

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

IN THE MATTER OF:)	CASE NO. 2013-107
)	
ANAN BOONJINDASUP, 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 Anan Boonjindasup, 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–20903.

An investigation was opened based upon the Board’s receipt of information and documents which suggested that Respondent may have been disciplined by the licensing authority of another state for matters recognized as grounds for disciplinary action in Louisiana. The investigation disclosed that the California Board for Professional Engineers, Land Surveyors and Geologists [hereinafter the “California Board”] had taken disciplinary action against Respondent for (a) breach or violation of contract to provide professional engineering services on three projects, (b) failure to utilize a written contract on three projects, (c) negligence through breaching the standard of care for professional engineers by failing to use a written contract and by failing to perform the agreed upon services on three projects and (d) failure to use a written contract while contracting for professional land surveying services on one project. In a Decision dated May 25, 2012 and made effective June 29, 2012 in connection with Case No. 944-A, the California Board revoked Respondent’s California professional engineer license. On May 29, 2012, the California Board mailed its Decision to Respondent’s address of record by certified mail and first class regular mail. The certified mail envelope was returned to the California Board as unclaimed, but the first class regular mail envelope was not returned.

The investigation also disclosed that on August 6, 2012 Respondent submitted online to the Board his 2012 Louisiana professional engineer license renewal invoice, confirming and

certifying thereon that (a) since his previous renewal in 2010 he had not been subject to disciplinary action by the licensing authority in another jurisdiction, (b) all information provided in his renewal invoice was true and correct to the best of his knowledge, information and belief and (c) an omission or untrue response in his renewal invoice may constitute fraud, deceit, material misstatement , perjury or the giving of false or forged evidence under La. R.S. 37:698 and 37:700.

La. R.S. 37:698(A)(7) authorizes the Board to take disciplinary action against licensees who have been disciplined by the licensing authority of another state, territory or district of the United States for a matter recognized as a ground for disciplinary action in Louisiana at the time the action was taken. La. R.S. 37:698(A)(2) prohibits licensees from committing any fraud, deceit, gross negligence, material misrepresentation, gross incompetence or gross misconduct in the practice of engineering in Louisiana. La. R.S. 37:698(A)(1) prohibits licensees from committing any fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a renewal license with the Board. La. R.S. 37:698(H) permits the Board to take disciplinary action against persons who violate La. R.S. 37:698(A)(1), (2) and (7), 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)(1), (2) and (7) and 37:698(H) were in effect at all times material hereto.

It is undisputed that (a) in May 2012 Respondent was disciplined by the licensing authority of another state for matters recognized as grounds for disciplinary action in Louisiana at the time the action was taken and (b) in August 2012 Respondent submitted online to the Board his 2012 Louisiana professional engineer license renewal invoice which confirmed that since his previous renewal in 2010 he had not been subject to disciplinary action by the licensing authority in another jurisdiction.

By letter dated December 19, 2014, 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)(7), relative to having been disciplined by the licensing authority of another state for matters recognized as grounds for disciplinary action in Louisiana at the time the action was taken and (b) La. R.S. 37:698(A)(1), relative to committing any fraud, deceit, material

misstatement or perjury, or the giving of any false or forged evidence, in applying for a renewal license with the Board.

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 seven hundred fifty (\$750.00) dollars, (b) pay administrative costs of nine hundred forty six and 86/100 (\$946.86) 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 that his conduct as set forth above constitutes violations of the above referenced laws and/or rules as stated herein. 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 seven hundred fifty (\$750.00) 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 nine hundred forty six and 86/100 (\$946.86) 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 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
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: 28 January 2015

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

DATE: Dec 24, 2014

Anan Boonjindasup
ANAN BOONJINDASUP, P.E., Respondent

Witnesses to the signature of
Anan Boonjindasup, P.E.

Mantarna Boonjindasup

Print Name: MANTARNA BOONJINDASUP

Andrea Lovely Siao

Print Name: ANDREA LOVELY SIAO