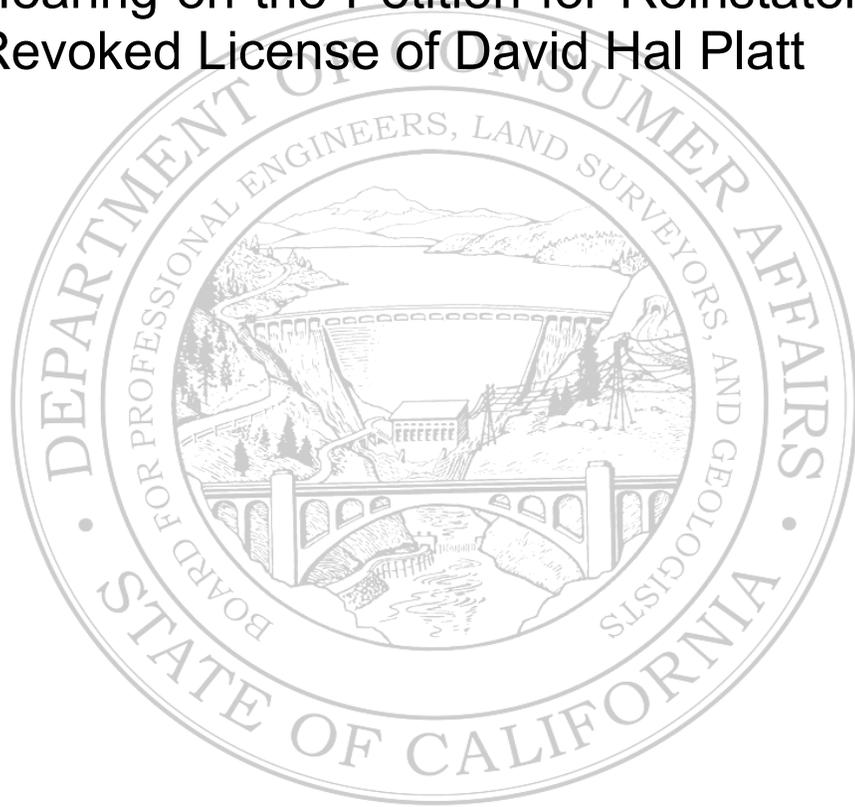




Gavin Newsom, Governor

Board for Professional Engineers, Land Surveyors, and Geologists

Hearing on the Petition for Reinstatement of Revoked License of David Hal Platt



Friday, October 16, 2020 beginning at 9:00 a.m.

Teleconference Public Board Meeting

**BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS**

2535 Capitol Oaks Drive, Suite 300, Sacramento, California, 95833-2944

Telephone: (916) 999-3600 – Toll Free: 1-866-780-5370

Facsimile: (916) 263-2246

www.bpelsg.ca.gov

**TABLE OF CONTENTS****HEARING ON THE MATTER OF THE PETITION FOR
REINSTATEMENT OF REVOKED LICENSE OF
DAVID HAL PLATT**

Teleconference Public Board Meeting

FRIDAY, OCTOBER 16, 2020**9:00 a.m., or as soon thereafter as the matter may be heard**

TABLE OF CONTENTS	PAGE NO.
1. Petition for Reinstatement of Revoked License, dated May 2, 2020	5
2. Notice of Hearing, dated September 9, 2020	27
3. License History	29
4. Default Decision and Order in the Matter of Accusation No. 1178-A against David Hall Platt, including Accusation	31

**BEFORE THE BOARD FOR
PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA
2535 Capitol Oaks Drive, Suite 300, Sacramento, CA 95833
(916) 263-2222**

RECEIVED MAY 05 2020

PETITION FOR REINSTATEMENT OF REVOKED LICENSE

Name: David Platt

Address: 11966 Broadhead Cove, Riverton Ut, 84065

Telephone Number: 801-514-0363

License/Certificate Number: 68987

Issue Date of License/Certificate: September 2005

Effective Date of Revocation: January 2019

Cause for Discipline: My Ut license was revoked for stamping incomplete plans

Elapsed Period from Effective Date: 17 Months

Prior Disciplinary Decisions: Due to a failure on my part to update my address after a recent move, I did not receive the notice for my disciplinary hearing

Prior Petition Hearings: I have not had any previous petition hearing

Attorney's Name: Elizabeth Bowman

Attorney's Address: 8 East Broadway, Ste 413
SLC Ut, 84111

Attorney's Telephone Number: 801532-4570

Since the effective date of the revocation order, have you been involved in any of the following situations? Circle all that apply and explain in detail in the Narrative Statement.

