

PROFESSIONAL SURVEYORS AND MAPPERS



DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION NEWSLETTER

VOL. 13, NO. 1, SPRING 1995



MESSAGE FROM THE CHAIR

By: Margarita Weidener, Chair

The Florida Board of Professional Surveyors and Mappers is happy to report that approximately sixty applicants have been licensed under the Savings Clause provided for in the revised Chapter 472, Florida Statutes. This number may increase slightly as pending applications, which were filed prior to the deadline, receive final review by the Application Committee. The savings clause expired on December 31, 1994. With expiration of this provision for licensure, all applicants seeking licensure must meet the provisions of Section 472.013, F.S. There has been a great deal of controversy over titles and seal requirements. The Board is working on a proposed rule which will provide an answer to many of the concerns. It will provide for a grandfathering in of seals held by licensees as of December 31, 1994 as "Registered Land Surveyor" and the requirement of a new seal for licensees licensed on or after January 1, 1995 as "Registered Surveyor and Mapper". No ruling will be made on initials after licensee's name. This will be a matter of personal preference.

Please understand that changes occurring after revision of the statute are major and completion of all responsibilities associated with this process of transition will take some time. The Board is moving forward on developing Minimum Technical Standards for photogrammetric mapping. These standards may stand alone or they may be considered for incorporation in existing Minimum Technical Standards. In order to move forward with this assignment, a number of committee meetings and/or public workshops will be scheduled.

see Chairman, page 4

Licensees In "Responsible Charge" Of Business Entities Do Not Need To Be On The Premises All The Time.

By Patricia "Gail" Oliver, P.S.M.

At the November 4, 1994 rules workshop there was an issue raised regarding the professional surveyor and mapper in responsible charge of surveying and mapping services provided out of each location listed on the LB application. According to the rule the business entity must provide in their application to the Board the following: the street address of each of its Florida offices from which surveying and mapping services are provided; the surveyor and mapper in responsible charge for each office; the principal or principals who are licensed surveyors and mappers as the term "principal" is defined in 61617-2.003(1)(b).

According to the rule there need only be one (1) licensed surveyor and mapper in responsible charge for each office and only one (1) licensed surveyor and mapper as a "principal" for each firm. Many times the surveyor and mapper in responsible charge will also be the

surveyor and mapper listed as the "principal" there is nothing wrong about that. Also, firms may employ several licensed surveyors and mappers who will be responsible for projects, sign and seal surveys, etc. but it is not necessary for these individuals to be listed on the LB application, so long as the licensee listed as the surveyor and mapper in responsible charge on the LB application is currently employed by the firm.

If the licensed surveyor and mapper in responsible charge became ill or was on vacation another licensed surveyor or mapper could cover for that individual so long as the licensed surveyor and mapper in responsible charge still has authority over the office and so long as the person filling in is not the licensed surveyor and mapper on record with the board as being in responsible charge of another office. The Board has prepared a rule change to make this clearer.

Many times the surveyor and mapper in responsible charge will also be the surveyor and mapper listed as the "principal".

1995 Meeting Schedule

Orlando:	March 6	Continuing Education Committee
	March 7 & 8	Full Board & Probation Committee
Orlando:	April 5	Committee on Photogrammetry
Tampa:	June 6 (a.m.)	Workshop on Chapter 177
	June 6 (1:00)	Full Board Meeting
	June 7 & 8	Full Board & Probation Committee
Ft. Lauderdale:	Sept. 18	Workshop on Chapter 177
	Sept. 19 & 20	Full Board & Probation Committee
Tallahassee:	Dec. 6 & 7	Full Board & Probation Committee

Additional meetings may be called as needed. All dates are subject to change

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Professional Surveyors and Mappers
and**

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Professional Regulation
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Tallahassee, Florida 32399-0756**

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**Complaints Against a Licensee
1 (800) 342-7940**

**Florida Telephone Relay System
Incoming Calls: 1 (800) 955-8771**

MESSAGE FROM THE SECRETARY



*Richard T. Farrell
BPR Secretary*

Please allow me to express to all the licensees and board members of the Department of Business and Professional Regulation my enthusiasm for the job ahead of us.

me, but also to me.

The mission of this department is a very important one, and everyone involved deserves an agency

Since I assumed my duties on

February 1, I have met with many of BPR's employees. I look forward to meeting or talking with as many of the board members and licensees as I can to let you know that my first priority is to restore a

And in order to be effective, communication must flow both ways — not just from me, but also to me.

sense of confidence and pride in this department. One of the major tools in that task will be communication - with employees, board members, licensees, consumers and the general public. And in order to be effective, communication must flow both ways — not just from

that is efficient and responsive, and one that has the welfare of Florida's citizens as its top priority.

I look forward to working with all of you as we strive for pride and confidence in ourselves, our individual

jobs and our department.

Richard T. Farrell, Secretary

Licenses

Licenses suspended by the Board

The licenses of the following have been suspended by the Board as a result of disciplinary actions and/or violations of the terms of the final order:

Carmellia, William	Makemson, Robert	Wilkinson, Buddy	Forsman, Robert
Coffell, Laythel	Hodge, Ernest	Mohr, Russell	Gerber, Robert
Cool, Eugene	Holt, John	Nash, James	Turso, Robert
Dohm, Lars	Horne, Corbett	Purvis, Ralph	
Hutchins, Bobby	Tash, Bertin	Ramirez, Narcisco	

Seal Stolen

The Board office has been notified by William L. Hazlett that his surveyor's seal along with his corporate have been stolen.

