch with Respondent because they want to understand the boundary line marked for their neighbor. Complainant claims

they cannot get a hold of Respondent.

Respondent confirms that the individual at issue has worked for them and under their direct supervision since September 2025. Respondent states that the individual has prior experience in the surveying field and is currently able to work in the field for boundary surveys. Respondent supervises all of the work and signs off on boundary surveys after review. Respondent explained their boundary lines and provided documentation to support their statements.

There is no evidence of any violations, and Counsel recommends dismissal.

Reviewed by Board member:

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

26. 2026043161 (ES)

First Licensed: 07/10/1998

Expiration: 12/31/2027

Type of License: Land Surveyor

History (5 yrs.): 2021 – One complaint closed with a letter of warning to search land records.

Complainant alleges Respondent's survey dated 08/05/2021 has several discrepancies and they want Respondent to amend the survey. The survey at issue was completed for an adjoining property owner, not for Complainant. Complainant claims Respondent did not cross-reference the most recent deeds to ensure accuracy. Complainant states the deeds that should have been followed were created by their parents. Complainant does not understand how Respondent determined the bearings and distance on the survey, claiming the survey crosses over their private property. Complainant claims Respondent is known to be unreliable.

Respondent denies the allegations and argues that the deeds to the property, which they surveyed, did not close, and the information found in the field didn't fit the deeds either. Respondent used the corners that they found in the field. Respondent provided documentation to support their decisions. Respondent left a door hanger on the doorknob to the adjoining property to inform the Complainant that they had been there and requesting that Complainant call Respondent. Respondent also emailed the Complainant and offered to meet them to discuss the alleged problem, but did not get a response. Complainant demanded that Respondent make changes, but Respondent is not willing to do so. Respondent's client did not have any issues regarding the survey completed by Respondent.

Counsel would advise Complainant to address this boundary dispute in a civil court. Additionally, Tenn. Code Ann. § 62-18-120 requires a complaint to be filed within four years, and this complaint was filed almost five years after the survey was completed and recorded. Counsel recommends dismissal.

Reviewed by Board member:

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

27. 2026045581 (ES)

First Licensed: 10/28/1988

Expiration: 12/31/2027

Type of License: Land Surveyor

History (5 yrs.): None.

Complainant states that there has been an ongoing boundary dispute with their neighbors, which led them to hire a land surveyor to mark their property line. Complainant's neighbors hired Respondent to survey their property. Complainant alleges that Respondent's crew pulled up all of the stakes that were placed by the surveyor whom they hired. Complainant further claims that Respondent's survey is incorrect.

Respondent denies the allegations and claims they were not advised of any boundary dispute until this complaint was filed. Respondent provided documentation to support their survey and the property lines that were staked for Complainant's neighbors. Respondent provided a signed statement from their clients, Complainant's neighbors, which explained that they had already been to court over this issue and the fact that Complainant has placed flags on their property. Complainant's neighbors have also called the Sheriff about the continued problems with Complainant and their tactics used to make sure the boundary issue is ongoing. The Sheriff had to remove the flags and told Complainant they could not continue to place flags on their neighbors' property without a court order. Respondent also provided a signed statement from their crew chief, who has been employed by Respondent for more than 26 years. Their statement explains that they set stakes on all of the neighbors' property lines after finding all monumentation and confirming they matched the current deed and subdivision plat on file. The statement further explains that they were harassed by Complainant and one of their friends who started flying a drone over the crew while they were working. Complainant has called Respondent and threatened to report them to this Board unless Respondent pays them \$600 for a surveyor to come out and replace their stakes. Respondent asked Complainant for a copy of their survey and the name of the land surveyor who completed it, but Complainant refused to provide them with any information.

Counsel would advise Complainant to take this issue to a civil court unless they are able to provide proof that Respondent has committed violations. Counsel recommends dismissal.

Reviewed by Board member:

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

28. 2026048981 (ES)

First Licensed: 11/28/2018

Expiration: 12/31/2027

Type of License: Land Surveyor

History (5 yrs.): 2025 – One complaint closed with a letter of warning for discipline taken by another state’s licensing authority.