Currently on criminal probation/parole

Charged in any pending criminal actions

Convicted of any criminal offense
(Including pleas of No Contest and any
dismissals under Penal Code §1203.4)

Had any civil malpractice claims filed
against you

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury according to the laws of the State of California that the information provided by me in this Petition for Reinstatement of Revoked License, including the Narrative Statement and any attachments, is true and correct to the best of my knowledge.


Signature

5/2/20
Date



Ward Engineering Group

Planning Engineering Surveying

P.O. 538, Salt Lake City, UT 84110-0538
231 West 800 South, Salt Lake City, UT 84101
Tel. 801.487.8040 • Fax. 801.487.8668

May 2, 2020

Tiffany Criswell

California Board for Professional Engineers, Lan Surveyors, and Geologists

2535 Capitol Oaks Drive Suite 300

Sacramento California 95833-2944

(916)- 263-2222

Tiffany.criswell@dca.ca.gov

Re: David Platt Petition for Reinstatement of revoked license

Ms. Criswell,

Pursuant to petition for reinstatement of my license I would like to explain what occurred. In 2015 I went through some personal issues related to my family lasting roughly 2 years. These included the loss of my younger brother and nephew to suicide and my older brother to a heart attack. It also included the loss of 2 friends to illness and my wife's grandparents to old age.

During this time, I went through a depression, and failed to adequately review the work produced in my office related to a handful of projects in Utah. Although the information on the plans was accurate, the plans were incomplete. No threat to human life was ever determined, but the extent of the incompleteness was deemed to be negligent. When challenged on these projects I took the challenge personally and reacted emotionally rather than taking them professionally and reacting analytically. I was put on probation; however, the month of my younger brother's suicide was 6 days late in my reporting causing a downward spiral that resulted in the revocation of my license.

After the revocation, I took a position with Ward Engineering and have been working as a project manager and have had all my work reviewed and stamped by licensed engineers. The address and contact information for Ward Engineering is listed above. For my projects in California I have been working with Charles Richardson, however my direct manager has been AJ Shaffer. I have come to value rigorous reviews performed by my coworkers and have been more diligent in paying attention to detail prior to submitting drawings. During this time, I have completed more than 30 hours of continuing education courses focusing mainly on structural engineering topics along with some site design and accessibility courses. Certificates for these courses are included with this submittal. I have also watched webinars related to structural topics, however, because no test was given as part of those presentations, I did not request certificates.

In my personal life, I sold my house, rented a house, and then designed and built my own home. This was something I had always wanted to do, and it afforded me an opportunity to create somewhat of a fresh start personally. Unfortunately, moving 4 times in a two-year period did cause some problems with maintaining a proper mailing address and I did not receive notice of the hearing for my California license until after my license had already been revoked.

Unfortunately, nobody can foresee personal tragedy in the future, but this experience has humbled me and reminded me the importance of a good supporting company and proper internal reviews prior to issuing stamped plans. It has also taught me that I can overcome any personal tragedies that may arise and that it is ok to take some time away from business when dealing with personal issues.

Respectfully
Ward Engineering Group

A handwritten signature in black ink, appearing to read 'D. Platt', with a long horizontal flourish extending to the right.

David Platt
Structural Project Manager

Certificate of Completion

David Platt

has successfully completed the following course

Reinforced Masonry Design

— 2 hour(s) —

March 26 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



As an IACET Accredited Provider, RedVector offers CEUs for its programs that qualify under the ANSI/IACET Standard

RedVector
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

Unreinforced Masonry Design

— 2 hour(s) —

March 26 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



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RedVector
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

**ADA Guidelines: Designing Pedestrian Facilities using Public Right of Way
Accessibility Guidelines (PROWAG)**

— 1 hour(s) —

March 26 2020

Course Completion Date



Victoria Zambito, VP of Product Management

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Tampa, FL 33609
866.546.1212



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Provider, RedVector offers CEUs
for its programs that qualify
under the ANSI/IACET Standard

