

**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. 2021-73
)	
JOHN-MARK MATKIN, P.E.)	Received
)	AUG 04 2022
RESPONDENT)	
)	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 John-Mark Matkin, 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-36159. At all times material hereto, J-M Matkin & Associates, Ltd. [hereinafter “JMMA”] was not licensed in the State of Louisiana as a professional engineering firm or professional land surveying firm and, therefore, was not authorized to practice and/or offer to practice engineering or land surveying in the State of Louisiana. JMMA subsequently became licensed in the State of Louisiana as a professional engineering firm, number EF-7284, effective April 19, 2022. At all times material hereto, Respondent was an employee, general partner, and representative of JMMA. Respondent has been the supervising professional of JMMA since April 19, 2022.

An investigation was opened based upon the Board’s receipt of information and/or documents which suggested that Respondent may have committed violations of the Board’s laws and/or rules. The investigation disclosed that between November 2016 and January 2017 JMMA offered to provide land surveying services in Louisiana and provided land surveying on one (1) project in Louisiana.

The investigation also disclosed that on or about June 21, 2021, Respondent signed and submitted to the Board on behalf of JMMA an Application for Engineering Firm (EF) Licensure, confirming thereon that **(a)** JMMA had never practiced or offered to practice engineering or land surveying in Louisiana; **(b)** to the best of his knowledge, information and belief the statements

and information in the application were true and correct in substance and effect and were made in good faith; (c) he had not omitted any information requested in the application; and (d) an omission or untrue response in the application could constitute fraud, deceit, material misstatement,

La. R.S. 37:698(A)(1) prohibits licensees from committing fraud, deceit, material misstatement or perjury, or the giving of any false or forged evidence, in applying for a 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), 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) and La. R.S. 37:698(H) were in effect at all times material hereto.

It is undisputed that (a) at all times material hereto Respondent was licensed in Louisiana as a professional engineer, (b) prior to April 19, 2022 JMMA was not licensed in Louisiana as a professional engineering firm or professional land surveying firm and, therefore, was not authorized to practice and/or offer to practice engineering or land surveying in Louisiana, (c) at all times material hereto Respondent was an employee, general partner and representative of JMMA, (d) Respondent has been the supervising professional of JMMA since April 19, 2022, (e) between November 2016 and January 2017 a JMMA employee (in the name and on behalf of JMMA) practiced and offered to practice land surveying in Louisiana and (f) on or about June 21, 2021 Respondent falsely stated on JMMA's Application for Engineering Firm (EF) Licensure to the Board that Respondent had never practiced or offered to practice land surveying in Louisiana.

By letter dated May 10, 2022, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that Respondent may have violated 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 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 One Thousand and No/100 (\$1,000.00) Dollars, **(b)** pay administrative costs of Nine Hundred Ten and 40/100 (\$910.40) 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 La. R.S. 37:698(A)(1). 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 an informal conference, 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 an informal conference, to a hearing before the Board, to the presenting of evidence and witnesses on 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 One Thousand and No/100 (\$1,000.00) 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 Ten and 40/100 (\$910.40) 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: 10/10/2022


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

DATE: July 19, 2022

BY: John-Mark Matkin
JOHN-MARK MATKIN, P.E., Respondent

Witnesses to the signature of
John-Mark Matkin, P.E.


Print Name: Garrett Keller


Print Name: Rebecca Sondergaard

Approved by:



Mark G. Montiel, Jr.
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Attorneys for John-Mark Matkin, P.E.