

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. 2022-19
)	
JOHN G. DUNLAP, P.L.S.)	Received
)	
RESPONDENT)	OCT 20 2023
)	
)	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 G. Dunlap, P.L.S. [hereinafter “Respondent”] hereby agree to the following:

At all times material hereto, Respondent was licensed in the State of Louisiana as a professional land surveyor, number PLS-4843. At all times material hereto, John Dunlap Land Surveying, Inc. [hereinafter “JDLSI”] was licensed in the State of Louisiana as a professional land surveying firm, number VF-471. At all times material hereto, Respondent was the owner, President, representative and supervising professional of JDLSI.

At all times material hereto, Edward C. Bradford, P.E. was licensed in the State of Louisiana as a professional engineer, number PE-29709. At all times material hereto, Mr. Bradford was not licensed in the State of Louisiana as a professional land surveyor. At all times material hereto, Bradford Engineering and Services, LLC [hereinafter “BES”] was licensed in the State of Louisiana as a professional engineering firm, number EF-5325; however, its license was in an expired status from October 1, 2021 to June 14, 2022. At all times material hereto, BES was not licensed in the State of Louisiana as a professional land surveying firm. At all times material hereto, Mr. Bradford was an owner, representative and engineering supervising professional of BES. At all times material hereto, Mr. Bradford was not an employee of Respondent or JDLSI.

It is the position of the Board that between September 2017 and July 2022 (a) Respondent sealed, signed and transmitted to customers in Louisiana land surveying plats for property located in Louisiana for which Mr. Bradford (in the name and on behalf of BES) did field work and assisted in the preparation of said plats and (b) Respondent did not clearly

exercise responsible charge over the preparation of such plats by Mr. Bradford, which resulted in Mr. Bradford and BES offering to provide land surveying services in Louisiana and providing land surveying services in connection with such plats in Louisiana.

La. R.S. 37:681 and La. R.S. 37:700(A)(1) and (7) prohibit practicing and offering to practice land surveying and using the words “surveyor”, “surveying” or any modification or derivative thereof in a person’s name or form of business or activity without proper licensure. La. R.S. 37:698(A)(2) prohibits licensees from committing any gross misconduct in the practice of land surveying. 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 land surveying documents not prepared by the licensee or under their responsible charge. La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C)(3), prohibit licensees from doing any act to enable anyone to evade the requirements of the Board’s licensure law. 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)(2), La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C) and (D), 2505(C) and 2701(A)(3), La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C)(3), 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. 37:681, La. R.S. 37:698(A)(2), (6) and (12), La. R.S. 37:698(H), La. R.S. 37:700(A)(1) and (7), LAC Title 46:LXI§2503(C) and (D), LAC Title 46:LXI§2505(C) and LAC Title 46:LXI§2701(A)(3) 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 land surveyor; **(b)** at all times material hereto JDLSI was licensed in Louisiana as a professional land surveying firm; **(c)** at all times material hereto Respondent was the owner, President, representative and supervising professional of JDLSI; **(d)** at all times material hereto Mr. Bradford was licensed in Louisiana as a professional engineer; **(e)** Mr. Bradford has never been licensed in Louisiana as a professional land surveyor, **(f)** at all times material hereto BES was licensed in Louisiana as a professional engineering firm; however, its license was in an expired status from October 1, 2021 to June 14, 2022; **(g)** BES has never been licensed in Louisiana as a professional land surveying firm; **(h)** at all times material hereto Mr. Bradford

was an owner, representative and engineering supervising professional of BES; **(i)** at all times material hereto Mr. Bradford was not an employee of Respondent or JDLSI; and **(j)** between September 2017 and July 2022 Respondent sealed, signed and transmitted to customers in Louisiana land surveying plats for property located in Louisiana for which Mr. Bradford (in the name and on behalf of BES) did field work and assisted in the preparation of said plats.

By letter dated October 18, 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)(2), relative to gross misconduct in the practice of land surveying; **(b)** 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 land surveying documents not prepared by the licensee or under their responsible charge; **(c)** La. R.S. 37:698(A)(6), *to wit* LAC Title 46:LXI§2503(C)(3), relative to doing any act to enable anyone to evade the requirements of the Board's licensure law; 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 fully and finally conclude the instant proceeding and all issues arising out of or related to this 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 this Consent Order by the Board.

For purposes of this Consent Order and this proceeding only, Respondent agrees not to dispute 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. 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 Three Thousand and No/100 (\$3,000.00) 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 One Thousand Eight Hundred Fifteen and 45/100 (\$1,815.45) 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 will not seal and sign land surveying documents for property located in Louisiana that were not prepared under Respondent's responsible charge; and
4. 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
5. 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
6. Respondent's Louisiana professional land surveyor license, number PLS-4843, shall be immediately suspended if he fails to successfully complete and return to the Board within sixty (60) days of the effective date of this Consent Order the Board's online Louisiana

Laws and Rules Quiz and online Louisiana Professionalism and Ethics Quiz as described above, with said suspension continuing until he so complies; and

7. 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

8. 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: 30 October 2023

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

DATE: 10-20-2023

John G. Dunlap
JOHN G. DUNLAP, P.L.S., Respondent

Witnesses to the signature of
John G. Dunlap, P.L.S.

Chris Aaron
Print Name: Chris Aaron

Charl McCreary
Print Name: Charl McCreary

Approved by:

Trippe Hawthorne
Trippe Hawthorne
Kean Miller LLP
400 Convention Street, Suite 700
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Attorneys for John G. Dunlap, P.L.S.