RedVector
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

Designing Foundation Repairs

— 2 hour(s) —

March 26 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



As an IACET Accredited
Provider, RedVector offers CEUs
for its programs that qualify
under the ANSI/IACET Standard

RedVector
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

Developing 3D Engineered Construction Models

— 2 hour(s) —

March 26 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



As an IACET Accredited
Provider, RedVector offers CEUs
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under the ANSI/IACET Standard

RedVector[®]
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

Designing Permanent Erosion and Sediment Control Systems

— 2 hour(s) —

March 26 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



As an IACET Accredited
Provider, RedVector offers CEUs
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RedVector^{*}
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

Land Development Projects: Design of Infrastructure

— 1 hour(s) —

March 26 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



As an IACET Accredited
Provider, RedVector offers CEUs
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RedVector
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

Transmission and Distribution: Framing Specifications and Basic Construction Diagrams

— 1 hour(s) —

March 26 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



As an IACET Accredited Provider, RedVector offers CEUs for its programs that qualify under the ANSI/IACET Standard

RedVector
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course
Anatomy of Construction Defects

— 2 hour(s) —

March 26 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



As an IACET Accredited
Provider, RedVector offers CEUs
for its programs that qualify
under the ANSI/IACET Standard

RedVector
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

Construction Project Documentation: Navigating Pitfalls

— 2 hour(s) —

March 26 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



As an IACET Accredited
Provider, RedVector offers CEUs
for its programs that qualify
under the ANSI/IACET Standard

RedVector
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

Seismic Diaphragm Demands

— 1 hour(s) —

March 26 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



As an IACET Accredited
Provider, RedVector offers CEUs
for its programs that qualify
under the ANSI/IACET Standard

RedVector
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

Pier and Beam Foundation Design

— 2 hour(s) —

March 26 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



As an IACET Accredited
Provider, RedVector offers CEUs
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under the ANSI/IACET Standard

RedVector[®]
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

Reinforced Concrete Tilt-Up Panels

— 1 hour(s) —

March 26 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



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Provider, RedVector offers CEUs
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under the ANSI/IACET Standard

RedVector
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

Advancements in Concrete

— 2 hour(s) —

March 26 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



As an IACET Accredited
Provider, RedVector offers CEUs
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under the ANSI/IACET Standard

RedVector
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

Design of Reinforced Concrete Using the ACI Code: Slender Columns

— 1 hour(s) —

March 26 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



As an IACET Accredited
Provider, RedVector offers CEUs
for its programs that qualify
under the ANSI/IACET Standard

RedVector
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

**Design of Reinforced Concrete Using the ACI Code: Design of Short Columns
Subject to Axial Load and Bending**

— 1 hour(s) —

March 25 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



As an IACET Accredited
Provider, RedVector offers CEUs
for its programs that qualify
under the ANSI/IACET Standard

RedVector
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

**Design of Reinforced Concrete Using the ACI Code: Two-Way Slabs,
Equivalent Frame Method**

— 1 hour(s) —

March 25 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



As an IACET Accredited
Provider, RedVector offers CEUs
for its programs that qualify
under the ANSI/IACET Standard

RedVector
Leaders in Online Education & Training

Certificate of Completion

David Platt

has successfully completed the following course

Green Building with Steel - Part 5: Erecting An Engineered Red Iron Steel House

— 4 hour(s) —

March 25 2020

Course Completion Date



Victoria Zambito, VP of Product Management

RedVector.com
Two Urban Centre
4890 West Kennedy Boulevard Suite 300
Tampa, FL 33609
866.546.1212



As an IACET Accredited Provider, RedVector offers CEUs for its programs that qualify under the ANSI/IACET Standard

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**BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS**

2535 Capitol Oaks Drive, Suite 300, Sacramento, California, 95833-2944

Telephone: (916) 263-2222 – Toll Free: 1-866-780-5370

Facsimile: (916) 263-2246

www.pelsg.ca.gov



September 9, 2020

David Hal Platt
11966 Broadhead Cove
Riverton, UT 84065

Sent via Email to: dave@platteng.com

**PETITION FOR REINSTATEMENT OF REVOKED LICENSE
NOTICE OF HEARING**

Dear Mr. Platt:

The California State Board for Professional Engineers, Land Surveyors, and Geologists has scheduled the hearing on your Petition for Reinstatement of Surrendered License for Friday, October 16, 2020, beginning at 9:00 a.m., or as soon thereafter as the matter may be heard, as there is another hearing scheduled before yours. At this time, the hearing will be held via a web conference platform. Although it is unlikely, if the date of your hearing were to change, you will be notified immediately.