Respondent resides in Oklahoma and is licensed in 34 states, including Tennessee, is a Certified Federal Survey and a Certified Photogrammetrist with more than three decades of hands-on survey experience. This complaint was opened as a result of Respondent self-reporting discipline in North Carolina and Pennsylvania. The discipline issued in North Carolina and Pennsylvania was related to the discipline issued in Nevada. Respondent already self-reported the discipline issued in Nevada, which led to the Tennessee Board of Examiners for Land Surveyors issuing a Letter of Warning to Respondent on 09/18/2025. The Letter of Warning acknowledged that the Nevada Agreement included a stipulation that Respondent violated NRS 625.340 by failing to record a survey within 90 days of signing and stamping it, and Respondent voluntarily relinquished their Nevada Professional license #015072 and will not seek reinstatement or re-licensure in Nevada. The Board considered the fact that Respondent was winding down their land surveying practice. Counsel further considered the fact that the Nevada Agreement did not include any evidence of serious or egregious violations that would warrant duplicative or further discipline of Respondent in Tennessee.

On 03/11/2026, the North Carolina Board of Examiners for Engineers and Surveyors revoked Respondent’s professional land surveying license. Respondent communicated that they would accept this decision after a settlement conference with the North Carolina Board. This decision was solely based on the Nevada Agreement after Respondent self-reported discipline to the North Carolina Board. The Board for Professional Engineers, Land Surveyors, and Geologists for Pennsylvania entered into a Consent Agreement and Order with Respondent on 07/08/2025, which stated that a Public Reprimand would be placed on Respondent’s permanent disciplinary record with the Pennsylvania Board as a result of the discipline issued in Nevada.

Counsel recommends dismissal of this complaint, considering the Board has already addressed the Nevada discipline with a Letter of Warning in September of 2025.

Reviewed by Board member:

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

RE-PRESENTATIONS

29. 2026012761 (JK)

First Licensed: 02/15/2006

Expiration: 02/29/2028

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 they had practiced the profession in Tennessee since their registration expiration.

The Respondent's licensure expired July 31, 2025, and was renewed on February 25, 2026.

Upon further review, the Respondent was mistaken regarding the question on the application, and the Respondent states that no services as a professional engineer were provided to the public during the time that Respondent's licensure had expired.

Reviewed by Board member: James Collins

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Defer to the August Board meeting.

New Information: The Respondent responded in a timely manner to the Board's request for additional information. During the time that the Respondent's license was expired, Respondent served as a senior engineer for a city's stormwater division, and the Respondent has held the current position for 12 years, with 25 years total with the city. The Respondent stated that due to the mistaken belief that the license was in good standing, the Respondent did represent themselves as an engineer during the approximate seven (7) months that the license was expired.

New Recommendation: Assess a Civil Penalty of Three Thousand Five Hundred Dollars (\$3,500) via a consent order, which consists of \$500 per month for seven (7) months during which the Respondent was in the role without an active license, pursuant to Tenn. Code Ann. § 62-2-105(b)(1) and the Respondent shall take and pass the Law and Rules exam.

Board Decision: Concur.

30. 2023035981 (JK)

First Licensed: 10/03/1992

Expiration: 11/30/2026

Type of License: Professional Engineer

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

This Complaint was previously presented to the Board after a Complainant contracted with the Respondent, a PE, for site plans for an RV Park. The site plan signed and sealed by the Respondent represented preliminary plans for a specific purpose which the Respondent failed to label appropriately. The site plan included insufficient, incomplete, or improper work regarding stormwater; sewer connections; water lines intersecting a pool and parking lot; manholes ranging from 12 feet above ground to 6 feet below ground; and retaining wall design. The Respondent concedes that they inappropriately modified a check; however, the funds were not misappropriated.

Reviewed by Board members: Eddie Jett

New Recommendation: Complainant rejected the Board's offer of a six-month voluntary surrender of licensure. Upon further review by counsel to prepare the notice of hearing and charges and consultation with the Board's expert, counsel recommends that the recommendation for a six-month voluntary surrender be modified in lieu of surrender.

