

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

In the Matter of the Accusation against:	)	
	)	
JON-BARRETT HAVRILESKO	)	Case No. 1276-A
6184 Elevator Road	)	
Roscoe, IL 61073	)	
	)	
Civil Engineer License, No. C 83137,	)	
	)	
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 September 22, 2022.

IT IS SO ORDERED August 22, 2022.

*Original Signed*

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

1 ROB BONTA  
Attorney General of California  
2 SHAWN P. COOK  
Supervising Deputy Attorney General  
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Deputy Attorney General  
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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:

14 **JON-BARRETT HAVRILESKO**  
15 **6184 Elevator Road**  
**Roscoe, IL 61073**  
16 **Civil Engineer License No. C 83137**

17 Respondent.

Case No. 1276-A

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

**[Bus. & Prof. Code § 495]**

18  
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 (Board). He brought this action solely in  
24 his official capacity and is represented in this matter by Rob Bonta, Attorney General of the State  
25 of California, by Michelle Perz, Deputy Attorney General.

26 2. Respondent Jon-Barrett Havrilesko (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 **JURISDICTION**

2 3. On or about December 17, 2014, the Board issued Civil Engineer License No. C  
3 83137 to Jon-Barrett Havrilesko (Respondent). The Civil Engineer License was in full force and  
4 effect at all times relevant to the charges brought in Accusation No. 1276-A and will expire on  
5 March 31, 2023, unless renewed.

6 4. Accusation No. 1276-A was filed before the Board for Professional Engineers, Land  
7 Surveyors, and Geologists (Board), Department of Consumer Affairs and is currently pending  
8 against Respondent. The Accusation and all other statutorily required documents were properly  
9 served on Respondent on March 22, 2022. Respondent timely filed his Notice of Defense  
10 contesting the Accusation. A copy of Accusation No. 1276-A is attached as exhibit A and  
11 incorporated herein by reference.

12 **ADVISEMENT AND WAIVERS**

13 5. Respondent has carefully read, and understands the charges and allegations in  
14 Accusation No. 1276-A. Respondent has also carefully read, and understands the effects of this  
15 Stipulated Settlement and Disciplinary Order for Public Repeval.

16 6. Respondent is fully aware of his legal rights in this matter, including the right to a  
17 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at  
18 his own expense; the right to confront and cross-examine the witnesses against him; the right to  
19 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel  
20 the attendance of witnesses and the production of documents; the right to reconsideration and  
21 court review of an adverse decision; and all other rights accorded by the California  
22 Administrative Procedure Act and other applicable laws.

23 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
24 every right set forth above.

25 **CULPABILITY**

26 8. Respondent admits the truth of each and every charge and allegation in Accusation  
27 No. 1276-A.

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

3                                   **CONTINGENCY**

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

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

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

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

28       ///

1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that Civil Engineer License No. C 83137 issued to Respondent  
3 Jon-Barrett Havrilesko (Respondent) shall be publicly reprovved by the Board for Professional  
4 Engineers, Land Surveyors, and Geologists under Business and Professions Code section 495 in  
5 resolution of Accusation No. 1276-A, attached as exhibit A.

6 1. Within ninety (90) days from the effective date of the decision, Respondent shall  
7 reimburse the Board for its investigative and enforcement costs in this matter in the amount of  
8 \$1,677.50. If Respondent fails to pay the Board costs as ordered, Respondent shall not be allowed  
9 to renew his Civil Engineer License until Respondent pays the costs in full. In addition, the Board  
10 may enforce this order for payment of its costs in any appropriate court, in addition to any other  
11 rights the Board may have.

12 2. Within thirty (30) days from the effective date of the decision, Respondent shall  
13 fully comply with the Order of Abatement and Order to Pay Administrative Fine as contained in  
14 Citation Order 10883-L by paying the administrative fine of \$250.00 and by responding to the  
15 complaint investigation identified in the Citation.

16 3. If Respondent fails to satisfy the aforementioned conditions, the Accusation shall be  
17 reinstated, and all allegations in the Accusation shall be deemed admitted by Respondent. Under  
18 such circumstances, the Board shall be permitted, notwithstanding any statute or law to the  
19 contrary, to proceed on the Accusation and impose discipline under any or all of the causes for  
20 discipline in the Accusation without having to prove any conduct other than Respondent's failure  
21 to comply with this Order. As a resolution of the charges in Accusation No. 1276-A, this  
22 stipulated settlement is contingent upon Respondent's full compliance with all conditions of this  
23 Order. If Respondent fails to satisfy any of these conditions, such failure to comply constitutes  
24 cause for discipline, including outright revocation, of Respondent's Civil Engineer License No. C  
25 83137.

