

**BEFORE THE ENGINEERING AND LAND SURVEYING EXAMINING BOARD
OF THE STATE OF IOWA**

IN THE MATTER OF:)	
)	CASE NO. 96-32
Jack S Krage)	
Certified Testing Services, Inc.)	CEASE AND DESIST ORDER
1828 27th Street PO Box 1193)	BY STIPULATION
Sioux City IA 51102)	
)	
Respondent)	

The Iowa Engineering and Land Surveying Examining Board (Board) and Certified Testing Services, Inc. (CTS) stipulate to the following Cease and Desist Order pursuant to Iowa Code sections 542B.24 and .27 (1997):

1. Respondent CTS prepared a report on subsurface exploration for the City of Hull, Iowa in February 1997. The report included engineering recommendations in addition to the results of soil tests.
2. Respondent is not owned or managed by, and does not employ a professional engineer licensed in Iowa, pursuant to Iowa Code sections 542B.1 and 542B.27 (1)(a)(1).
3. The Board is authorized by Iowa Code § 542B.24 to seek an injunction in district court enjoining any person who is not legally authorized to practice professional engineering in Iowa from engaging in such practice or advertising the availability of such services to the public. As of July 1, 1996 the Board is also authorized to impose a civil penalty upon non-licensees for the same violations, pursuant to Iowa Code section 542B.27 (1997).
4. It appears the Respondent has performed professional engineering services in Iowa involving the safeguarding of life, health and property. The engineering recommendations were not prepared under the responsible charge of a licensed professional engineer.
5. The Board and Respondent have agreed to informally resolve the pending dispute. In the event this Stipulation is violated, it may be used as evidence against the party violating the agreement, although all parties understand that violations must be enforced by filing a petition in district court seeking an injunction, or imposing civil penalties through administrative procedures.

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6. Respondent agrees it will not in the future engage in the practice of professional engineering or represent to the public any ability or authority to do so in the State of Iowa unless at the time of the representation it regularly employs, on other than an as-needed, occasional, or consulting basis, one or more professional engineers licensed in Iowa who directly control and personally supervise all professional engineering work performed by Respondent, its successors or assigns. Chapter 542B does not prohibit respondent from performing soil tests or similar services, but may not practice engineering as defined in Iowa Code section 542B.2(8).
7. This Stipulation is a public record pursuant to Iowa Code chapter 22 and will be provided to the National Council of Examiners for Engineering and Land Surveying.

The Iowa Engineering and Land Surveying
Examining Board

IS

By: Terry Martin, Chair

Date

Sept. 4, 1997

Certified Testing Services, Inc.

IS

By:

Title

August 1, 1997

Title:

President