Hearings on such petitions are held before a quorum of the Board, pursuant to the California Administrative Procedure Act (Chapters 4, 4.5, and 5 of Title 2 of Division 3 of Part 1 of the Government Code, beginning with Section 11370). At the hearing on this petition, you have the right to be represented by an attorney or other designated representative at your own expense and to present evidence and witnesses on your behalf. You, as the petitioner, have the burden of proving to the Board that cause exists to reinstate your revoked license. The purpose of the hearing is to determine if you are rehabilitated sufficiently to protect the health, safety, and welfare of the public should the revoked license be reinstated. The purpose is not to attempt to relitigate the underlying matter that led to the revocation in the first place.

At the hearing, the State of California will be represented by a Deputy Attorney General. An Administrative Law Judge will preside at the hearing and rule on matters of law. The Board, in closed session, will make its decision and direct the judge to prepare the written decision for the signature of the Board president. No decision will be issued the day of the hearing. The written decision of the Board for Professional Engineers, Land Surveyors, and Geologists will be served on you approximately 60 days after the hearing.

If you are unable to attend this hearing and wish to withdraw your Petition, the Board must be advised in writing prior to the commencement of the hearing. If the Petition is not withdrawn and you fail to appear at the hearing, the Board can issue a Default Decision in the matter.

Approximately one week prior to the hearing date, you will be provided with a copy of the agenda packet that will also be provided to the members of the Board for Professional Engineers, Land Surveyors, and Geologists; the Administrative Law Judge; and the Deputy Attorney General regarding the hearing on your Petition. If you have any additional documentary

David Hal Platt
September 10, 2020
Page 2

evidence which you intend to present at the hearing, you will be provided instructions for providing electronic copies.

If you have any further questions regarding this matter, please contact me at (916) 263-2273 or email me at Tiffany.Criswell@dca.ca.gov.

Sincerely,

Original Signed

TIFFANY CRISWELL
Enforcement Program Manager



BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS

2535 Capitol Oaks Drive, Suite 300, Sacramento, California, 95833-2944

Telephone: (916) 999-3600 – Toll Free: 1-866-780-5370

Facsimile: (916) 263-2246

www.bpelsg.ca.gov



STATE OF CALIFORNIA)
)
COUNTY OF SACRAMENTO)

I, **TIFFANY CRISWELL**, the duly appointed Enforcement Program Manager for the Board for Professional Engineers, Land Surveyors, and Geologists, hereby certify that David Hal Platt was granted License Number C 68987 as a Civil Engineer on September 2, 2005, by the Board for Professional Engineers, Land Surveyors, and Geologists. Effective January 18, 2019, pursuant to the Default Decision and Order in the Matter of Accusation No. 1178-A against David Hall Platt, said license was revoked. The address of record filed with the Board for Professional Engineers, Land Surveyors, and Geologists for David Hal Platt is 9351 New Heritage Drive, West Jordan, Utah, 84088.

I declare under penalty of perjury under the laws of the State of California that the above statements are true and correct to the best of my knowledge and belief. Given under my hand and the seal of the Board for Professional Engineers, Land Surveyors, and Geologists at Sacramento, California, this seventh day of October, 2020April, 2019.

Original Signed
Tiffany Criswell
TIFFANY CRISWELL
Enforcement Program Manager



1
2
3
4
5 **BEFORE THE**
6 **BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND**
7 **GEOLOGISTS**
8 **DEPARTMENT OF CONSUMER AFFAIRS**
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 1178-A

11 **DAVID HAL PLATT**
12 **8661 Pebble Crest Way**
13 **West Jordan, UT 84081**

DEFAULT DECISION AND ORDER

14 **Civil Engineer License No. C 68987**

[Gov. Code, §11520]

15 Respondent.

16
17 **FINDINGS OF FACT**

18 1. On or about September 11, 2018, Complainant Richard B. Moore, PLS, in his official
19 capacity as the Executive Officer of the Board for Professional Engineers, Land Surveyors, and
20 Geologists ("Board"), Department of Consumer Affairs, filed Accusation No. 1178-A against
21 David Hal Platt ("Respondent") before the Board. (Accusation attached as Exhibit A.)

