

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

In the Matter of the Accusation against:

DENNIS CRAIG FINN
3298 South Espana Circle
Aurora, CO 80013

Civil Engineer License No. C 47278,

Respondent.

Case No. 866-A

DECISION

The attached Stipulated Surrender of License and Order is hereby adopted by the Board for Professional Engineers and Land Surveyors as its Decision in the above-entitled matter.

This Decision shall become effective on June 10, 2010.

IT IS SO ORDERED May 5, 2010.

Original Signed

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

1 EDMUND G. BROWN JR.
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JUSTIN R. SURBER
Deputy Attorney General
4 State Bar No. 226937
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 355-5437
6 Facsimile: (415) 703-5480
Attorneys for Complainant

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

10 In the Matter of the Accusation Against:

Case No. 866-A

11 **DENNIS CRAIG FINN**
12 3298 South Espana Circle
Aurora, CO 80013
13 **Civil Engineer License No. C 47278**

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 Respondent.

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16 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this proceeding
17 that the following matters are true:

18 PARTIES

19 1. David E. Brown (Complainant) is the Executive Officer of the Board for Professional
20 Engineers and Land Surveyors. He brought this action solely in his official capacity and is
21 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,
22 by Justin R. Surber, Deputy Attorney General.

23 2. Dennis Craig Finn (Respondent) is representing himself in this proceeding and has
24 chosen not to exercise his right to be represented by counsel.

25 3. On or about August 2, 1991, the Board for Professional Engineers and Land
26 Surveyors issued Civil Engineer License No. C 47278 to Dennis Craig Finn (Respondent). The
27 license expired on December 31, 1999, and has not been renewed.

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1 14. The surrender of Respondent's Civil Engineer License and the acceptance of the
2 surrendered license by the Board shall constitute the imposition of discipline against Respondent.
3 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
4 license history with the Board.

5 15. Respondent shall lose all rights and privileges as a Civil Engineer in California as of
6 the effective date of the Board's Decision and Order.

7 16. Respondent shall cause to be delivered to the Board both his wall license certificate
8 and, if one was issued, pocket license on or before the effective date of the Decision and Order.

9 17. Respondent agrees not to petition for reinstatement of the surrendered license.
10 Respondent agrees not to apply for any license issued by the Board for three years from the
11 effective date of the Board's Decision and Order. If Respondent ever applies for licensure or
12 petitions for reinstatement in the State of California, the Board shall treat it as a new application
13 for licensure. Respondent must comply with all the laws, regulations and procedures for
14 licensure in effect at the time the application or petition is filed, and all of the charges and
15 allegations contained in Accusation No. 866-A shall be deemed to be true, correct and admitted
16 by Respondent when the Board determines whether to grant or deny the application or petition.

17 ACCEPTANCE

18 I have carefully read the Stipulated Surrender of License and Order. I understand the
19 stipulation and the effect it will have on my Civil Engineer License. I enter into this Stipulated
20 Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound
21 by the Decision and Order of the Board for Professional Engineers and Land Surveyors.

22
23 DATED: 2/17/2010 Original Signed
24 DENNIS CRAIG FINN
Respondent

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1 ENDORSEMENT

2 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
3 for consideration by the Board for Professional Engineers and Land Surveyors of the Department
4 of Consumer Affairs.

5 Dated: 2/22/10

6 Respectfully submitted,

7 EDMUND G. BROWN JR.
8 Attorney General of California
9 FRANK H. PACOE
10 Supervising Deputy Attorney General

11 *Original Signed*

12 JUSTIN R. SURBER
13 Deputy Attorney General
14 *Attorneys for Complainant*

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Exhibit A

Accusation No. 866-A

1 EDMUND G. BROWN JR.
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JUSTIN R. SURBER
Deputy Attorney General
4 State Bar No. 226937
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8 **BEFORE THE**
BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 866-A

11 **DENNIS CRAIG FINN**
12 3298 South Espana Circle
13 Aurora, CO 80013

A C C U S A T I O N

14 **Civil Engineer License No. C 47278**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. David Brown (Complainant) brings this Accusation solely in his official capacity as
20 the Executive Officer of the Board for Professional Engineers and Land Surveyors, Department
21 of Consumer Affairs.

22 2. On or about August 2, 1991, the Board for Professional Engineers and Land
23 Surveyors issued Civil Engineer License Number C 47278 to Dennis Craig Finn (Respondent).
24 The Civil Engineer License expired on December 31, 1999, and has not been renewed.

25 **JURISDICTION**

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

4. Section 6775 of the Code states, in pertinent part, that “[T]he board may reprove, suspend for a period not to exceed two years, or revoke the certificate of any professional engineer registered under this chapter:

• • •

"(h) Who violates any provision of this chapter."

5. Section 6733 of the Code states:

“It is unlawful for anyone to stamp or seal any plans, specifications, plats, reports, or other documents with the seal after the certificate of the registrant, named thereon, has expired or has been suspended or revoked, unless the certificate has been renewed or reissued.”

6. Section 6787 of the Code states:

"Every person is guilty of a misdemeanor:

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

• • •

(e) Who uses an expired, suspended, surrendered, or revoked certificate issued by the board.”

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

COSTS

8. 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.

9. Section 419 of the Title 16, California Code of Regulations provides, in pertinent part

1 that all decisions shall address recovery of the Board's investigation and enforcement costs, as
2 described in and authorized by Business and Professions Code section 125.3.