Counsel recommends that the Respondent:

- 1. Submit a list of all projects completed by the Respondent between January 1, 2024, and June 30, 2026, and the project list shall include: (1) project name, (2) date released/submitted for permitting, and (3) approximate project value. A portion of the projects listed by the Respondent shall be audited by the Board.**
- 2. Be assessed a civil penalty totaling \$5,000, which is comprised of the following:**
 - a) \$1,000 for violation of Tenn. Comp. Rules and Reg. 0120-02-.03 Proper Conduct of Practice for the Respondent's modification of the check;**
 - b) \$1,000 for violation of Tenn. Comp. Rules and Reg. 0120-02-.03(1),(3) Out of area of expertise, sealing drawings out of area of expertise for the Respondent's sealing of the retaining wall plans;**
 - c) \$1,000 for violation of Tenn. Comp. Rules and Reg. 120-02-.03(1),(3) Out of area of expertise, sealing drawings out of area of expertise for the Respondent's sealing of the foundation plans;**
 - d) \$1,000 for violation of Tenn. Comp. Rules and Reg. 0120-02-.03(1),(3) Out of area of expertise, sealing drawings out of area of expertise for the Respondent's sealing of the building elevation and construction type; and**
 - e) \$1,000 for violation of Tenn. Comp. Rules and Reg. 120-02-.03(6)(a) Malpractice for the problems related to the manholes, sewer connections, stormwater, and water lines given that the plans were signed and sealed without designating intent of the plans**

which mis leads the public and could have unintended consequences that would not protect the health, safety, and welfare of the public.

New Board Decision: Concur.

31. 2024005021 (JK)

2024035961

First Licensed: 12/09/2016

Expiration: 12/31/2026

Type of License: Professional Architect

History (5 yrs.): None.

2024005021

A complaint was submitted which alleged that the Respondent, a professional architect, had improperly exited their employment with the Complainant.

Complaint alleges that respondent, a professionally licensed architect, was a former employee of the complainant, a firm named for a professionally licensed architect who has apparently since deceased. While employed with complainant, the respondent was involved in multiple aspects of the business of complainant and participated in the design and preparation of numerous instruments of service. Complainant alleges that on or about, December 1, 2021, after Respondent's resignation from employment with complainant, Respondent filed Articles of Organization for a new firm under respondent's name with the TN Secretary of State. Respondent continued, through the new firm, to communicate and work with the developers and owners on many of the same projects in which complainant firm served as architect of record.

Respondent claims that the intellectual property in question was jointly owned by both the complainant and respondent's firms. They claim this shared ownership arose from a collaborative relationship between the entities, and the intellectual property was originally created by respondent, for use within their venture and that the access complainant had to this information was solely due to their past association. Respondent claims that following the death of the architect for whom the complainant firm is named for, their surviving family members sought to assert ownership rights, seemingly unaware of the pre-existing agreements between the respondent and the deceased architect.

Without documentation of the respondent's claim that this sharing of intellectual property was agreed upon by both parties, the board has authority to discipline the respondent for misconduct claims, including;

- Rule 120-02-08
 - modifications made to another architect's drawings/ specifications improperly.
- Rule 0120-02-.06 – -
 - for misrepresenting to the client who the respondent's associations are since the work was accepted under complainant's firm but was continued through respondent's firm
 - Representing about 12 projects on respondent's website with unconditional credit when complainant firm was at one point the architect on record for such projects.

Lastly, the complainant's attorney has notified they are considering civil litigation since many of the alleged wrongdoings by the respondent are not within the purview of the board. However, at this time no formal proceedings have been filed.

Reviewed by Board member: Rick Thompson

Recommendation: Discuss

Board Decision: Place the case in Litigation Monitoring and re-present at a future meeting.

New Information: This matter was placed in Litigation Monitoring since June 2024, and upon following up with the Respondent, no litigation has been filed related to this matter. The Respondent asserts that this matter no longer needs to be in litigation monitoring as no litigation exists.

New Recommendation: Regarding Complaint No. 2024005021, given that there is no ongoing litigation, counsel recommends that this matter be closed without action.

New Board Decision: Concur.

2024035961

The summary and recommendation for Complaint No. 2024005021 shall remain unchanged.

The summary and recommendation for Complaint No. 2024035961 shall be deleted and replaced as follows:

The Complainant in this matter is within a construction code enforcement office within the western region of Tennessee, to which Respondent submitted sealed plans for review. The Complaint alleges concerns of incompetence on part of Respondent to have effectuated the mechanical, electrical, plumbing, and fire prevention plans which were submitted under Respondent's singular seal. The associated project is, by general description, the remodel of a 4,000 sq. ft. four story building intended to be classified as an R-2 building. Respondent is registered only as an architect, and the sealing of plans that included all the planning factors by only an architect appeared abnormal to Complainant. However, Respondent did provide to the code's office an attestation of competence associated with the completion of the plans in their entirety.