22 2. On or about September 2, 2005, the Board issued Civil Engineer No. C 68987 to
23 Respondent. The Civil Engineer License was in full force and effect at all times relevant to the
24 charges brought in Accusation No. 1178-A and will expire on December 31, 2019, unless
25 renewed.

26 3. On or about September 14, 2018, Respondent was served by Certified and First Class
27 Mail copies of the Accusation No. 1178-A, Statement to Respondent, Notice of Defense, Request
28

1 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and
2 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code
3 section 136, is required to be reported and maintained with the Board. Respondent's address of
4 record was and is: 8661 Pebble Crest Way, West Jordan, UT 84081.

5 4. Service of the Accusation was effective as a matter of law under the provisions of
6 Government Code section 11505(c) and/or Business and Professions Code section 124.

7 5. Government Code section 11506(c) states, in pertinent part:

8 (c) The respondent shall be entitled to a hearing on the merits if the respondent
9 files a notice of defense . . . and the notice shall be deemed a specific denial of all
10 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense
11 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its
12 discretion may nevertheless grant a hearing.

13 6. The Board takes official notice of its records and the fact that Respondent failed to
14 file a Notice of Defense within 15 days after service upon him of the Accusation, and therefore
15 waived his right to a hearing on the merits of Accusation No. 1178-A.

16 7. California Government Code section 11520(a) states, in pertinent part:

17 (a) If the respondent either fails to file a notice of defense . . . or to appear at
18 the hearing, the agency may take action based upon the respondent's express
19 admissions or upon other evidence and affidavits may be used as evidence without
20 any notice to respondent

21 8. Pursuant to its authority under Government Code section 11520, the Board finds
22 Respondent is in default. The Board will take action without further hearing and, based on the
23 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as
24 taking official notice of all the investigatory reports, exhibits and statements contained therein on
25 file at the Board's offices regarding the allegations contained in Accusation No. 1178-A, finds
26 that the charges and allegations in Accusation No. 1178-A, are separately and severally, found to
27 be true and correct by clear and convincing evidence.

28 9. The Board finds that the actual costs for Investigation and Enforcement are \$1,692.50 as of
October 18, 2018.

27 \\\
28 \\\

DETERMINATION OF ISSUES

1
2 1. Based on the foregoing findings of fact, Respondent David Hal Platt has subjected his
3 Civil Engineer License No. C 68987 to discipline.

4 2. The agency has jurisdiction to adjudicate this case by default.

5 3. The Board for Professional Engineers, Land Surveyors, and Geologists is authorized
6 to revoke Respondent's Civil Engineer License based upon the following violations alleged in the
7 Accusation which are supported by the evidence contained in the Default Decision Evidence
8 Packet in this case:

9 a. Respondent is subject to disciplinary action under Code section 141 in that on or
10 about March 14, 2017, Respondent was disciplined by another state's licensing agency for acts
11 which would constitute disciplinary action under California law. The circumstances are as
12 follows:

13 b. On or about March 14, 2017, in the disciplinary action entitled "In the matter of the
14 license of David Hal Platt", Case No. DOPL-2016-125, the State of Utah Director of the Division
15 of Occupational and Professional Licensing ("Division"), Department of Commerce, entered into
16 an Order adopting the findings of fact, conclusions of law and recommended order of the Utah
17 Professional Engineers and Professional Land Surveyors Licensing Board ("Board"). The Order
18 suspended Respondent's Utah professional engineer license for a period of two years, subject to
19 terms and conditions. The Order also prohibited Respondent from stamping any plans in Utah
20 during the period of suspension. Upon the expiration of the suspension set forth in the Order,
21 Respondent's Utah professional engineer license will be on probation for an additional year,
22 subject to the same terms and conditions. The findings of fact and conclusions of law for the
23 March 14, 2017, Utah discipline are as follows:

24 i. On or about October 29, 2013, Respondent voluntarily entered into a
25 Stipulation and Order with the Utah Division in DOPL Case No. 2013-482, wherein
26 Respondent surrendered his Utah license to practice as a structural engineer. Respondent's
27 Utah professional engineer license was reinstated when Respondent surrendered his
28 structural engineer license.

