

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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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/wscga>

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

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

TOMAS A. TORO-SANTOS,  
RESPONDENT.

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FINAL DECISION AND ORDER

**ORDER 0008662**

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Division of Legal Services and Compliance Case No. 23 ENG 003

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

Tomas A. Toro-Santos  
Waunakee, WI 53597

Professional Engineer Section of the Wisconsin Examining Board of Architects,  
Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors,  
and Registered Interior Designers  
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 Engineer Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers (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 Tomas A. Toro-Santos (Birth Year 1971) is registered by the State of Wisconsin as a professional engineer, having certificate of registration number 37748-6, first issued on September 6, 2005 and current through July 31, 2024. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Waunakee, Wisconsin 53597.

2. On February 15, 2023, the Department received a complaint alleging that Respondent had represented himself to the Marquette County Zoning Board of Adjustment as a

professional engineer while his credential was expired. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 23 ENG 003 for investigation.

3. Respondent is the lead engineer and head of the engineering team for Grothman & Associates, S.C. At the time of the complaint, Grothman & Associates did not possess, and had never possessed, an engineering firm Certificate of Authorization (COA).

4. On August 1, 2022, Respondent's professional engineer credential expired.

5. A Department review of the minutes from the January 26, 2023 Marquette County Zoning Board of Adjustment found that Respondent identified himself during the meeting as a licensed professional engineer.

6. On February 28, 2023, the Department reviewed Grothman & Associates S.C.'s website and found that the firm advertised itself as providing professional engineering services.

7. On February 28, 2023, the Department contacted Respondent to request a response to the complaint.

8. On February 28, 2023, Respondent stated that he had been unaware his credential had expired, and that he would renew it immediately.

9. On March 1, 2023, Respondent renewed his credential.

10. On May 15, 2023, Grothman & Associates, S.C. was granted a COA.

11. On May 16, 2023, the Department contacted Respondent to ask what projects he had worked on while his credential was expired.

12. On May 16, 2023, Respondent stated that he had worked on "Site Development Design and Consulting services related to the Civil Engineering discipline," and had prepared construction plans, design calculations, and engineering reports associated with various ongoing projects while his credential was expired.

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

#### CONCLUSIONS OF LAW

1. The Professional Engineer Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers 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(2) and (3) by practicing professional engineering and holding himself out as a professional engineer to the public while his credential was expired.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 443.08(2)(b) by practicing or offering to practice professional engineering as a principal, officer, employee, or agent of a firm that did not have a valid COA.

4. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 443.11(1)(c) and (e).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Tomas A. Toro-Santos is REPRIMANDED.

3. Within ninety (90) days from the date of this Order, Respondent Tomas A. Toro-Santos shall pay the COSTS of this matter in the amount of \$311.

4. All submissions, including payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 266-2112; Fax (608) 266-2264  
[DSPSMonitoring@wisconsin.gov](mailto:DSPSMonitoring@wisconsin.gov)

Submissions may also be made online at: <https://dpsmonitoring.wi.gov/>

5. In the event Respondent violates any term of this Order, Respondent's certificate of registration (number 37748-6), or Respondent's right to renew his certificate of registration, may, in the discretion of the Section or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Section may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

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

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

by:



\_\_\_\_\_  
A Member of the Section

7/27/2023

\_\_\_\_\_  
Date

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

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

TOMAS A. TORO-SANTOS,  
RESPONDENT.

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STIPULATION

**ORDER 0008662**

Division of Legal Services and Compliance Case No. 23 ENG 003

*Respondent Tomas A. Toro-Santos 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 Engineer Section of the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers (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.

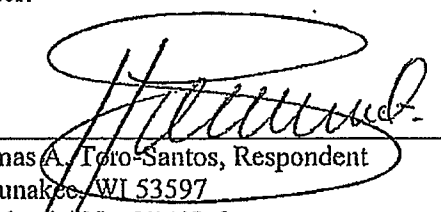
Respondent waives all rights to any appeal of the Section's order, if adopted in the form as attached.

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.

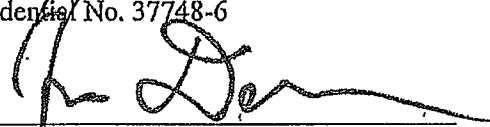
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondent, for 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.

  
Tomas A. Toro-Santos, Respondent  
Waunakee, WI 53597  
Credential No. 37748-6

6/27/2023  
Date

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

6/29/2023  
Date