

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

In the Matter of the Accusation against:)	
)	
VAHID VIC BEIZAI)	Case No.1179-A
1125 East Broadway, No. 159)	
Glendale, CA 91025)	
)	
Civil Engineer License No. C 43801,)	
)	
Respondent.)	
_____)	

DECISION

The attached Stipulated Settlement and Disciplinary Order for Public Repeval is hereby adopted by the Board for Professional Engineers, Land Surveyors, and Geologists as its Decision in the above-entitled matter.

This Decision shall become effective on January 18, 2019.

IT IS SO ORDERED December 13, 2018.



BOARD FOR PROFESSIONAL ENGINEERS,
LAND SURVEYORS, AND GEOLOGISTS
Department of Consumer Affairs
State of California

1 XAVIER BECERRA
Attorney General of California
2 SHAWN P. COOK
Supervising Deputy Attorney General
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Attorneys for Complainant
7

8 **BEFORE THE**
9 **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:

14 **VAHID VIC BEIZAI**
15 **1125 E. Broadway, #159**
16 **Glendale, CA 91025**
17 **Civil Engineer License No. C 43801**

Respondent.

Case No. 1179-A

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR PUBLIC
REPROVAL**

[Bus. & Prof. Code § 495]

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19
20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
21 entitled proceedings that the following matters are true:
22

23 **PARTIES**

24 1. Richard B. Moore, PLS (Complainant) is the Executive Officer of the Board for
25 Professional Engineers, Land Surveyors, and Geologists (Board). He brought this action solely in
26 his official capacity and is represented in this matter by Xavier Becerra, Attorney General of the
27 State of California, by Langston M. Edwards, Deputy Attorney General.

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1 **CULPABILITY**

2 8. Respondent admits the truth of each and every charge and allegation in Accusation
3 No. 1179-A.

4 9. Respondent agrees that his Civil Engineer License is subject to discipline and he
5 agrees to be bound by the Disciplinary Order below.

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7 **CONTINGENCY**

8 10. This stipulation shall be subject to approval by the Board for Professional Engineers,
9 Land Surveyors, and Geologists. Respondent understands and agrees that counsel for
10 Complainant and the staff of the Board for Professional Engineers, Land Surveyors, and
11 Geologists may communicate directly with the Board regarding this stipulation and settlement,
12 without notice to or participation by Respondent. By signing the stipulation, Respondent
13 understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation
14 prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation
15 as its Decision and Order, the Stipulated Settlement and Disciplinary Order for Public Repeval
16 shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
17 between the parties, and the Board shall not be disqualified from further action by having
18 considered this matter.

19 11. The parties understand and agree that Portable Document Format (PDF) and facsimile
20 copies of this Stipulated Settlement and Disciplinary Order for Public Repeval, including
21 Portable Document Format (PDF) and facsimile signatures thereto, shall have the same force and
22 effect as the originals.

23 12. This Stipulated Settlement and Disciplinary Order for Public Repeval is intended by
24 the parties to be an integrated writing representing the complete, final, and exclusive embodiment
25 of their agreement. It supersedes any and all prior or contemporaneous agreements,
26 understandings, discussions, negotiations, and commitments (written or oral). This Stipulated
27 Settlement and Disciplinary Order for Public Repeval may not be altered, amended, modified,
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1 supplemented, or otherwise changed except by a writing executed by an authorized representative
2 of each of the parties.

3 13. In consideration of the foregoing admissions and stipulations, the parties agree that
4 the Board may, without further notice or formal proceeding, issue and enter the following
5 Disciplinary Order:

6
7 **DISCIPLINARY ORDER**

8 IT IS HEREBY ORDERED that Civil Engineer License No. C 43801 issued to Respondent
9 Vahid Vic Beizai (Respondent) shall be publicly reprovved by the Board for Professional
10 Engineers, Land Surveyors, and Geologists under Business and Professions Code section 495 in
11 resolution of Accusation No. 1179-A, attached as **Exhibit A**.

12 **Cost Recovery.** Within 90 days of the effective date of the decision, Respondent shall pay
13 \$1,000 to the Board for its costs associated with the investigation and enforcement of this matter.
14 Respondent shall be permitted to pay these costs in a payment plan approved by the Board. If
15 Respondent fails to pay the Board costs as ordered, Respondent shall not be allowed to renew his
16 Civil Engineer License until Respondent pays costs in full.

17 **Modified Citation Order 10513-L:** Within 90 days of the effective date of the decision,
18 Respondent shall fully comply with the Order to Pay Administrative Fine as contained in
19 Modified Citation Order 10513-L by paying the administrative fine of \$1,000.00. Payments may
20 be made in installments. If Respondent fails to satisfy this condition, Respondent shall not be
21 allowed to renew his Civil Engineer License.

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ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order for Public Repeval. I understand the stipulation and the effect it will have on my Civil Engineer License. I enter into this Stipulated Settlement and Disciplinary Order for Public Repeval voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board for Professional Engineers, Land Surveyors, and Geologists.