LICENSES RESTORED TO GOODSTANDING

The licenses of the following have been restored to good standing:

Bonner, Jay Alan	Ensenat, Eduardo	Caudell, Eugene	Dixon, Paul
Peacock, James	Traylor, Dale	Rehfeldt, John	Rose, Duane
Mongoven, Michael			

VOLUNTARY RELINQUISHMENTS - BUSINESS

The following business has voluntarily relinquished it's license:

Nassau Land Planning

VOLUNTARY RELINQUISHMENTS - INDIVIDUAL

The following individuals have voluntarily relinquished their licenses:

Bradley, Clopton	Hanson, Gordon G.
West, C.W.	

LICENSES REVOKED

The following individuals have had their licenses revoked:

Blackmon, Julius	Hunt, Gary	Henderson, Olive
Bolt, Fredrick	Webster, William	

Disciplinary News

The Board has taken disciplinary action concerning the following licensees. This listing may not reflect a change occurring near or following the publication date. Before making any decisions based upon this information, check with the Board Office to ensure accuracy. Further, the listing does not reflect pending appeals or requests for a hearing. Each order is listed as follows with the name, charges and action taken.

William Aliff, License # LS 0004047, DBPR Case # 91-11262 - Failed to comply with the Minimum Technical Standards for land surveyors. Action: Respondent received a reprimand and an administrative fine of \$500.00.

Clinton Finstad, License # LS 0002453, DBPR Case # 92-14125 - Practiced or offered to practice land surveying through a corporation or partnership to the public without first obtaining a certificate of authorization from the Board. Action: An administrative fine of \$500.00 was imposed.

Manhar K. Jadav, License # LS 0002754, DBPR Case # 93-04758 - Failed to follow minimum technical standards for land surveying. Action: Respondent received a reprimand and an administrative fine of \$1,100.00.

Nassau Land Planning, License # LB 0005915, DBPR Case # 92-13390 - Operated without a Certificate of Authorization, Failed to notify the Board within one (1) month of any change in the business entity's location of office(s), its registered land surveyors in responsible charge, and the name of its principals. Action: Voluntarily relinquished business license.

John S. Short, License # LS 0001721, DBPR Case # 92-11348 - Failed to follow minimum technical standards for land surveying. Action: License suspended, suspension stayed to allow for probation and an administrative fine of \$500.00. Respondent is to complete a Minimum Technical Standards course within six (6) months of the filing of the order, and verification of completing said course within seven (7) days of same. Respondent is to submit signed and sealed surveys for Board review. Said surveys are to be completed after completion of the Minimum Technical Standards course and submitted within thirty (30) days of Respondent's submission of verification of course

completed.

Ralph Swerdloff, d/b/a First Financial Surveyors, Inc., License #'s LS 0003411 and LB 0006387, DBPR Case # 93-03285 - Guilty of negligence or misconduct in the practice of surveying. Action: Respondent received a reprimand and an administrative fine of \$500.00.

Stephen Whitiker, License # LS 0003053, DBPR Case # 91-10299 - Failed to follow minimum technical standards for surveying. Action: License suspended, suspension stayed to allow for probation and an administrative fine of \$500.00. Respondent is to complete a Minimum Technical Standards course within six (6) months of the filing of the order, and verification of completing said course within seven (7) days of same. Respondent is to submit signed and sealed surveys for Board review. Said surveys are to be completed after completion of the Minimum Technical Standards course and submitted within thirty (30) days of Respondent's submission of verification of course completed.

Thomas E. Snyder, License # LS 0004319, DBPR Case # 91-12523 - Negligent in the practice of surveying and failed to comply with the Minimum Technical Standards for surveying. Action: License suspended, suspension stayed to allow for probation and an administrative fine of \$500.00. Respondent is to complete a Minimum Technical Standards course within six (6) months of the filing of the order, and verification of completing said course within seven (7) days of same. Respondent is to submit signed and sealed surveys for Board review. Said surveys are to be completed after completion of the Minimum Technical Standards course and submitted within thirty

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The Complaints Process

By: Jerry Wilson

DBPR's office of Consumer Services in Tallahassee is the intake area for all complaints against licensees and for unlicensed activity. The complaints process is provided in Chapter 455.225, Florida Statutes.

The "standards of acceptance" of a complaint are legal sufficiency and jurisdiction. Legal sufficiency is defined as allegations, as presented and if factual, that would constitute a violation of the practice act.

Jurisdiction is determined by Florida Statutes or by Board Rules, wherein authority is mandated for regulatory intervention. Professional Surveyors and Mappers are required, by rule, to report any knowledge or reason to believe that any person or firm is guilty of violating any of the provisions of Chapter 472, F.S. or the rules of the Board.

The Department may investigate an anonymous complaint if the complaint is in writing and is legally sufficient, if the alleged violation of law or rules is substantial, and if the Department has

reason to believe, after preliminary inquiry, that the allegations of the complaint are true.

The Department is also able to initiate investigations on its own.

The Department must promptly furnish to the subject or the subject's attorney a copy of the complaint or document which resulted in the initiation of the investigation.

If you want to file a complaint, you may request the necessary forms at (904)

488-6602 or write to the agency's address:

**Department of Business and Professional Regulation
1940 North Monroe Street
Tallahassee, Florida 32399-0782**

There is a toll free line to make inquiries about licensure status and complaints at 800-342-7940. If you have any further questions about the complaint process, you can reach me at (904) 488-6602 Ext. 569.

The "standards of acceptance" of a complaint are legal sufficiency and jurisdiction.

