

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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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 ALAN WALZ,
RESPONDENT.

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:
:
:

FINAL DECISION AND ORDER

ORDER 0001499

Division of Enforcement Case No. 10 ENG 012

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

Robert Alan Walz
11111 Hall Road, Suite 110
Utica, Michigan 48317

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 Alan Walz (dob 3/6/1952) is licensed in the State of Wisconsin as a Professional Engineer, having license number 6-22195, first issued on February 25, 1983 and current through July 31, 2012. The license was expired from August 1, 2010 through September 26, 2010. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 11111 Hall Road, Suite 110, Utica, MI 48317.

2. On September 11, 2008, Respondent was disciplined by the North Carolina Board of Examiners for Engineers and Surveyors for producing a deficient, substandard or inaccurate report; failing to be completely objective and truthful in professional reports and statements; and making exaggerated, misleading, deceptive or false statements of qualifications or experience in advertising permit packages. The North Carolina board reprimanded Respondent, levied a civil penalty of \$5,000 and required him to complete an ethics course offered by the Murdough Center for Engineering Professionalism at Texas Tech University.

3. Based on the September 11, 2008 discipline from the North Carolina Board of Engineers and Surveyors, professional engineer regulatory authorities in Missouri (May 17, 2010) and Colorado (July 7, 2011) imposed discipline on Respondent's licenses in those states.

4. In addition, professional engineer regulatory authorities in New Hampshire (October 30, 2009), West Virginia (December 4, 2009), Missouri (May 17, 2010) and Nevada (March 24, 2011) disciplined Respondent for failing to timely report or include on his license renewal information concerning the North Carolina investigation and discipline.

5. On October 11, 2010, Respondent notified the Section that North Carolina had disciplined him, and that the states of New Hampshire, West Virginia and Missouri had each required him to pay a fine for not reporting the North Carolina discipline in a timely manner.

6. On November 17, 2011, the Texas Board of Engineers revoked Respondent's engineer license following Respondent's voluntary surrender of his license prior to a hearing on allegations that Respondent practiced engineering in Texas while his Texas engineer license was expired; changed employers without notifying the Texas Board of the change; and failed to promptly respond to the Texas Board regarding those two issues.

7. Respondent failed to notify the Section or the Department of the Colorado, Nevada and Texas disciplines.

8. In resolution of this matter, Respondent Robert Alan Walz 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 engaged in misconduct in the practice of professional engineering, as defined in Wis. Admin. Code § A-E 8.03(3)(a), by violating state laws or administrative rules relating to the practice of professional engineering.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § A-E 8.09(1) by failing to comply with federal, state and local codes relating to professional engineering.

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § A-E 8.08(4) by failing to notify the Department when he was disciplined in Colorado, Nevada and Texas and by failing to notify the Department within 48 hours of the disciplinary findings in North Carolina, New Hampshire, West Virginia and Missouri.

5. As a result of the above violations, Respondent Robert A. Walz is subject to discipline pursuant to Wis. Stat. §§ 443.11(1)(d) and (e).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.
2. Respondent Robert Alan Walz is hereby REPRIMANDED.
3. Within 90 days of the date of this Order, Robert Alan Walz shall pay COSTS of this matter in the amount of \$1000.
4. 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:

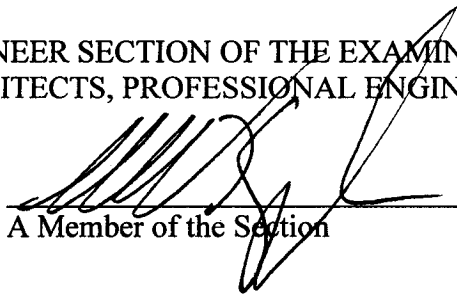
Department Monitor
Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, Fax (608) 266-2264

5. 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 fails to timely submit payment of the costs as ordered and as set forth above, Respondent's license (no. 6-22195) 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.

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

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

By


A Member of the Section

4/19/12
Date