

**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. 2021-80
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ELMER JONES, P.E.)	
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RESPONDENT)	
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Received
SEP 12 2022
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 Elmer Jones, 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-17246; however, his license has been in an expired status since April 1, 2021. At all times material hereto, EJA Partners, LLC [hereinafter “EJA”] was licensed in the State of Louisiana as a professional engineering firm, number EF-4613; however, its license has been in an expired status since October 1, 2020. At all times material hereto, Respondent was a manager, owner, representative and supervising professional of EJA.

An investigation was opened based upon the Board’s receipt of a formal affidavit of complaint and documents which suggested that Respondent may have committed violations of the Board’s laws and/or rules. The investigation disclosed that (a) since April 1, 2021 Respondent has admittedly offered to provide engineering services in Louisiana and provided engineering services on at least four (4) projects in Louisiana and (b) on or about August 5, 2021 Respondent prepared, sealed, signed and issued to his client in Louisiana an elevation certificate for property located in Baker, Louisiana which was incomplete and inaccurate, resulting in the elevation certificate being rejected by the client’s flood insurance underwriter.

The investigation also disclosed that (a) since October 1, 2020 EJA has admittedly offered to provide engineering services in Louisiana and provided engineering services on at least four (4) projects in Louisiana and (b) Respondent provided engineering services for and on behalf of EJA in Louisiana in connection with said projects.

La. R.S. 37:698(A)(9) and (16) prohibit practicing and/or offering to practice engineering with an expired license. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2305(A)(3)(a), require supervising professionals of professional engineering firms to be responsible for renewal of the firm's license. 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)(12) prohibits licensees from aiding or assisting another person in violating the laws and/or rules of 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)(9) and (16), La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2305(A)(3)(a), La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C), and La. R.S. 37:698(A)(12), 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), (9), (12) and (16), La. R.S. 37:698(H), LAC Title 46:LXI§2305(A)(3)(a) and LAC Title 46:LXI§2503(C) 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; however, his license has been in an expired status since April 1, 2021; **(b)** at all times material hereto EJA was licensed in Louisiana as a professional engineering firm; however, its license has been in an expired status since October 1, 2020; **(c)** at all times material hereto Respondent was a manager, owner, representative and supervising professional of EJA; **(d)** since April 1, 2021 Respondent has admittedly practiced and offered to practice engineering in Louisiana; **(e)** on or about August 5, 2021 Respondent prepared, sealed, signed and issued to his client in Louisiana an engineering document for property located in Louisiana which was incomplete and inaccurate; **(f)** since October 1, 2020 EJA has admittedly practiced and offered to practice engineering in Louisiana; and **(g)** Respondent aided or assisted EJA in violating the practicing and offering to practice engineering in Louisiana with an expired engineering firm license.

By letter dated August 5, 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 **(a)** La. R.S. 37:698(A)(9) and (16), relative to practicing and/or offering to

practice engineering with an expired license; **(b)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2305(A)(3)(a), relative to supervising professionals of professional engineering firms being responsible for renewal of the firm's license; **(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; and **(d)** La. R.S. 37:698(A)(12), relative to aiding or assisting another person in violating the laws and/or rules of 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)** the permanent surrender of his Louisiana professional engineer license; **(b)** return to the Board his Louisiana certificate of professional engineer licensure and all Louisiana professional engineer seals; and **(c)** 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 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 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 its 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:

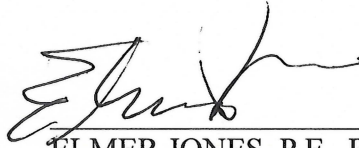
1. Respondent's Louisiana professional engineer license, number PE-17246, shall be permanently surrendered to the Board on the effective date of this Consent Order; and
2. Respondent shall no longer be permitted to practice or offer to practice engineering in the State of Louisiana on and after the effective date of this Consent Order; and
3. Respondent shall return to the Board his Louisiana certificate of professional engineer licensure and all Louisiana professional engineer seals within ten (10) days of the effective date of this Consent Order; and
4. 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
5. 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, Executive Director

DATE: 9/12/2022


ELMER JONES, P.E., Respondent

Witnesses to the signature of
Elmer Jones, P.E.


Print Name: Jessica Johnson


Print Name: WILLIAM HYATT