

LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 BROOKLINE AVENUE, SUITE 121
BATON ROUGE, LOUISIANA 70809-1443
(225) 925-6291

Received
NOV 13 2013
By LAPELS Enforcement

IN THE MATTER OF:)	CASE NO.: 2012-111
)	
EMMANUEL E. ANSA, P.E.)	
)	
RESPONDENT)	
)	
)	
)	

CONSENT ORDER

The Louisiana Professional Engineering and Land Surveying Board [hereinafter the "Board"], by and through its Executive Director, pursuant to authorization by the Board, and Emmanuel E. Ansa, P.E. [hereinafter "Respondent"], hereby agree to the following:

At all times material hereto, Respondent was licensed in the State of Louisiana as a professional engineer, number PE – 35359.

An investigation was opened based upon the Board's receipt of an affidavit of complaint which suggested that Respondent may have committed various violations in connection with his practice of engineering in Louisiana. The investigation disclosed that in 2012 Respondent prepared and submitted to his client revisions to a foundation plan for a residence for Rhonda Guidry in Lafitte, Louisiana; however, the foundation plan was taken from a document previously prepared by another professional engineer (Herminio O. Cruz, P.E.) and submitted to the same client. Respondent failed to provide written notice to the previous professional engineer of his engagement by the client immediately upon acceptance of the engagement, and the foundation plan revisions did not contain a notation describing the work done by Respondent. The investigation also disclosed that (a) the above described foundation plan revisions prepared and submitted by Respondent to his client as completed work did not contain Respondent's Louisiana professional engineer seal, signature and date of execution, (b) a foundation design recommendation letter prepared and submitted by Respondent as completed work for the same project in 2012 did not contain Respondent's Louisiana professional engineer seal and (c) a final inspection letter prepared and submitted by Respondent as completed work

relating to foundation drawings and details for a residence for Timothy Crawford in Kenner, Louisiana in 2013 did not contain Respondent's Louisiana professional engineer seal.

La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(D), requires that a licensee **(a)** provide immediate written notice of the licensee's engagement to the previous licensees or other related design professionals whose work is being completed, corrected, revised, or added to, **(b)** include a notation on the documents describing the work done by the licensee and **(c)** affix his/her seal, signature and date of execution on the documents. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2701(A)(4)(a)(i), requires licensees to affix seal, sign and place the date of execution on all engineering documents that have been issued by the licensee to a client or any public or governmental agency as completed work. La. R.S. 37:698(H) permits the Board to take disciplinary action against persons who violate La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(D) and LAC Title 46:LXI§2701(A)(4)(a)(i), upon a finding of guilt following the preferral of charges, notice and hearing and a majority vote of its entire membership authorized to participate in the proceeding. La. R.S. 37:698(A)(6), La. R.S. 37:698(H), LAC Title 46:LXI§2503(D) and LAC Title 46:LXI§2701(A)(4)(a)(i) were in effect at all times material hereto.

It is undisputed that **(a)** in 2012 Respondent (i) prepared and submitted to his client revisions to a foundation plan for a residence in Louisiana taken from a document previously prepared by another professional engineer for the same client, (ii) failed to provide the previous professional engineer with proper written notice immediately upon acceptance of the engagement, (iii) failed to include on the foundation plan revisions a notation describing the work done by Respondent, and (iv) failed to properly seal, sign and date the foundation plan revisions; **(b)** in 2012 Respondent failed to properly seal a foundation design recommendation letter for the same project; and **(c)** in 2013 Respondent failed to properly seal a final inspection letter relating to foundation drawings and details for a residence in Louisiana.

By letter dated October 17, 2013, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that he may have violated **(a)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(D), relative to (i) providing timely written notice of the licensee's engagement to the previous licensees or other related design professionals whose work is being completed, corrected, revised, or added to, (ii) including a notation on the documents describing the work done by the licensee and (iii) affixing the

licensee's seal, signature and date of execution on the documents; and **(b)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2701(A)(4)(a)(i), relative to sealing, signing and placing the date of execution on all engineering documents that have been issued by the licensee to a client or any public or governmental agency as completed work.