Respondent in this matter provided an initial response which expressed confusion as to what the Complaint was alleging. Counsel followed up with Complainant to request evidence of Respondent's competence to effectuate mechanical, electrical, plumbing, and fire prevention plans. Respondent provided a letter in response outlining first what the plans included: a change in occupancy status to R-2 and the addition of a smokeproof stairway. Additionally, Respondent provided a list of other projects, which are similar in scale to the project at issue, which he states the construction code enforcement office approved in the past without issue alongside a general affirmation of competency related to his firm. Finally, Respondent expressed that the at issue plans have already been approved, and if there were concerns present, these concerns should have been raised in the review process, not to the via the Complaints process with the Board, as this has caused Respondent delay in its project.

The Complainant provided a copy of a Letter of Assurance signed by the Respondent stating that the Respondent "is competent in the design of architectural, landscape architectural, civil, electrical, mechanical, plumbing, and structural systems for a project of this size and type either by reason of my education and/or experience." The Respondent also provided a letter outlining the education and experience he has that he believes justifies his sealing of plans for mechanical engineering, electrical engineering, plumbing, and fire prevention. The letter further states that structural engineering is outside his area of competence, that the Respondent does not seal structural drawings, and that he engages a licensed structural engineer to prepare and seal those plans. This last statement is in conflict with the Letter of Assurance the Respondent submitted to the Construction Code Enforcement Office.

Upon review of the project plans, it was found that the Respondent is in violation of the following Rules of Professional Conduct: 0120-02.03 – Service in Areas of Competence and 0120-02.08 – Seals.

While the plans contain structural drawings signed and sealed by an engineer, there are other plans within the plans set signed and sealed by the Respondent that contain structural design and specification information, and in some cases the plans signed by the Respondent are in conflict with the plans prepared by the engineer.

Specifically, the following plan sheets indicate that the Respondent has practiced outside of their area of expertise as they were solely stamped by the Respondent: cover sheet, sheet G4.0 (contains specs for structural components, fire sprinkler systems, plumbing, HVAC, electrical), sheet D1.0 (contains removal of stairs, slab, and other structural elements that should be done under the guidance of a structural engineer), sheet D7.0 (contains structural elements), sheet A2.3 (contains structural elements in P2 mezzanine framing plan that are different than the framing noted on S1.1), sheet A6.1 (South calls out a 3' wide by 4'10" high ** reinforced concrete wall, but no information provided on type or spacing of reinforcement or how reinforcing steel is to be tied to existing structure. Also calls out 6" CIP reinforced slab with no details.

Other locations on this drawing refer to structural details or sections, but this area does not. This work is not shown in the structural drawings.), and sheet A9.1 (details D1 and D2 refer to structural members not shown on the structural drawings, and are different from the structural members shown on the structural drawings). The following plan sheets indicate that the Respondent stamped and prepared plans in areas of expertise not typical of an architect: sheet FP 0.1 (Fire protection including attachment details and valve sizing), sheet P 0.1 to P2.1 (plumbing plans including pipe sizing, bracing, etc.), sheet M0.1 to M1.3 (contain HVAC details, duct sizing, and seismic design notes), and sheet E0.1 to E1.6 (electrical details and design).

Expert review determined that thirty-seven (37) plan sheets in the set which were stamped solely by the Respondent included the following five areas outside of the Respondent's area of competence: structural engineering, fire-prevention, plumbing, mechanical engineering, and electrical engineering.

The Respondent's signature on the plans fails to meet the requirement of exceeding the circumference of the seal, as outlined within Tenn. Comp. Rules and Reg. 0120-02-.08.

When the Board requested additional information from the Respondent regarding their qualifications

and experience in order to seal mechanical, electrical, plumbing, and fire prevention. The Respondent stated "I do not seal structural drawings in my practice. Where projects require detailed structural design or complex calculations, we engage a licensed structural engineer who prepares and seals those plans. Structural engineering is outside the scope of the services I personally provide and seal." Regarding mechanical, electrical, plumbing, and fire prevention, the Respondent sites formal education with a degree in architecture including focused studies on building systems, energy use, and integrated design principles that form the basis of mechanical, electrical, plumbing, and fire -prevention competencies." The Respondent holds a TN PA license as well as an NCARB certificate which the Respondent states reinforces his commitment to continuing education and best practices.

