

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. 2021-81
)
EJA PARTNERS, LLC)
)
RESPONDENT)
)
_____)

Received
SEP 12 2022
By LAPBLS 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 EJA Partners, LLC [hereinafter “Respondent”], by and through its duly authorized undersigned representative, hereby agree to the following:

At all times material hereto, Respondent 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, Elmer Jones, P.E. 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, Mr. Jones was a manager, owner, representative and supervising professional of Respondent.

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 October 1, 2020 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 Mr. Jones (in the name of and on behalf of Respondent) prepared, sealed, signed and issued to their 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.

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§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(C) permits the Board to take disciplinary action against a firm if one or more of its officers, directors, managers, employees, agents or representatives are found by the Board to be guilty of any of the acts or offenses listed in La. R.S. 37:698(A).

It is undisputed that **(a)** at all times material hereto Respondent was licensed in Louisiana as a professional engineering firm; however, its license has been in an expired status since October 1, 2020; **(b)** at all times material hereto Mr. Jones was licensed in Louisiana as a professional engineer; however, his license has been in an expired status since April 1, 2021; **(c)** at all times material hereto Mr. Jones was a manager, owner, representative and supervising professional of Respondent; **(d)** since October 1, 2020 Respondent has admittedly practiced and offered to practice engineering in Louisiana; and **(e)** on or about August 5, 2021 Mr. Jones (in the name of and on behalf of Respondent) prepared, sealed, signed and issued to their client in Louisiana an engineering document for property located in Louisiana which was incomplete and inaccurate.

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; and **(b)** La. R.S. 37:698(C), *to wit* La. R.S. 37:698(A)(6) and LAC Title 46:LXI§2503(C), relative to a representative 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.

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 its own free will consents to the issuance of a Consent Order by the Board, wherein Respondent agrees to **(a)** the permanent surrender of its Louisiana professional engineering firm license; **(b)** return to the Board its Louisiana certificate of professional engineering firm licensure; 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 its 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 it will comply with all applicable laws and rules henceforth.

Respondent has been advised of its 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 its own behalf, it hereby waives this right and its right to appeal, and it states affirmatively that it has been afforded all administrative remedies due it 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 its 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)** it fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, **(b)** it has voluntarily entered into this Consent Order and that no other promise or agreement of any kind has been made to or with it 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 engineering firm license, number EF-4613, 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 its Louisiana certificate of professional engineering firm licensure 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
9/12/2022

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

EJA PARTNERS, LLC, Respondent

DATE: 9/12/2022

BY: [Signature]
ELMER JONES, P.E., Manager

Witnesses to the signature of
EJA Partners, LLC

[Signature]
Print Name: Jessica Johnson

William Hyatt
Print Name: WILLIAM HYATT