1 ii. After Respondent entered into the Utah Stipulation and Order on October 29
2 2013, the Utah Division received new complaints regarding Respondent. On or about
3 March 4, 2015, Respondent voluntarily entered into a Stipulation and Order with the Utah
4 Division in Case No. 2015-168 wherein Respondent's Utah license to practice as a
5 Professional Engineer was placed on probation for a period of five years

6 iii. Subsequent to the Utah 2015 Stipulation and Order, Respondent prepared and
7 submitted to the appropriate Utah municipalities plans for the R. residential addition and B.
8 Grill. After a hearing before the Utah Board in November 2016 and January 2017, the
9 Board found that the plans prepared by Respondent for the R. residence and B. Grill were
10 deficient, the work done by Respondent reflected a pattern of negligence by general
11 sloppiness, references to outdated codes and standards, and failing to update information or
12 calculations, and that Respondent engaged in acts constituting unprofessional conduct
13 (negligence). These factual findings and conclusions of law were adopted by the Utah
14 Director of the Division on March 14, 2017.

15 //
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1 **ORDER**

2 IT IS SO ORDERED that Civil Engineer License, No. C 68987, heretofore issued to
3 Respondent David Hal Platt, is revoked.

4 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a
5 written notice requesting that the Decision be vacated and stating the grounds relied on within
6 seven (7) days after service of the Decision on the Respondent. The agency in its discretion may
7 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

8 Pursuant to Business and Professions Code section 6780, Respondent may petition for
9 reinstatement of the revoked license not less than one (1) year from the effective date of this
10 decision.

11 This Decision shall become effective on January 18, 2019

12 IT IS SO ORDERED December 13, 2018.

13
14 *Original Signed*

15 _____
16 FOR THE BOARD FOR PROFESSIONAL
17 ENGINEERS, LAND SURVEYORS, AND
18 GEOLOGISTS
19 STATE OF CALIFORNIA
20
21
22
23
24
25
26
27
28

Exhibit A

Accusation No. 1178-A

(DAVID H. PLATT)

1 XAVIER BECERRA
Attorney General of California
2 KENT D. HARRIS
Supervising Deputy Attorney General
3 STEPHANIE ALAMO-LATIF
Deputy Attorney General
4 State Bar No. 283580
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 210-6112
Facsimile: (916) 327-8643
7 E-mail: Stephanie.AlamoLatif@doj.ca.gov
Attorneys for Complainant

8
9 **BEFORE THE**
10 **BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND**
11 **GEOLOGISTS**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
13 **STATE OF CALIFORNIA**

14 In the Matter of the Accusation Against:

Case No. 1178-A

15 **DAVID HAL PLATT**
16 **8661 Pebble Crest Way**
West Jordan, UT 84081

A C C U S A T I O N

17 **Civil Engineer License No. C 68987**

18 Respondent.

19
20
21 Richard B. Moore, PLS (“Complainant”) alleges:

22 **PARTIES**

23 1. Complainant brings this Accusation solely in his official capacity as the Executive
24 Officer of the Board for Professional Engineers, Land Surveyors, and Geologists (“Board”),
25 Department of Consumer Affairs.

26 2. On or about September 2, 2005, the Board issued Civil Engineer License Number C
27 68987 to David Hal Platt (“Respondent”). The Civil Engineer License was in full force and effect
28

1 at all times relevant to the charges brought herein and will expire on December 31, 2019, unless
2 renewed.

3 JURISDICTION

4 3. This Accusation is brought before the Board under the authority of the following
5 laws. All section references are to the Business and Professions Code unless otherwise indicated.

6 4. Code section 118 states, in pertinent part:

7 ...

8 “(b) The suspension, expiration, or forfeiture by operation of law of a license issued by a
9 board in the department, or its suspension, forfeiture, or cancellation by order of the board or by
10 order of a court of law, or its surrender without the written consent of the board, shall not, during
11 any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its
12 authority to institute or continue a disciplinary proceeding against the licensee upon any ground
13 provided by law or to enter an order suspending or revoking the license or otherwise taking
14 disciplinary action against the licensee on any such ground.”

15 ...

