

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
ROLAND M. PENNEQUIN, :
RESPONDENT. :

0004166

Division of Legal Services and Compliance Case No. 14 LSR 013

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

Roland M. Pennequin
5680 Lakepointe Circle
Johnston, IA 50131

Professional Land Surveyor Section of the Wisconsin Examining Board of Architects,
Landscape Architects, Professional Engineers, Designers, and Professional Land
Surveyors
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

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 Professional Land Surveyor Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Professional 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 Roland M. Pennequin (dob June 26, 1957) is licensed in the State of Wisconsin as a professional land surveyor, having license number 1621-8, first issued on November 5, 1980 and inactive since June 26, 2014. Roland M. Pennequin's most recent

address on file with the Wisconsin Department of Safety and Professional Services (Department) is 5680 Lakepointe Circle, Johnston, IA 50131.

2. In 2014, the Department conducted an audit of licensed land surveyor continuing education for the 2012-2014 biennial period (February 1, 2012 through January 31, 2014).

3. Pursuant to the Department audit, Respondent was found to be noncompliant with the continuing education requirements for licensed land surveyors for the 2012-2014 biennial period, as Respondent did not complete any approved professional development hours or equivalent continuing education hours, pertinent to the practice of land surveying, within the biennial period.

4. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Professional Land Surveyor Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Professional Land Surveyors has jurisdiction to act in this matter pursuant to Wis. Stat. § 443.12, 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, Roland M. Pennequin violated Wis. Admin. Code § A-E 10.03(1)(a) by failing to complete at least 20 hours of approved professional development hours or equivalent continuing education hours, pertinent to the practice of land surveying, within the biennial registration period.

3. As a result of the above violation, Roland M. Pennequin is subject to discipline pursuant to Wis. Stat. § 443.12(1).

ORDER

1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER of the right to reactivate or renew the professional land surveyor license of Respondent Roland M. Pennequin (number 1621-8) is hereby ACCEPTED.

3. Respondent shall not attempt to reactive or renew his license for a period of one (1) year following the date of this Order.

4. Should Respondent attempt to reactive or renew his license:

a. Respondent shall pay COSTS of this matter in the amount of \$125, before any such reactivation or renewal may be considered.

b. Respondent shall successfully complete, during the biennial period immediately preceding the application, the professional development or

equivalent continuing education requirements specified in Wis. Admin. Code § A-E 10.03(1)(a). Respondent shall submit proof of successful completion of the professional development or equivalent continuing education with the application. The professional development or equivalent continuing education completed pursuant to this limitation may not be used to satisfy any other licensed land surveyor professional development or equivalent continuing education requirements with the Section.

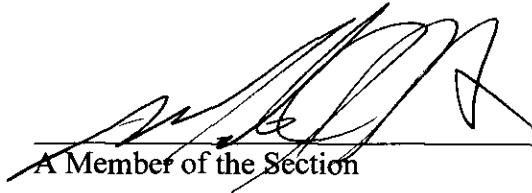
c. The Section may determine whether and under what terms and conditions such licensure may be granted.

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.

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

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

by:


A Member of the Section

Date

7-30-2015

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

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	STIPULATION
ROLAND M. PENNEQUIN,	:	
RESPONDENT.	:	0004166

Division of Legal Services and Compliance Case No. 14 LSR 013

Respondent Roland M. Pennequin and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Professional Land Surveyor Section of the Wisconsin Land Surveyor Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors (Section). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties.


Respondent waives all rights to any appeal of the Section's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Section, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Section, the parties agree not to contend that the Section has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Section may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Section should accept this Stipulation and issue the attached Final Decision and Order.

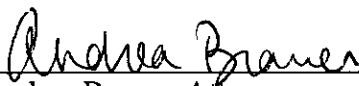
7. Respondent is informed that should the Section adopt this Stipulation, the Section's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Section adopt this Stipulation and issue the attached Final Decision and Order.



Roland M. Penace, Respondent
5680 Lakepointe Cir.
Johnston, IA 50131
License no. 1621-8

3/30/15
Date



Andrea Brauer, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

4/7/15
Date