

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. 2014-45
)	
LOUIS L. JACKSON, P.E.)	Received
)	
RESPONDENT)	MAY 16 2017
)	
)	By LAPELS Enforcement

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 Louis L. Jackson, 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-29314.

An investigation was opened based upon the Board’s receipt of information and documents which suggested that Respondent may have committed various violations of the Board’s laws and/or rules in connection with his practice of engineering in Louisiana. The investigation disclosed that in or about May 2013 Respondent sealed and issued to the Louisiana State Fire Marshal a set of engineering design plans for the renovation of the Upper Room Bible Church in New Orleans, Louisiana.

The investigation also disclosed that the plans included the following material deficiencies:

- a) failure to provide drawings and/or specifications required by La. R.S. 40:1547 and La. R.S. 40:1730.39(A);
- b) failure to provide supervised automatic sprinkler protection in accordance with the National Fire Protection Association Life Safety Code [hereinafter “NFPA”] and the International Building Code [hereinafter “IBC”];
- c) failure to protect vertical openings in accordance with the NFPA;
- d) failure to provide stairs in compliance with the appropriate stair table pursuant to the NFPA and IBC; and

- e) failure to provide NFPA and IBC compliant handrails.

Additionally, the investigation disclosed that **(a)** the plans were prepared by unlicensed persons who were not employed by Respondent and **(b)** Respondent did not exercise responsible charge over either the preparation of the plans by the unlicensed persons or any other work performed in connection with the project.

Furthermore, the investigation disclosed that between April 1, 2011 and March 31, 2013 Respondent designed buildings and/or building systems in Louisiana.

On April 11, 2013, Respondent submitted to the Board his 2013 Louisiana professional engineer license renewal online, confirming thereon that **(a)** he had met the Board's requirements for continuing professional development [hereinafter "CPD"] for active status for the biennial licensure renewal period of April 1, 2011 to March 31, 2013, **(b)** if selected for a CPD audit by the Board he would be required to submit the appropriate documentation to validate completion of all CPD requirements and **(c)** failure to comply with such CPD requirements or any false statements made by him could be cause for disciplinary action by the Board.

In 2014 the Board audited Respondent's CPD records. In responding to the CPD audit, Respondent failed to produce the appropriate documentation to prove that, for the biennial licensure renewal period of April 1, 2011 to March 31, 2013, he had earned **(a)** the required thirty (30) professional development hours [hereinafter "PDHs"] in engineering-related activities and **(b)** the required minimum of eight (8) PDHs in Life Safety Code, building codes and/or the Americans with Disabilities Act Accessibility Guidelines.

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(A)(2) prohibits licensees from committing any gross negligence and gross misconduct in the practice of engineering. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C), require licensees to approve and seal only those design documents which are safe for public health, property and welfare, which are complete and accurate, which are in conformity with accepted engineering standards or practice, and which conform to applicable laws and ordinances. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C) and (D), 2505(C) and 2701(A)(3), prohibit licensees from sealing, signing or issuing engineering

documents not prepared by the licensee or under their responsible charge. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§3105(A), require professional engineer licensees to obtain thirty (30) PDHs in engineering-related activities during each biennial licensure renewal period. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§3105(A)(2), require professional engineer licensees who design buildings and/or building systems to earn a minimum of eight (8) PDHs in Life Safety Code, building codes and/or the Americans with Disabilities Act Accessibility Guidelines during each biennial licensure renewal period. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§3115, 3117 and 3119, require licensees to maintain certain documentation of compliance with the Board's CPD requirements and to provide proof of such compliance to the Board upon request. 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 (6), *to wit* LAC Title 46:LXI§2503(C) and (D), 2505(C), 2701(A)(3), 3105(A) and (A)(2), 3115, 3117 and 3119, 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 (6), La. R.S. 37:698(H) and LAC Title 46:LXI§2503(C) and (D), 2505(C), 2701(A)(3), 3105(A) and (A)(2), 3115, 3117 and 3119 were in effect at all times material hereto.

It is undisputed that **(a)** in or about May 2013 Respondent sealed and issued to the Louisiana State Fire Marshal a set of engineering design plans for the renovation of a building in Louisiana which contained a number of material deficiencies, **(b)** the plans were prepared by unlicensed persons who were not employed by Respondent, **(c)** Respondent did not exercise responsible charge over either the preparation of the plans by the unlicensed persons or any other work performed in connection with the project, **(d)** between April 1, 2011 and March 31, 2013 Respondent designed buildings and/or building systems in Louisiana, **(e)** on April 11, 2013 Respondent submitted to the Board his 2013 Louisiana professional engineer license renewal online, which confirmed that he had met the Board's CPD requirements for active status for the biennial licensure renewal period of April 1, 2011 to March 31, 2013 and **(f)** Respondent failed to earn (and falsely stated that he had earned) the required thirty (30) PDHs in engineering-related activities and the required minimum of eight (8) PDHs in Life Safety Code, building

codes and/or the Americans with Disabilities Act Accessibility Guidelines for the biennial licensure renewal period of April 1, 2011 to March 31, 2013.

By letter dated April 17, 2017, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that Respondent may have violated **(a)** La. R.S. 37:698(A)(1), relative to fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a renewal license with the Board, **(b)** La. R.S. 37:698(A)(2), relative to gross negligence and gross misconduct in the practice of engineering, **(c)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C), relative to approving and sealing only those design documents which are safe for public health, property and welfare, which are complete and accurate, which are in conformity with accepted engineering standards or practice, and which conform to applicable laws and ordinances, **(d)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C) and (D), 2505(C) and 2701(A)(3), relative to sealing, signing or issuing engineering documents not prepared by the licensee or under their responsible charge, and **(e)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§3105(A), 3105(A)(2), 3115, 3117 and 3119, relative to the Board's CPD requirements.

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 thousand five hundred and no/100 (\$5,500.00) dollars, **(b)** pay administrative costs of one thousand seven hundred eighty-two and 96/100 (\$1,782.96) 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, 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 that **(a)** he fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, **(b)** 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)** 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 thousand five hundred and no/100 (\$5,500.00) 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 seven hundred eighty-two and 96/100 (\$1,782.96) 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: 5/15/17

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

DATE: 5/12/17

Louis L. Jackson
LOUIS L. JACKSON, P.E., Respondent

Witnesses to the signature of
Louis L. Jackson, P.E.

Tiffany Jackson
Print Name: Tiffany Jackson

Daisy Jackson
Print Name: Daisy Jackson