

**BEFORE THE
BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND
GEOLOGISTS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

JACOB ROBERT WRIGHT
8419 Lyndora Street
Downey, CA 90242

Land Surveyor License No. L 8717

Respondents.

Case No. 1008-A

OAH No. 2013041049

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on July 12, 2013.

It is so ORDERED June 13, 2013.

Original Signed

FOR THE BOARD FOR PROFESSIONAL
ENGINEERS, LAND SURVEYORS, AND
GEOLOGISTS
DEPARTMENT OF CONSUMER AFFAIRS

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8
9 **BEFORE THE**
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10 **GEOLOGISTS**
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 1008-A

13 **JACOB ROBERT WRIGHT**
14 **8419 Lyndora Street**
Downey, CA 90242

OAH No. 2013041049

15 **Land Surveyor License No. L 8717**

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

16 Respondents.
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19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Richard B. Moore, PLS (Complainant) is the Executive Officer of the Board for
23 Professional Engineers, Land Surveyors, and Geologists. He brought this action solely in his
24 official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the
25 State of California, by David E. Hausfeld, Deputy Attorney General.

26 2. Respondent Jacob Robert Wright (Respondent) is representing himself in this
27 proceeding and has chosen not to exercise his right to be represented by counsel.

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1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Land Surveyor License No. L 8717 issued to Respondent
3 Jacob Robert Wright (Respondent) is revoked. However, the revocation is stayed and
4 Respondent is placed on probation for three (3) years on the following terms and conditions.

5 1. **Obey All Laws.** The Respondent shall obey all federal, state, and local laws and
6 regulations related to the practices of professional engineering and land surveying.

7 2. **Submit Reports.** The Respondent shall submit such special reports as the Board may
8 require.

9 3. **Tolling of Probation.** The period of probation shall be tolled during the time the
10 Respondent is practicing exclusively outside the state of California. If, during the period of
11 probation, the Respondent practices exclusively outside the state of California, the Respondent
12 shall immediately notify the Board in writing.

13 4. **Violation of Probation.** If Respondent violates the probationary conditions in any
14 respect, the Board, after giving the Respondent notice and the opportunity to be heard, may
15 vacate the stay and reinstate the disciplinary order which was stayed. If, during the period of
16 probation, an accusation or petition to vacate stay is filed against Respondent, or if the matter has
17 been submitted to the Office of the Attorney General for the filing of such, the Board shall have
18 continuing jurisdiction until all matters are final, and the period of probation shall be extended
19 until all matters are final.

20 5. **Completion of Probation.** Upon successful completion of all of the probationary
21 conditions and the expiration of the period of probation, the Respondent's Land Surveyor License
22 No. L 8717, shall be unconditionally restored.

23 6. **Cost Recovery.** The Respondent is hereby ordered to reimburse the Board the
24 amount of \$4,905.00 within two and one-half (2 1/2) years from the effective date of the decision
25 for its investigative and prosecution costs. Said reimbursement may be made in installments,
26 subject to a payment plan the Board has agreed to in writing.

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board for Professional Engineers, Land Surveyors, and Geologists of the Department of Consumer Affairs.

Dated: 6/4/13

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
JAMES M. LEDAKIS
Supervising Deputy Attorney General

Original Signed
DAVID E. HAUSFELD
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 1008-A

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10 **GEOLOGISTS**
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12 In the Matter of the Accusation Against:	Case No. 1008-A
13 JACOB ROBERT WRIGHT	A C C U S A T I O N
14 8419 Lyndora Street	
15 Downey, CA 90242	
16 Land Surveyor License No. L 8717	
17 Respondents.	

18
19 Complainant alleges:

20 **PARTIES**

21 1. Richard B. Moore, PLS (Complainant) brings this Accusation solely in his official
22 capacity as the Executive Officer of the Board for Professional Engineers, Land Surveyors, and
23 Geologists, Department of Consumer Affairs.