26 **ACCEPTANCE**

27 I have carefully read the Stipulated Settlement and Disciplinary Order for Public Reapproval.  
28 I understand the stipulation and the effect it will have on my Civil Engineer License. I enter into

1 this Stipulated Settlement and Disciplinary Order for Public Repeval voluntarily, knowingly, and  
2 intelligently, and agree to be bound by the Decision and Order of the Board for Professional  
3 Engineers, Land Surveyors, and Geologists.

4  
5 DATED: 6/16/22 Original Signed  
6 JON-BARRETT HAVRILESKO  
7 Respondent

8 **ENDORSEMENT**

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

12 DATED: 6/16/22 Respectfully submitted,  
13  
14 ROB BONTA  
15 Attorney General of California  
16 SHAWN P. COOK  
17 Supervising Deputy Attorney General

18 *Original Signed*

19 MICHELLE PERZ  
20 Deputy Attorney General  
21 Attorneys for Complainant

22 LA2022600587  
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**Exhibit A**

**Accusation No. 1276-A**

1 ROB BONTA  
Attorney General of California  
2 NANCY A. KAISER  
Supervising Deputy Attorney General  
3 SHAWN P. COOK  
Supervising Deputy Attorney General  
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E-mail: Shawn.Cook@doj.ca.gov  
7 *Attorneys for Complainant*

8  
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. 1276-A

14 **JON-BARRETT HAVRILESKO**  
11313 Lemon Grass Lane  
15 Roscoe, IL 61073

**ACCUSATION**

16 **Civil Engineer License No. C 83137**

17 Respondent.

18  
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 (Board), Department of Consumer Affairs.

23 2. On or about December 17, 2014, the Board issued Civil Engineer License Number C  
24 83137 to Jon-Barrett Havrilesko (Respondent). The Civil Engineer License was in full force and  
25 effect at all times relevant to the charges brought herein and will expire on March 31, 2023,  
26 unless renewed.

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**JURISDICTION**

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

**STATUTORY PROVISIONS**

4. Section 6775 of the Code states, in pertinent part:  
[T]he board may publicly reprove, suspend for a period not to exceed two years, or revoke the certificate of any professional engineer licensed under this chapter on any of the following grounds:  
...  
(h) A violation of any provision of this chapter or any other law relating to or involving the practice of professional engineering.

**REGULATORY PROVISIONS**

5. California Code of Regulations, title 16, section 473.3(b) states:  
Failure of the cited person to abate the violation or to pay all of the assessed fine within the time allowed is grounds for suspension or revocation of the cited person's license.

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

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1 **FACTUAL ALLEGATIONS**

2 7. On or about December 16, 2020, the Board issued Citation Order 10883-L to  
3 Respondent for violating Business and Professions Code section 6775.2 (failure to respond to  
4 written requests from the Board related to complaint investigation case number 2019-05-122).  
5 Respondent was ordered to comply with the order of abatement and pay an administrative fine of  
6 \$500.00.

7 8. On or about January 15, 2021, the Board received a notice of appeal and request for  
8 informal conference from Respondent.

9 9. On or about April 27, 2021, an informal conference was held with the Board and  
10 Respondent.

11 10. On or about May 19, 2021, the Board issued Modified Citation Order 10883-L to  
12 Respondent. The violation was upheld and Respondent was ordered to comply with the order of  
13 abatement and a reduced administrative fine of \$250.00, due within thirty (30) days.

14 11. On or about November 18, 2021, the Board sent Respondent a letter regarding the  
15 failure to comply with Modified Citation Order 10883-L.

16 **FIRST CAUSE FOR DISCIPLINE**

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

18 12. Respondent is subject to disciplinary action under Code section 6775(h) and  
19 California Code of Regulations, title 16, section 473.3(b), in that Respondent failed to comply  
20 with Modified Citation Order 10883-L when he failed to comply with the order of abatement and  
21 failed to pay the administrative fine of \$250.00, as alleged above in paragraphs 7 through 11.

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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 83137, issued to Jon-Barrett Havrilesko;
- 2. Ordering Jon-Barrett Havrilesko 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: 3/21/2022

*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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