Wishing to dispense with the need for further disciplinary action and to conclude the instant proceeding without further delay and expense, for the purpose of this proceeding only, Respondent and the Board do hereby enter into this Consent Order, in which Respondent of his own free will consents to the issuance of a Consent Order by the Board, wherein Respondent agrees to **(a)** pay a fine of five hundred (\$500.00) dollars; **(b)** pay administrative costs of one thousand one hundred eighty two and 85/100 (\$1,182.85) dollars; **(c)** successfully complete the Board's online Louisiana Laws and Rules Quiz; **(d)** successfully complete the Board's online Louisiana Professionalism and Ethics Quiz; and **(e)** the publication of this Consent Order on the Board's website and a summary of this matter in the Board's official journal, the *Louisiana Engineer and Surveyor Journal*, and the reporting of this matter to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name.

Respondent admits to violations of the referenced laws and/or rules regarding the practice of engineering in Louisiana. Respondent acknowledges awareness of said laws and/or rules and states that he will comply with all applicable laws and rules henceforth. Respondent has been advised of his right to be represented by counsel before the Board and/or to appear at any hearing personally or by counsel and present witnesses and evidence in his own behalf, and he hereby waives this right and his right to appeal; and he states affirmatively that he has been afforded all administrative remedies due him under the law. Respondent further acknowledges awareness of the fact that the signed original of this Consent Order will remain in the custody of the Board as a public record and will be made available for public inspection and copying upon request.

Therefore, in consideration of the foregoing and by signing this Consent Order, Respondent does hereby waive his right to a hearing before the Board, to the presenting of evidence and witnesses in his behalf, to Findings of Fact and Conclusions of Law in this case, and to judicial review of this Consent Order.

Respondent hereby represents **(a)** that he fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, **(b)** that he has voluntarily entered into this Consent Order and that no other promise or agreement of any kind has been made to or with him by any person whatsoever to cause the execution of this instrument and **(c)** that the sanctions set forth in this Consent Order do not prevent the Board from taking further disciplinary or enforcement action against Respondent on matters not specifically addressed in this Consent Order.

WHEREFORE, the Louisiana Professional Engineering and Land Surveying Board and Respondent agree that:

1. Respondent shall pay a fine of five hundred (\$500.00) dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and
2. Respondent shall pay administrative costs of one thousand one hundred eighty two and 85/100 (\$1,182.85) dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and
3. Respondent shall successfully complete the Board's online Louisiana Laws and Rules Quiz with a score of 90% or higher and return it to the Board within sixty (60) days of the effective date of this Consent Order; and
4. Respondent shall successfully complete the Board's online Louisiana Professionalism and Ethics Quiz and return it to the Board within sixty (60) days of the effective date of this Consent Order; and
5. This Consent Order shall be published on the Board's website and a summary of this matter shall be printed in the official journal of the Board, the *Louisiana Engineer and Surveyor Journal*, and reported to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name; and
6. This Consent Order shall not become effective unless and until it is accepted and signed by and on behalf of the Board. Should the Board not accept and sign this Consent Order, it is agreed that presentation of this matter to the Board shall not prejudice the Board or any of its members, staff, attorneys or representatives from further participation, consideration or resolution of any further proceedings herein.

LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD

DATE: 1/22/2014

BY: Donna D. Sentell
DONNA D. SENTELL, Executive Director

DATE: 10/30/13

Emmanuel E. Ansa
EMMANUEL E. ANSA, P.E., Respondent

Witnesses to the signature of
Emmanuel E. Ansa, P.E.

Theo Ansa
Print Name: Theo Ansa

Veronica Ansa
Print Name: VERONICA ANSA

Approved by:

Keith J. Bergeron
Keith J. Bergeron
Deutsch, Kerrigan & Stiles, L.L.P.
755 Magazine Street
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Attorneys for Emmanuel E. Ansa, P.E.