In addition to formal education and licensing credentials, the Respondent sites his work for a "whole building design" architect in Arkansas and Tennessee through the Respondent's career which the Respondent asserts provided invaluable experience in performing load calculations, selecting and sizing mechanical and electrical equipment, and ensuring fire code compliance as well as advancing the Respondent's knowledge of MEP/FP systems and integrations into architectural design.

The Respondent also provides notable projects which the Respondent states they were responsible for designing and coordinating mechanical, electrical, plumbing, and fire-prevention systems in a range of adaptive reuse and renovation projects.

Reviewed by Board member: James Collins (PE), Eddie Jett (PE), and Rick Thompson (PA)

Mitigating Factors: Counsel for the Board, having replaced previous counsel, conducted a thorough review of the Complaints open against the Respondent. It is counsel's opinion that the Respondent did not knowingly or intentionally fail to respond to the Board in relation to these complaints.

Aggravating Factors:

Recommendation: Regarding Complaint No. 2024035961, the Respondent shall have the opportunity to provide any additional evidence and documentation of formal educations, credentials, continuing education, and any other experience upon which the Respondent asserts they became competent in the areas of fire-prevention, plumbing, mechanical engineering, and electrical engineering for consideration by the Board.

Authorize formal charges and the settlement of same through Consent Order with a civil penalty in the amount \$5,500 which is comprised of \$1,000 per area of competence for the five areas (structural, fire-prevention, plumbing, mechanical engineering, and electrical engineering) in which the Respondent did not hold competence as required pursuant to Tenn. Comp. R. & Regs. 0120-02-.03(1), (3) and \$500 for violation of Tenn. Comp. R. & Regs. 0120-02-.08.

New Board Decision: Regarding Complaint No. 2024035961, authorize formal charges and the settlement of same through Consent Order with a civil penalty in the amount of \$5,500.00 and require Respondent to take and pass the Law and Rules Examination.

32. 2026011101 (JK)

First Licensed: 01/01/1993

Expiration: 02/29/2028
Type of License: Professional Architect
History (5 yrs.): None.

This complaint was opened administratively following Respondent's reapplication for a PA license where Respondent indicated that they had practiced the profession in Tennessee since their registration expiration.

The Respondent's licensure expired January 31, 2024, and was renewed on February 12, 2026.

In addition to self-reporting on reapplication, the Respondent provided a written explanation of the failure to renew citing a changed mailing address. The Respondent took immediate action to renew its licensure upon discovery of the expiration. The Respondent provided a list of projects during the time that its license was expired, listing thirteen projects.

Reviewed by Board member: Rick Thompson

Mitigating Factors: Self-reported upon reapplication.

Aggravating Factors:

Recommendation: Assess a Civil Penalty of Thirteen Thousand Dollars (\$13,000), which consists of \$1,000 per project, pursuant to Tenn. Code Ann. § 62-2-105(b)(1), and the Respondent shall be required to take and pass the Law and Rules Examination.

Board Decision: Concur.

New Information: Upon presentation of the consent order to the Respondent, the Respondent provided clarification that the failure to timely renew was caused by a change in mailing address, but that it was due to not receiving renewal notices. The Respondent states that the transition to the new CORE system may have also contributed to the nonrenewal. The Respondent maintains that they did not receive a renewal notice or any correspondence from CORE until they contacted the Board in January 2026 – which initiated this Complaint. The Respondent respectfully requests that the amount of the civil penalty be reduced to a total of \$6,500.

New Recommendation: Reduce the civil penalty assessed against the Respondent to a total of Six Thousand Five Hundred Dollars (\$6,500) and the Respondent shall be required to take and pass the Law and Rules Examination.

New Board Decision: Concur.

33. 2024048291 (JK)

First Licensed: 03/01/2019
Expiration: 03/31/2027
Type of License: Professional Architect
History (5 yrs.): None.

The complaint was administratively opened by the Board and is related to complaint number 2024005021, which was presented during the October and December legal reports. It should be noted that the Respondents are different but contain identical allegations.

