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

13 In the Matter of the Accusation Against:	Case No. 1288-A
14 TIENKUANG LIU 15 4852 Rio Hondo Avenue 16 Temple City, CA 91780 17 Civil Engineer License No. C 40889	ACCUSATION
Respondent.	

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19 **PARTIES**

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

23 2. On or about August 1, 1986, the Board for Professional Engineers, Land Surveyors,
24 and Geologists issued Civil Engineer License Number C 40889 to Tienkuang Liu (Respondent).
25 The Civil Engineer License was in full force and effect at all times relevant to the charges brought
26 herein and will expire on March 31, 2023, unless renewed.

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1 **JURISDICTION**

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

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

10 **REGULATORY PROVISIONS**

11 5. California Code of Regulations, title 16, section 473.3 of the Code states:

12 (a) If a cited person who has been issued an order of abatement is unable to
13 complete the correction within the time set forth in the citation because of conditions
14 beyond his or her control after the exercise of reasonable diligence, then he or she
15 may request from the Executive Officer an extension of time within which to
16 complete the correction. Such a request shall be in writing and shall be made within
17 the time set forth for abatement.

18 (b) Failure of the cited person to abate the violation or to pay all of the assessed
19 fine within the time allowed is grounds for suspension or revocation of the cited
20 person's license.

21 (c) If the cited person fails to pay all of the assessed fine within the time
22 allowed, the balance due for the fine shall be added to the renewal fee for the license,
23 and the license shall not be renewed until the fine is paid in full.

24 (d) If a hearing as provided in Section 473.2(a) is not requested, payment of the
25 fine shall not constitute an admission of the violation charged.

26 (e) Payment of the fine shall be represented as satisfactory resolution of the
27 matter for purposes of public disclosure.

28 **COST RECOVERY**

6. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
administrative law judge to direct a licensee found to have committed a violation or violations of
the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
enforcement of the case, with failure of the licensee to comply subjecting the license to not being

1 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
2 included in a stipulated settlement.

3 **FACTUAL ALLEGATIONS**

4 7. On or around June 11, 2020, Respondent entered into a contract with a property
5 owner to provide civil/structural engineering services related to a remodel project for a restaurant
6 drive-through (the Project).

7 8. On September 8, 2021, the Board issued Citation Order 10950-L (“Citation”) to
8 Respondent regarding the Project. The Citation contained an order of abatement requiring
9 Respondent to cease and desist from violating Business and Professions Code sections 6738,
10 subdivision (i), 6749, subdivisions (a)(3), (4) and (5), and 6775, subdivisions (c) and (g). To
11 demonstrate compliance with these sections, Respondent was ordered to submit an Organization
12 Record for his business to the Board Office and a revised sample written contract within 30 days
13 of the date the Citation became final. The Citation also contained an administrative fine in the
14 amount of \$1,050.00 to be paid to the Board within 30 days of the date the Citation became final.

15 9. The Citation became final on October 8, 2021. Respondent, however, failed to pay
16 the administrative fine and did not comply with any of the orders of abatement contained in the
17 Citation.

18 10. On March 10, 2022, the Board sent a letter to Respondent advising him that he failed
19 to comply with the Citation and requesting that he comply with the Citation. Respondent has
20 failed to do so.

21 **CAUSE FOR DISCIPLINE**

22 **(Failure to Comply with Citation)**

23 11. Respondent is subject to disciplinary action under California Code of Regulations,
24 title 16, section 473.3, subdivision (b), in that he failed to comply with the Citation, as set forth
25 above in paragraphs 7 through 10 above and incorporated herein by this reference.

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PRAYER

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

1. Revoking or suspending Civil Engineer License Number C 40889, issued to Tienkuang Liu;
2. Ordering Tienkuang Liu to pay the Board for Professional Engineers, Land Surveyors, and Geologists the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: 8/29/22

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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