3 FIRST CAUSE FOR DISCIPLINE

4 (Use of Expired Seal)

5 10. Respondent is subject to disciplinary action under sections 6775(h) and 6733 of the
6 Code in that Respondent stamped and signed plans and specifications after Respondent's License
7 had expired. Respondent's Civil Engineer License No. C 47278 expired on December 31, 1999
8 and has not been renewed. In or about 2005, Respondent stamped and signed plans and
9 specifications entitled "100% Construction Documents Victorville Nissan" using his expired
10 California license stamp.

11 SECOND CAUSE FOR DISCIPLINE

12 (Use of Expired Seal)

13 11. Respondent is subject to disciplinary action under sections 6775(h) and 6787(e) of the
14 Code in that Respondent stamped and signed plans and specifications after Respondent's License
15 had expired. Respondent's Civil Engineer License No. C 47278 expired on December 31, 1999
16 and has not been renewed. In or about 2005, Respondent stamped and signed plans and
17 specifications entitled "100% Construction Documents Victorville Nissan" using his expired
18 California license stamp.

19 THIRD CAUSE FOR DISCIPLINE

20 (Use of Expired Seal)

21 12. Respondent is subject to disciplinary action under sections 6775(h) and 6733 of the
22 Code in that Respondent stamped and signed plans and specifications after Respondent's License
23 had expired. Respondent's Civil Engineer License No. C 47278 expired on December 31, 1999
24 and has not been renewed. In or about 2005, Respondent stamped and signed plans and
25 specifications entitled "100% Construction Documents Valley Hi Honda" using his expired
26 California license stamp.

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1 FOURTH CAUSE FOR DISCIPLINE

2 (Use of Expired Seal)

3 13. Respondent is subject to disciplinary action under sections 6775(h) and 6787(e) of the
4 Code in that Respondent stamped and signed plans and specifications after Respondent's License
5 had expired. Respondent's Civil Engineer License No. C 47278 expired on December 31, 1999
6 and has not been renewed. In or about 2005, Respondent stamped and signed plans and
7 specifications entitled "100% Construction Documents Valley Hi Honda" using his expired
8 California license stamp.

9 FIFTH CAUSE FOR DISCIPLINE

10 (Use of Expired Seal)

11 14. Respondent is subject to disciplinary action under sections 6775(h) and 6733 of the
12 Code in that Respondent stamped and signed plans and specifications after Respondent's License
13 had expired. Respondent's Civil Engineer License No. C 47278 expired on December 31, 1999
14 and has not been renewed. In or about December 2005, Respondent stamped and signed plans
15 and specifications entitled "Jacuzzi Family Vineyards Winery" using his expired California
16 license stamp.

17 SIXTH CAUSE FOR DISCIPLINE

18 (Use of Expired Seal)

19 15. Respondent is subject to disciplinary action under sections 6775(h) and 6787(e) of the
20 Code in that Respondent stamped and signed plans and specifications after Respondent's License
21 had expired. Respondent's Civil Engineer License No. C 47278 expired on December 31, 1999
22 and has not been renewed. In or about December 2005, Respondent stamped and signed plans
23 and specifications entitled "Jacuzzi Family Vineyards Winery" using his expired California
24 license stamp.

25 SEVENTH CAUSE FOR DISCIPLINE

26 (Practicing with an Expired License)

27 16. Respondent is subject to disciplinary action under sections 6775(h) and 6787(a) of the
28 Code in that Respondent agreed to and practiced civil engineering in California after his License

1 had expired. Respondent's Civil Engineer License No. C 47278 expired on December 31, 1999
2 and has not been renewed. In or about 2005, Respondent contracted with Sundequist Design
3 Group for an engineering project in California. In or about 2005, Respondent prepared and
4 stamped plans and specifications entitled "Jacuzzi Family Vineyards Winery."

5 EIGHTH CAUSE FOR DISCIPLINE

6 (Practicing with an Expired License)

7 17. Respondent is subject to disciplinary action under sections 6775(h) and 6787(a) of the
8 Code in that Respondent agreed to and practiced civil engineering in California after his License
9 had expired. Respondent's Civil Engineer License No. C 47278 expired on December 31, 1999
10 and has not been renewed. In or about 2005, Respondent contracted with Sundequist Design
11 Group for an engineering project in California. In or about 2005, Respondent prepared and
12 stamped plans and specifications entitled "100% Construction Documents Valley Hi Honda."

13 NINTH CAUSE FOR DISCIPLINE

14 (Practicing with an Expired License)

15 18. Respondent is subject to disciplinary action under sections 6775(h) and 6787(a) of the
16 Code in that Respondent agreed to and practiced civil engineering in California after his License
17 had expired. Respondent's Civil Engineer License No. C 47278 expired on December 31, 1999
18 and has not been renewed. In or about 2005, Respondent contracted with Sundequist Design
19 Group an engineering project in California. Respondent prepared and stamped plans and
20 specifications entitled "100% Construction Documents Victorville Honda."

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 and Land Surveyors issue a
24 decision:

25 1. Revoking or suspending Civil Engineer License Number C 47278, issued to Dennis
26 Craig Finn.

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

4 3. Taking such other and further action as deemed necessary and proper.
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8 DATED: 11/25/09

Original Signed

9 DAVID BROWN
10 Executive Officer
11 Board for Professional Engineers and Land Surveyors
12 Department of Consumer Affairs
13 State of California
14 *Complainant*

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