16 STATUTORY PROVISIONS

17 5. Code section 141 states, in pertinent part:

18 “(a) For any licensee holding a license issued by a board under the jurisdiction of the
19 department, a disciplinary action taken by another state, by any agency of the federal government,
20 or by another country for any act substantially related to the practice regulated by the California
21 license, may be a ground for disciplinary action by the respective state licensing board. A
22 certified copy of the record of the disciplinary action taken against the licensee by another state,
23 an agency of the federal government, or another country shall be conclusive evidence of the
24 events related therein.”

25 ...

26 6. Code section 6775 states, in pertinent part:

27 The board may, upon its own initiative or upon the receipt of a complaint, investigate the
28 actions of any professional engineer licensed under this chapter and make findings thereon.

1 By a majority vote, the board may publicly reprove, suspend for a period not to exceed two
2 years, or revoke the certificate of any professional engineer licensed under this chapter on any of
3 the following grounds:

4 ...

5 (c) Any negligence or incompetence in his or her practice.

6 ...

7 **COST RECOVERY**

8 7. Code section 125.3 provides, in pertinent part, that the Board may request the
9 administrative law judge to direct a licentiate found to have committed a violation or violations of
10 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
11 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
12 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
13 included in a stipulated settlement.

14 **CAUSE FOR DISCIPLINE**

15 **(Discipline by Another State)**

16 8. Respondent is subject to disciplinary action under Code section 141 in that on or
17 about March 14, 2017, Respondent was disciplined by another state's licensing agency for acts
18 which would constitute disciplinary action under California law. The circumstances are as
19 follows:

20 9. On or about March 14, 2017, in the disciplinary action entitled "In the matter of the
21 license of David H. Platt", Case No. DOPL-2016-125, the State of Utah Director of the Division
22 of Occupational and Professional Licensing ("Division"), Department of Commerce, entered into
23 an Order adopting the findings of fact, conclusions of law and recommended order of the Utah
24 Professional Engineers and Professional Land Surveyors Licensing Board ("Board"). The Order
25 suspended Respondent's Utah professional engineer license for a period of two years, subject to
26 terms and conditions. The Order also prohibited Respondent from stamping any plans in Utah
27 during the period of suspension. Upon the expiration of the suspension set forth in the Order,
28 Respondent's Utah professional engineer license will be on probation for an additional year,

1 subject to the same terms and conditions. The findings of fact and conclusions of law for the
2 March 14, 2017, Utah discipline are as follows:

3 a. On or about October 29, 2013, Respondent voluntarily entered into a
4 Stipulation and Order with the Utah Division in DOPL Case No. 2013-482, wherein Respondent
5 surrendered his Utah license to practice as a structural engineer. Respondent's Utah professional
6 engineer license was reinstated when Respondent surrendered his structural engineer license.

7 b. After Respondent entered into the Utah Stipulation and Order on October 29
8 2013, the Utah Division received new complaints regarding Respondent. On or about March 4,
9 2015, Respondent voluntarily entered into a Stipulation and Order with the Utah Division in Case
10 No. 2015-168 wherein Respondent's Utah license to practice as a Professional Engineer was
11 placed on probation for a period of five years.

12 c. Subsequent to the Utah 2015 Stipulation and Order, Respondent prepared and
13 submitted to the appropriate Utah municipalities plans for the R. residential addition and B. Grill.
14 After a hearing before the Utah Board in November 2016 and January 2017, the Board found that
15 the plans prepared by Respondent for the R. residence and B. Grill were deficient, the work done
16 by Respondent reflected a pattern of negligence by general sloppiness, references to outdated
17 codes and standards, and failing to update information or calculations, and that Respondent
18 engaged in acts constituting unprofessional conduct (negligence). These factual findings and
19 conclusions of law were adopted by the Utah Director of the Division on March 14, 2017, as set
20 forth more fully above in paragraph 9.

21 **PRAYER**

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

25 1. Revoking or suspending Civil Engineer License Number C 68987, issued to David
26 Hal Platt;

27 \\\

28 \\\

1 2. Ordering David Hal Platt to pay the Board for Professional Engineers, Land
2 Surveyors, and Geologists the reasonable costs of the investigation and enforcement of this case,
3 pursuant to Business and Professions Code section 125.3; and,

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

5
6 DATED:

9/11/18

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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