The initial complaint raised concerns that the Respondent, as an Architect, may not possess the specialized knowledge for the sealed plans submitted because the portions of the plans provided, would typically be completed by an Engineer.

The Respondent stated that the claims were “baseless and unsubstantiated.” They stated that the intellectual property in question was jointly owned. They stated that the Complainant seemed to be unaware of the pre-existing contract between the engineering and architectural firms. They have advised that they have retained legal counsel and will be litigating the matter and requested that the Board defer judgment until proceedings are concluded.

Counsel is unable to determine if a violation occurred. Since the Respondent has indicated that legal action has been taken, Counsel recommends that the case enters litigation monitoring and require the Respondent to provide any documents the board deems relevant to the allegations in the above-mentioned complaint within forty-five (45) days of receiving notice.

Reviewed by Board member: Rick Thompson

Mitigating Factors:

Aggravating Factors: Failure to cooperate with the Board's requests

Recommendation: Litigation Monitoring; Require that the Respondent provide any documentation that the Board deems relevant to the allegations in the above-mentioned complaint within forty-five (45) days of receiving notice.

Board Decision: Concur.

New Information: This matter was placed in Litigation Monitoring since February 2025, and upon following up with the Respondent, no litigation has been filed related to this matter. The Respondent provided the tolling-agreement for review by counsel and the Board's expert.

New Recommendation: Given that there is no ongoing litigation, counsel recommends that this matter be closed without action.

New Board Decision: Concur.

34. 2025022141 (TH)

First Licensed: 04/10/2003

Expiration: 04/30/2027

Type of License: Professional Architect

History (5 yrs.): None.

This is an administratively opened complaint. Respondent is a professional architect. During submission of a reapplication, Respondent answered "yes" to the question "Have you practiced your profession in Tennessee by working with the public since your certificate of registration expired? If yes, please provide additional information to the board office."

Respondent answered the complaint, stating that during the time their license was inactive, they were employed in the capacity of a project manager, but were not the architect listed on any of the projects submitted with Respondent's reinstatement application. Per internal records, Respondent's license expired on April 30, 2019. Respondent did not reinstate their license until April 22, 2025. Therefore, Respondent's license remained expired for six (6) years. Respondent listed nine (9) projects with their reinstatement application from 2019-2024, all occurring during the license lapse. Counsel recommends Respondent be assessed a Nine Thousand Dollar (\$9,000.00) civil penalty for violations of Tenn. Code Ann. § 62-2-101, but more specifically, Tenn. Code Ann. § 62-2-105(a)(1)(D), prohibiting use of expired or revoked certificate of registration and Tenn. Code Ann. § 62-2-105(b)(1), practicing or offering to practice architecture in this state. Lastly, Counsel recommends Respondent take and pass the Rules and Law examination within thirty (30) days of receipt of the consent order.

Reviewed by Board member: Rick Thompson

Mitigating Factors: Respondent answered the complaint and self-reported.

Aggravating Factors: Respondent's license lapse was for six (6) years.

Recommendation: Nine Thousand Dollars (\$9,000.00) civil penalty for violations of Tenn. Code Ann. § 62-2-105(a)(1)(D), and Tenn. Code Ann. § 62-2-105(b)(1). Also, Respondent shall complete and pass the Rules and Laws examination.

Board Decision: Concur.

New Information: The Respondent is requesting reconsideration of the civil penalty amount. The Respondent states that to the extent they have run afoul of any law or regulation, it was not their intent. The Respondent states, "the reason that this situation exists is because [they] provided information honestly during the reinstatement application process." Notwithstanding, the Respondent expresses that, regardless of their intentions, they are "willing to accept responsibility for any missteps and move forward." The Respondent explains they are asking the Board to consider a lower civil penalty.

New Board Decision: Uphold original Board decision for a Nine Thousand Dollars (\$9,000.00) civil penalty for violations of Tenn. Code Ann. § 62-2-105(a)(1)(D), and Tenn. Code Ann. § 62-2-105(b)(1). Also, Respondent shall complete and pass the Rules and Laws examination.

NEW BUSINESS

Joseph Kennedy announced that there will be an ADA Compliance presentation at the upcoming October meeting.

PUBLIC COMMENT PERIOD RELATED TO ITEMS ON THE AGENDA

There were no comments from the public.

ADJOURNMENT

Frank Wagster adjourned the meeting at 1:40 p.m.