DATED: 11/16/18 Original Signed
VAHID VIC BEIZAI
Respondent

ENDORSEMENT

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

Dated: 11/16/18 Respectfully submitted,
XAVIER BECERRA
Attorney General of California
SHAWN P. COOK
Supervising Deputy Attorney General
Original Signed
LANGSTON M. EDWARDS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 1179-A

1 XAVIER BECERRA
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8 **BEFORE THE**
9 **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. 1179-A

14 **VAHID VIC BEIZAI**
15 **1125 E. Broadway, #159**
Glendale, CA 91025

A C C U S A T I O N

16 **Civil Engineer License No. C 43801**

17 Respondent.

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20 Complainant alleges:

21 **PARTIES**

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

25 2. On or about January 27, 1989, the Board for Professional Engineers, Land Surveyors,
26 and Geologists issued Civil Engineer License Number C 43801 to Vahid Vic Beizai
27 (Respondent). The Civil Engineer License was in full force and effect at all times relevant to the
28 charges brought herein and will expire on June 30, 2019, unless renewed.

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 unless otherwise
5 indicated.

6 4. Section 6775 of the Code states:

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

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

12 . . .

13 “(h) A violation of any provision of this chapter or any other law relating to or
14 involving the practice of professional engineering.”

15 5. California Code of Regulations, title 16, section 473.3, provides, in pertinent part:

16 “(b) Failure of the cited person to abate the violation or to pay all of the assessed fine
17 within the time allowed is grounds for suspension or revocation of the cited person’s license.”

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19 **COST RECOVERY**

20 6. Section 125.3 of the Code provides, in pertinent part, that the Board may request
21 the administrative law judge to direct a licentiate found to have committed a violation or
22 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
23 and enforcement of the case, with failure of the licentiate to comply subjecting the license to not
24 being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs
25 may be included in a stipulated settlement.

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FACTUAL ALLEGATIONS

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2 7. On or about July 18, 2016, the Board issued Citation Order 10513-L (Order) to
3 Respondent which contained an order of abatement requiring that Respondent comply with the
4 laws governing professional engineers and that Respondent not violate Code sections 6735(a)
5 [preparation of civil engineering documents], 6749(a)(5) [written contract requirements] and
6 6775(c) [negligence] and 6775(h) [violation of professional engineering provisions and laws].

7 8. The Order also required Respondent to pay an administrative fine in the amount of
8 \$2000 within thirty (30) days of the date the Order became final on August 17, 2016.

9 9. On or around September 14, 2016, the Board granted Respondent’s request to submit
10 a late appeal and provide additional information regarding the violations.

11 10. On or around October 26, 2016, the Board informed Respondent that an informal
12 conference would be scheduled for November 21, 2016.

13 11. On or around November 17, 2016, just days before the conference, Respondent
14 requested to postpone the informal conference. The Board granted the request and rescheduled
15 the conference for December 12, 2016.

16 12. On or around December 9, 2016, just days before the postponed conference,
17 Respondent requested to again postpone the informal conference. The Board granted the request
18 and rescheduled the conference for February 13, 2017.

19 13. On or around May 10, 2017, an Informal Conference Decision and Modified Citation
20 Order 10513-L were issued to Respondent which upheld the original Order, however, the
21 language of the Cause for Citation was revised and the administrative fine was reduced to \$1000.

22 14. On or around October 16, 2017, the Board sent Respondent a letter informing him
23 that failure to pay the administrative fine within the thirty (30) days would result in further
24 disciplinary action.

25 15. Respondent has failed to pay the administrative fine as ordered by Modified Citation
26 Order 10513-L.

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1 **CAUSE FOR DISCIPLINE**

2 (Failure to Comply With Citation Order)

3 16. Respondent is subject to disciplinary action under Code section 6775, subdivision
4 (h) and California Code of Regulations, title 16, section 473.3 subdivision (b) in that Respondent
5 failed to abate the violation and pay the fine assessed by Affirmed Citation Order 10513-L within
6 the time allotted. Complainant incorporates paragraphs 7 – 12, by reference, as if fully set forth
7 herein.

8
9 **PRAYER**

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

- 13 1. Revoking or suspending Civil Engineer License Number C 43801, issued to Vahid
14 Vic Beizai;
- 15 2. Ordering Vahid Vic Beizai to pay the Board for Professional Engineers, Land
16 Surveyors, and Geologists the reasonable costs of the investigation and enforcement of this case,
17 pursuant to Business and Professions Code section 125.3; and,
- 18 3. Taking such other and further action as deemed necessary and proper.

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20
21 DATED: 10/8/18

Original Signed

22 RICHARD B. MOORE, PLS
23 Executive Officer
24 Board for Professional Engineers, Land Surveyors,
25 and Geologists
26 Department of Consumer Affairs
27 State of California
28 *Complainant*

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