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

IN THE MATTER OF:	CASE NO. 00-11
GREGORY LEO RILEY	CASE NO. 00-11
THE STRUCTURAL ENGINEERING	
CONSULTANTS, INC.	
23236 LYONS AVE., #230	STATEMENT OF CHARGES
SANTA CLARA, CA 91821	
RESPONDENT)	

COMES NOW the Complainant, Gleean Coates, and states:

- The Complainant is the Executive Secretary of the Iowa Engineering and Land Surveying Examining Board and files these charges solely in her official capacity.
- 2. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 272C and 542B (1999).
- 3. On June 19, 2000, the Board issued the Respondent, Iowa professional engineering license number 15230.
- 4. Respondent's professional engineering license is active at the time of this notice.

Count I

Respondent is charged with unethical conduct and practices harmful to the public in violation of lowa Code sections 272C.10(3) and 542B.21(3)(1999), and 193C IAC 4.8(5) when he engaged in the practice of engineering in lowa without an lowa professional engineering license.

Circumstances

 The Respondent signed and sealed engineering documents (structural notes) for signage support for a Vitamin World sign at Merle Hay Mall in Des Moines, Iowa, on May 24, 2000 using a California professional license seal.

- 2. The Respondent indicated on the structural notes that he was under lowa temporary permit.
- The Respondent signed and sealed structural engineering calculations prepared for the
 Vitamin World signage support project on May 31, 2000.
- 4. The Respondent indicated on the structural engineering calculations that he was under lowa temporary permit.
- 3. The Respondent's application was signed and notarized on May 27, 2000.
- The Board received the Respondent's application for licensure by comity and letter requesting temporary licensure on May 31, 2000.
- 5. The Respondent's application was reviewed and approved by the Board on June 8, 2000.
- 6. The Board issued license number 15230 to the Respondent on June 19, 2000.
- 7. The Board sent a letter to the Respondent on July 25, 2000, requesting an explanation of the situation where it appears the he was practicing engineering in Iowa prior to licensure, sealing documents with his California seal, and misrepresenting his licensure status to the City of Des Moines.
- 8. The Board received the Respondent's response on August 25, 2000.

WHEREFORE, the Complainant prays that a hearing be held in this matter and the Board take such action as it deems appropriate under the law.

Signed and dated this	day of October, 2000.	
Gleean M. Co	ates, Executive Secretary	
Iowa Engineering and Land Su	ırveying Examining Board	

FINDING OF PROBABLE CAUSE

On September 21, 2000, the Iowa Engineering and Land Surveying Examining

Board found probable cause to file this Statement of Charges and to order a hearing be set in this case.

Dwayne M. Garber, Chair

cc: Engineering and Land Surveying Examining Board

Pamela Griebel, Assistant Attorney General

Department of Inspections and Appeals

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

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NT ORDER

The Iowa Engineering and Land Surveying Examining Board (Board) and Gregory Leo Riley (Respondent) enter into this Settlement Agreement and Consent Order (Order), pursuant to Iowa Code section 17A.10 (1997) and 193C IAC 4.10:

- 1. The Board has jurisdiction of this matter pursuant to lowa Code chapters 17A, 542B, and 272C (1997).
 - 2. Respondent is licensed professional engineer.
- 3. Respondent failed to obtain an lowa professional engineering license before practicing engineering in lowa.
 - 3. Respondent does not contest the Statement of Charges to be filed with this Order.
- 4. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including the right to appeal, by freely and voluntarily agreeing to this Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following contested case hearing.
- 5. Respondent agrees the State's counsel may present this Order to the Board and may have ex parte communications with the Board while presenting it.
- 6. This Order shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any disciplinary action to be

imposed in the event of any future violations. In addition, the Board shall advise the National Council for Examiners of Engineering and Surveying of the disposition of this matter.

- 7. This Order and the Statement of Charges are public records available for inspection and copying in accordance with the requirements of lowa Code chapter 22 (1999).
- 8. Failure to comply with the provisions of this Order shall be considered prima facie evidence of a violation of lowa Code section 542B.21(3) (1999) and 193C IAC 4.2, and shall be grounds for disciplinary action pursuant to lowa Code section 272C.3(2)(a) (1997). However, no action may be taken against Respondent for violations of these provisions without a hearing as provided in lowa Code section 542B.22, or waiver of hearing.
 - 9. This Agreement is subject to approval of the Board:
- (a) If the Board fails to approve this Agreement, it shall be of no force or effect on either party, and it shall not be admissible for any purpose in further proceedings in this matter.
- (b) If the Board approves this Agreement, it shall fully dispose of all issues in this case.

IT IS THEREFORE ORDERED:

A. Reprimand

The Respondent is reprimanded for practicing professional engineering in Iowa before obtaining a license to practice.

B. Civil Penalty

Respondent shall pay a civil penalty of five hundred dollars (\$500.00) to the Board within thirty (30) days of the Board approval of this order.

Agreed and Accepted:

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By: Dwayne C. Garber, Chair		Date ///30/0C
The Respondent Gregory Leo Riley		Date 10/23/00