24 2. On or about January 5, 2010, the Board for Professional Engineers, Land Surveyors,
25 and Geologists issued Land Surveyor License Number L 8717 to Jacob Robert Wright
26 (Respondent). The Land Surveyor License was in full force and effect at all times relevant to the
27 charges brought herein and will expire on June 30, 2012, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board for Professional Engineers, Land Surveyors, and Geologists (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 8780 of the Code states, in pertinent part:

“[T]he board may reprove, suspend for a period not to exceed two years, or revoke the license or certificate of any licensed land surveyor or registered civil engineer, respectively, licensed under this chapter or registered under the provisions of Chapter 7 (commencing with Section 6700), whom it finds to be guilty of:

“....

“(d) Any violation of any provision of this chapter or of any other law relating to or involving the practice of land surveying.

“....”

5. Section 118, subdivision (b), of the Code provides that the suspension, expiration, surrender or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

STATUTORY PROVISIONS

6. Section 6738 of the Code states, in pertinent part:

(a) This chapter does not prohibit one or more civil, electrical, or mechanical engineers from practicing or offering to practice, within the scope of their license, civil (including geotechnical and structural), electrical, or mechanical engineering as a sole proprietorship, partnership, limited liability partnership, firm, or corporation (hereinafter called business), if all of the following requirements are met:

....

(3) If the business name of a California engineering business contains the name of any person, then that person shall be licensed as a professional engineer, a licensed land surveyor, a licensed architect, or a geologist registered under the Geologist and Geophysicist Act (Chapter 12.5 (commencing with Section 7800)). Any offer, promotion, or advertisement by the business that contains the name of any individual in the business, other than by use of the name of an individual in the

1 business name, shall clearly and specifically designate the license or registration
discipline of each individual named.

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3 7. Section 6787 of the Code states, in pertinent part:

4 "Every person is guilty of a misdemeanor:

5 "(a) Who, unless he or she is exempt from licensure under this chapter, practices or offers
6 to practice civil, electrical, or mechanical engineering in this state according to the provisions of
7 this chapter without legal authorization.

8 ". . . .

9 "(j) Who violates any provision of this chapter."

10 8. Section 8729 of the Code states, in pertinent part:

11 (a) This chapter does not prohibit one or more licensed land surveyors or
12 civil engineers licensed in this state prior to 1982 (hereinafter called civil
13 engineers) from practicing or offering to practice, within the scope of their
14 licensure, land surveying as a sole proprietorship, partnership, limited liability
partnership, firm, or corporation (hereinafter called business), if the following
conditions are satisfied:

14

15 (3) If the business name of a California land surveying business contains the
16 name of a person, then that person shall be licensed by the board as a land
17 surveyor or licensed by the board in any year as a civil engineer. Any offer,
18 promotion, or advertisement by the business that contains the name of any
individual in the business, other than by use of the name of the individual in the
business name, shall clearly and specifically designate the license discipline of
each individual named.

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20 9. Section 8792 of the Code states:

21 "Every person is guilty of a misdemeanor:

22 "(a) Who, unless he or she is exempt from licensing under this chapter, practices, or offers
23 to practice, land surveying in this state without legal authorization.

24 ". . . .

25 "(e) Who impersonates or uses the seal of a professional land surveyor.

26 ". . . .

27 "(j) Who violates any provision of this chapter."

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1 **COST RECOVERY**

2 10. Section 125.3 of the Code provides, in pertinent part, that the board may request the
3 administrative law judge to direct a licentiate found to have committed a violation or violations of
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case.

6 **CARMEN MEADOWS PROPERTY**

7 11. In or about January of 2005, Respondent acting as a principal for Wright Mapping,
8 Inc., entered into a contract with Diversified Product Industries, LTD., to provide civil
9 engineering and surveying services required to complete a final submission for approval to the
10 County of Riverside for a parcel to be developed in an unincorporated area of Riverside County.

11 12. Respondent named himself in the contract as a Principal Engineer for Wright
12 Mapping. At the time the contract was signed Respondent was not licensed as a civil engineer or
13 land surveyor.

14 13. Problems arose with the plans submitted to the County by Respondent. These
15 problems were not resolved and the plans prepared for the project by Respondent were never
16 approved by the County.

