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STATE OF WISCONSIN

BEFORE THE EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS DESIGNERS AND LAND SURVEYORS

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST

ROBERT WAYNE GILES,

FINAL DECISION AND ORDER

RESPONDENT

LS0003032ENG

Division of Enforcement Case No. 99 ENG 012

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Robert Wayne Giles

PO Box 34237

Houston, TX 77234

*Examining Board of Architects, Landscape Architects,
Professional Engineers, Designers and Land Surveyors
PO Box 8935
Madison, WI 53708-8935*

*Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935*

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Robert Wayne Giles (DOB 08/06/46) is duly licensed as a professional engineer in the state of Wisconsin (license #20079). This license was first granted on September 26, 1980.
2. Mr. Giles' most recent address on file with the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors is PO Box 34237, Houston, TX 77234.
3. On July 23, 1998, the Tennessee State Board of Architectural and Engineering Examiners revoked the license of Mr. Giles to practice engineering in Tennessee. The Board action was based upon Mr. Giles affixing his professional seal and signature to engineering documents that were not prepared under his personal professional knowledge and direct supervisory control and responsibility. A true and correct copy of the Tennessee Board's Order is attached to this document as Exhibit A. Exhibit A is incorporated into this document by reference.
4. On January 22, 1999, the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors suspended the license of Mr. Giles to practice engineering in the Commonwealth of Kentucky based upon the Tennessee Order referred to in ¶3, above. Such suspension shall continue during any period of revocation in Tennessee. A true and correct copy of the Kentucky Board's Consent Decree is attached to this document as Exhibit B. Exhibit B is incorporated into this document by reference.
5. On April 3, 1999, the South Carolina Board of Registration for Professional Engineers and Land Surveyors issued an order which reprimanded the license of Mr. Giles to practice engineering based upon the Tennessee Order referred to in ¶3, above. A true and correct copy of the South Carolina Board's Consent Order is attached to this document as Exhibit C. Exhibit C is incorporated into this document by reference.
6. On June 11, 1999, the North Carolina Board of Examiners for Engineers and Surveyors revoked the license of Mr. Giles to practice engineering in North Carolina. The North Carolina action was based upon the Tennessee Order referred to in ¶3, above. A true and correct copy of the North Carolina Board's Stipulation and Order is attached to this document as Exhibit D. Exhibit D is incorporated into this document by reference.

7. On March 11, 1999, the Ohio State Board of Professional Engineers and Surveyors issued an order which reprimanded the license of Mr. Giles to practice engineering in Ohio. The Ohio action was based upon the Tennessee Order referred to in ¶3, above. A true and correct copy of the Ohio Board's Stipulation and Order is attached to this document as Exhibit E. Exhibit E is incorporated into this document by reference.

8. In resolution of this matter, Mr. Giles consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors has jurisdiction to act in this matter and is authorized to enter into the attached Stipulation and Order, pursuant to sec. 443.11(1), Stats.
2. The conduct described in paragraph 3-7, above, constitutes a violation of Wisconsin Administrative Code § A-E 8.03(3).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that

1. The license of Robert Wayne Giles to practice as a professional engineer in the state of Wisconsin (license #20079) is LIMITED as follows:

a. Respondent shall on a quarterly basis submit a complete and detailed description of all engineering work that Respondent has performed in the state of Wisconsin during the preceding three-month reporting period. Respondent shall promptly reply to any questions that the Section may have concerning his work and shall submit full plans and specifications for any project within ten [10] days of a request by the Section or its designated agent. The Section may in the exercise of its discretion require Respondent to appear personally before the Section to answer questions related to his practice in Wisconsin.

b. In the event that the Section's concludes that Respondent's work poses a danger to the public health, safety or welfare, Respondent's license (#20079) SHALL BE SUSPENDED without further notice or hearing, until further order by the Section.

c. Respondent shall pay to the Department of Regulation and Licensing partial COSTS of these proceedings in the amount of ONE HUNDRED FIFTY dollars (\$150.00). Payment shall be submitted within sixty (60) days from the effective date of this order. Payment shall be made by *certified check or money order*, payable to the Wisconsin Department of Regulation and Licensing and sent to the Department Monitor.

2. Respondent may petition to eliminate or revise the limitations on his license at any time following two [2] years of full, complete and successful compliance with the terms of this Order. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of secs. 227.01(3) and 227.42, Stats.

3. Any petition or report submitted under this Order shall be submitted to the Department Monitor, C/O Division of Enforcement, PO Box 8935, Madison, WI 53708-8935, Fax (608) 266-2264, Tel. (608) 267-7139.

4. This Order shall become effective on the date of its signing.

PROFESSIONAL ENGINEERS SECTION

EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS DESIGNERS AND LAND SURVEYORS

By:

Nancy Sobezak

March 3, 2000

A Member of the Board

Date