

1 XAVIER BECERRA
Attorney General of California
2 SHAWN P. COOK
Supervising Deputy Attorney General
3 MARIO CUAHUTLE
Deputy Attorney General
4 State Bar No. 305067
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6615
6 Facsimile: (916) 731-2126
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**

12 In the Matter of the First Amended Accusation
13 Against:

Case No. 1220-A

FIRST AMENDED ACCUSATION

14 **KACIE ALLISON PLOUFF**
25570 Rye Canyon Road, A
15 Valencia, CA 91355

16 **Land Surveyor License No. L 9013**

17 Respondent.
18

19
20 **PARTIES**

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

24 2. On or about May 29, 2013, the Board issued Land Surveyor License Number L 9013
25 to Kacie Allison Plouff (Respondent). The Land Surveyor License was in full force and effect at
26 all times relevant to the charges brought herein and will expire on September 30, 2021, unless
27 renewed.

28 ///

1 **JURISDICTION**

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

5 4. Section 8762 of the Code states, in pertinent part:

6 . . .

7 (b) Notwithstanding subdivision (a), after making a field survey in conformity
8 with the practice of land surveying, the licensed land surveyor or licensed civil
9 engineer shall file with the county surveyor in the county in which the field survey
was made a record of the survey relating to land boundaries or property lines, if the
field survey discloses any of the following:

10 . . .

11 (4) The location, relocation, establishment, reestablishment, or retracement of
12 one or more points or lines not shown on any subdivision map, official map, or record
of survey, the positions of which are not ascertainable from an inspection of the
13 subdivision map, official map, or record of survey.

14 (5) The points or lines set during the performance of a field survey of any
15 parcel described in any deed or other instrument of title recorded in the county
recorder's office are not shown on any subdivision map, official map, or record of
survey.

16 **REGULATORY PROVISIONS**

17 5. California Code of Regulations, title 16, section 473.3(b) states:

18 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
person's license.

20 **COST RECOVERY**

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

27 ///

28 ///

FACTUAL ALLEGATIONS

1
2 7. On or about April 26, 2019, the Board issued Citation Order No. 10737-L to
3 Respondent. Citation No. 10737-L contained an order of abatement requiring Respondent to
4 comply with the law and ensure that Respondent does not violate Code sections 8762(b)(4) and
5 (5) in the future. Respondent was further ordered to submit a record of survey related to property
6 identified as 3380 Scadlock Lane, Los Angeles, California, to the Los Angeles County Surveyor’s
7 Office and to provide a copy of the submitted record of survey to the Board Office within thirty
8 (30) days of the date the citation became final. In addition, Respondent was required to complete
9 the map recordation process in accordance with the law and to provide a copy of the final record
10 of survey to the Board Office within thirty (30) days of the date the record of survey is filed with
11 the Los Angeles County Recorder’s Office. Respondent was ordered to pay an administrative
12 fine in the amount of \$1,000 within thirty (30) days of the date the citation becomes final.

13 8. On or about May 24, 2019, the Board received a letter and a check in the amount of
14 \$1,000 to pay the administrative fine. Respondent included a copy of a record of survey,
15 claiming it had been submitted to Los Angeles County Surveyor’s Office.

16 9. On or about December 18, 2019, the Board contacted Los Angeles County
17 Department of Public Works to check on the status of the filing of the subject record of survey
18 and confirmed the subject record of survey has not been submitted to Los Angeles County.

19 10. On or about March 19, 2020, the Board issued Citation Order No. 10826-L to
20 Respondent. Citation No. 10826-L contained an order of abatement requiring Respondent to
21 comply with the law and ensure that Respondent does not violate Code section 8780(b) in the
22 future. Respondent was ordered to pay an administrative fine in the amount of \$1,000 within
23 thirty (30) days of the date the citation becomes final. This Citation became a final order of the
24 Board thirty (30) days after the date of issuance. Respondent failed to pay all of the assessed fine
25 within the time allowed.

26 ///

27 ///

28 ///

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Failure to Comply with the Board’s Order)**

3 11. Respondent is subject to disciplinary action under California Code of Regulations,
4 title 16, section 473.3(b), in that Respondent failed to comply with Citation Order No. 10737-L
5 by failing to file the subject record of survey, as set forth above in paragraphs 7 through 9.

6 **SECOND CAUSE FOR DISCIPLINE**

7 **(Failure to Comply with the Board’s Order)**

8 12. Respondent is subject to disciplinary action under California Code of Regulations,
9 title 16, section 473.3(b), in that Respondent failed to comply with Citation Order No. 10826-L
10 by failing to pay all of the assessed fine within the time allowed, as set forth above in paragraph
11 10.

12 **PRAYER**

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

- 16 1. Revoking or suspending Land Surveyor License Number L 9013, issued to Kacie
- 17 Allison Plouff;
- 18 2. Ordering Kacie Allison Plouff to pay the Board for Professional Engineers, Land
- 19 Surveyors, and Geologists the reasonable costs of the investigation and enforcement of this case,
- 20 pursuant to Business and Professions Code section 125.3; and,
- 21 3. Taking such other and further action as deemed necessary and proper.

22
23 DATED: 6/16/20

Original Signed

RICHARD B. MOORE, PLS
Executive Officer
Board for Professional Engineers, Land Surveyors,
and Geologists
Department of Consumer Affairs
State of California
Complainant