17 **FIRST CAUSE FOR DISCIPLINE**

18 **(Offering Civil Engineering Services Without Authorization)**

19 14. Respondent is subject to disciplinary action under Code section 8780 (d) in
20 conjunction with Code section 6787 (a) in that Respondent offered civil engineering services
21 without authorization by executing a written contract for civil engineering services, when he did
22 not possess a civil engineering license, as set forth in paragraphs 11-13 above, which are
23 incorporated by reference herein.

24 **SECOND CAUSE FOR DISCIPLINE**

25 **(Managing a Business Containing the Name of an Unlicensed Civil Engineer)**

26 15. Respondent is subject to disciplinary action under Code section 6787 (j) in
27 conjunction with Code section 6738 (a) (3) in that Respondent managed a business containing his
28

1 own name, when he was not licensed as a civil engineer, as set forth in paragraphs 11-13 above,
2 which are incorporated by reference herein.

3 **THIRD CAUSE FOR DISCIPLINE**

4 **(Offering Land Surveying Services Without Authorization)**

5 16. Respondent is subject to disciplinary action under Code section 8780 (d) in
6 conjunction with Code section 8792 (a) in that Respondent offered land surveying services
7 without authorization by executing a written contract for land surveying services, when he did not
8 possess a land surveying license, as set forth in paragraphs 11-13 above, which are incorporated
9 by reference herein.

10 **FOURTH CAUSE FOR DISCIPLINE**

11 **(Managing a Business Containing the Name of an Unlicensed Land Surveyor)**

12 17. Respondent is subject to disciplinary action under Code section 8792 (j) in
13 conjunction with Code section 8729 (a) (3) in that Respondent managed a business containing his
14 own name, when he was not licensed as a land surveyor, as set forth in paragraphs 11-13 above,
15 which are incorporated by reference herein.

16 **INGLEWOOD AVENUE PROPERTY**

17 18. In or about September of 2009, Respondent agreed to provide land surveying services
18 for Associated Design Consultants for a single family residential property on Inglewood Avenue
19 in the City of Lawndale, California.

20 19. The survey of the property was not in compliance with industry standards. At the
21 time the survey was performed, Respondent was not licensed as a land surveyor.

22 20. During the survey of the property, Respondent set monument tags of a land surveyor
23 who died in May of 2006.

24 **FIFTH CAUSE FOR DISCIPLINE**

25 **(Offering Land Surveying Services Without Authorization)**

26 21. Respondent is subject to disciplinary action under Code section 8780 (d) in
27 conjunction with Code section 8792 (a) in that Respondent performed land surveying services
28 without authorization by performing land surveying services, when he did not possess a land

1 surveying license, as set forth in paragraphs 18-20 above, which are incorporated by reference
2 herein.

3 **SIXTH CAUSE FOR DISCIPLINE**

4 **(Managing a Business Containing the Name of an Unlicensed Land Surveyor)**

5 22. Respondent is subject to disciplinary action under Code section 8792 (j) in
6 conjunction with Code section 8729 (a) (3) in that Respondent managed a business containing his
7 own name, when he was not licensed as a land surveyor, as set forth in paragraphs 18-20 above,
8 which are incorporated by reference herein.

9 **SEVENTH CAUSE FOR DISCIPLINE**

10 **(Used the Seal of a Deceased Land Surveyor)**

11 23. Respondent is subject to disciplinary action under Code section 8780 (d) in
12 conjunction with Code section 8792 (e) in that Respondent performed land surveying services
13 using monument tags of a land surveyor who died in May of 2006, as set forth in paragraphs 18-
14 20 above, which are incorporated by reference herein.

15 **PRAYER**

16 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
17 and that following the hearing, the Board for Professional Engineers, Land Surveyors, and
18 Geologists issue a decision:

19 1. Revoking or suspending Land Surveyor License Number L 8717, issued to Jacob
20 Robert Wright;

21 2. Ordering Jacob Robert Wright to pay the Board for Professional Engineers, Land
22 Surveyors, and Geologists the reasonable costs of the investigation and enforcement of this case,
23 pursuant to Business and Professions Code section 125.3;

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3. Taking such other and further action as deemed necessary and proper.

DATED: 3/21/12

Original Signed
RICHARD B. MOORE, PLS
Executive Officer
Board for Professional Engineers, Land Surveyors, and
Geologists
Department of Consumer Affairs
State of California
Complainant

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