

April 1, 2002

Lorne Malkiewich, Director
Legislative Counsel Bureau
401 S. Carson Street
Carson City, NV 89701-4747

Dear Mr. Malkiewich:

Enclosed you will find the State Board of Professional Engineers and Land Surveyors compliance brief of disciplinary action taken against Nevada licensees for the quarter ended March 31, 2002. Please let me know if you need any further information.

If you have any questions, please do not hesitate to give me a call.

Sincerely,

Noni Johnson
Executive Director

COMPLIANCE BRIEF

NEVADA STATE BOARD
OF PROFESSIONAL
ENGINEERS AND
LAND SURVEYORS

DISCIPLINARY ACTION, FIRST QUARTER 2002:

CASE NUMBER: 20011020
DATE RECEIVED: 10/11/01
RESPONDENT: Owens, James J., PLS 2884
COMPLAINANT: Foht, Dennis R.
ALLEGATION/S: Alleged violation of NRS 625.335(2)
SUMMARY: Entered upon the complainant's property without permission.
STATUS: January 7, 2002: Accepted a stipulated agreement to follow the procedures outlined in NRS 625.335(2) if he has not obtained the landowner's approval to entry upon his land; pay an administrative fine of \$500.00 within ten days from the date of the Board's approval of the agreement and be issued a public reprimand.

CASE NUMBER: 20011227
DATE RECEIVED: 12/07/2001
RESPONDENT: Crane, David A., SE 5330
COMPLAINANT: Internal
ALLEGATION/S: Alleged violation of NRS 625.520(1)(b) and NRS 625.410(5) & (7)
SUMMARY: Performed professional engineering services in Nevada with an expired license.
STATUS: January 7, 2002: Accepted a stipulated agreement to pay an administrative fine of \$1,000.00 within ten days from

the date of the Board's approval of the agreement; notify all clients involved that he was not licensed in the State of Nevada at the time he performed engineering services for them; and be issued a public reprimand. Upon full compliance with the terms of the agreement, his license will be reinstated. Respondent has complied in full with the terms and conditions of the agreement.

CASE NUMBER: 20020103
DATE RECEIVED: 01/29/2002
RESPONDENT: Briggs, Randal Lee, PLS
COMPLAINANT: Internal
ALLEGATION/S: Alleged violation of NRS 625.520(1)(b) and NRS 625.410(5) & (7)
SUMMARY: Performed professional land surveying services in Nevada with an expired license.
STATUS: March 14, 2002: Accepted a stipulated agreement to pay an administrative fine of \$750.00 within ten days from the date of the Board's approval of the agreement and be issued a public reprimand. Upon full compliance with the terms of the agreement, his license will be reinstated. Respondent has complied in full with the terms and conditions.

CASE NUMBER: 20010608
DATE RECEIVED: 06/13/2001
RESPONDENT: Ezzell, Hugh L., CE 10310
COMPLAINANT: Elder, Christopher and Mary
ALLEGATION/S: Alleged violation of NRS 625.410(2)&(5), NAC 625.530(1)&(5)
SUMMARY: An Advisory Committee Review was held on December 21, 2001. The Committee recommended issuing a stipulated agreement for misleading his clients concerning the time in which the professional engineering work would be performed; exhibiting a lack of diligence towards the project and the time-frame within which the work would be performed; stamping, signing and submitting incomplete plans to the Washoe County Building Department; and practicing outside his area of expertise.

STATUS: Mr. Ezzell's license was suspended for a period of two years, with the suspension stayed and probation imposed for the same two-year period. Mr. Ezzell's successful completion of his probation is conditioned upon full compliance with the following conditions of probation: during the period of probation must timely submit quarterly reports to the Executive Director of the Board setting forth the nature and scope of work performed by him; all engineering work involving structures must be reviewed by a Nevada licensed structural engineer with the cost of the reviews paid by him; pay the Elders the sum of \$1,800 within 10 days of the date of the approved agreement and shall submit proof of payment to the board office; within one year must successfully complete the Texas Tech University Murdough Center for Professionalism Engineering Ethics course; and be issued a public reprimand.

CASE NUMBER: 20010611
DATE RECEIVED: 06/14/2001
RESPONDENT: Yevtovich, Michael Z., CE/SE 12008
COMPLAINANT: Benzer, Leon; Herlitz, Greg; Stanford, Morris
ALLEGATION/S: Alleged violation of NRS 625.410(2) and (5) NRS 625.530(1).

SUMMARY: All three respondents have issued individual complaints against Mr. Yevtovich for accepting fees for engineering services and not performing the work; submitting incomplete and incompetent plans; and refusing to make the appropriate corrections and refusing to provide information requested by the building inspector. Mr. Yevtovich failed to respond to the complaints and performed engineering services with a suspended license. Mr. Yevtovich was previously disciplined (March 2001) by the Board and placed on probation following two complaints for the same violations.

STATUS: January 8, 2002 formal disciplinary hearing before the board: Mr. Yevtovich's license to practice civil and structural engineering in the State of Nevada was revoked. Mr. Yevtovich was assessed an administrative fine in the amount of \$10,000 to be paid within

one year of the date of the decision. The \$1,000 administrative fine assessed in the March 16, 2001, Decision and Order must be paid on or before March 16, 2002. Mr. Yevtovich may not apply for relicensure in the State of Nevada for a period of two years. Mr. Yevtovich must successfully complete the advanced studies in Engineering Ethics Course by correspondence, Murdough Center for Engineering Professionalism, Texas Tech University. Mr. Yevtovich must surrender to the Executive Director his civil and structural wall certificates and pocket identification card, Nevada civil wet stamp and his civil/structural wet stamp within 10 days.