

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."
The status of an appeal may be found on court access websites at:
<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wsccl>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE ENGINEER SECTION OF THE EXAMINING BOARD OF ARCHITECTS,
LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS, AND LAND
SURVEYORS

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ROBERT J KLUWIN,
RESPONDENT.

:
:
:
:
:

FINAL DECISION AND ORDER

ORDER 0001498

Division of Enforcement Case No. 10 ENG 010

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Robert J. Kluwin
1019 Wellington Way
Hartland, WI 53029

Engineer Section of the Examining Board of Architects, Landscape Architects,
Professional Engineers, Designers, and Land Surveyors
P.O. Box 8935
Madison, WI 53708-8935

Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

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

Accordingly, the Section in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Robert J. Kluwin (dob 10/2/1940) is licensed in the State of Wisconsin as a professional engineer, having license number 15820-6, first issued on 07/23/1976 and now current through 07/31/2012. Respondent had, however, allowed his license to expire on 08/1/2002 and did not renew until an investigation was launched into his unlicensed practice. The Section reinstated his license on 02/09/2010. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1019 Wellington Way, Hartland, WI 53029.

2. Respondent put his seal on documents during the almost eight years his license was not current.
3. Respondent put his seal on materials copyrighted by another engineering firm.
4. Respondent neither admits nor denies the allegations contained herein, but desires to settle the matter by stipulation.
5. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors has jurisdiction to act in this matter pursuant to Wis. Stat. § 443.11, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).
2. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 443.02 by practicing professional engineering without a current registration.
3. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 443.17 and Wis. Admin. Code § A-E 8.10(1) by sealing or stamping plans prepared by someone other than the Respondent.
4. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 443.11(1)(b) and (e).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.
2. Respondent Robert J. Kluwin is hereby REPRIMANDED.
3. The Professional Engineer license issued to Respondent Kluwin (license number 15820-6) is hereby LIMITED as follows:
 - a. For a period of two years from the date of this Order, whenever Respondent does any electrical engineering, Respondent shall have his work reviewed by a supervising engineer preapproved by the Section or its designee. Respondent will submit quarterly reports to Monitoring at the address in paragraph 5 below reporting any projects worked on and which ones include electrical engineering work for the two year limitation.
 - b. Respondent shall, within one year of the date of this Order, successfully complete the Basic Level Study in Engineering Ethics (30 professional development hours) distance learning course offered by the Murdough Center at Texas Tech University, including taking and passing any exam offered for the courses.

c. Respondent shall submit proof of completion in the form of verification from the institution providing the education to the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that have been or may be instituted by the Board, Wisconsin Department of Safety and Professional Services or similar authority in any state, and also may not be used in future attempts to upgrade a credential in any state.

d. This limitation shall be removed from Respondent's license and Respondent will be granted a full, unrestricted license after the two years for which supervision of electrical engineering work is required has passed and after satisfying the Board or its designee that Respondent has successfully completed all of the ordered education and paid all costs in this matter.

4. Within 90 days of the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$1,135.00.

5. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

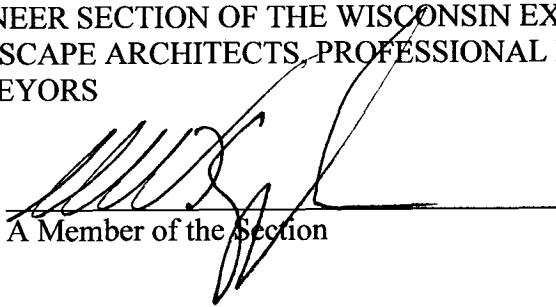
Department Monitor
Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, Fax (608) 266-2264

6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Section in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent Robert J. Kluwin fails to timely submit payment of the costs or fails to comply with the education as ordered and as set forth above, Respondent's license (no. 15820-6) may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs and submitted proof of compliance with the ordered education.

7. This Order is effective on the date of its signing.

ENGINEER SECTION OF THE WISCONSIN EXAMINING BOARD OF ARCHITECTS,
LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS, AND LAND
SURVEYORS

By


A Member of the Section


Date

4/19/12