

**STATE BOARD
FOR PROFESSIONAL ENGINEERS
ENGINEERS**

v.

BRENT HARVEY

Respondent.

* * * * *

* **Before the**
* **State Board for Professional**
* **Engineers**

* **Agency Case No.: 18-PE-39**

*
*
*

CONSENT ORDER

This matter comes before the State Board for Professional Engineers (the "Board") as the result of the renewal application of Brent Harvey ("Respondent") license no. 05-16692. Based on an audit performed of the Respondent's continuing education hours ("professional development hours or PDHs"), the Board initiated this complaint. As a means of resolving this matter, the Board and the Respondent have agreed to enter into this Consent Order, and agree and stipulate as follows:

1. The Respondent applied for the reinstatement of his professional engineer's license on September 18, 2017. The Respondent's license expired on November 14, 2017.
2. As part of the application process, the Respondent certified that he had completed 24 PDHs which are required by law for the renewal or reinstatement of his license.
3. An audit was conducted of the Respondent's PDHs by the Board and the Respondent was requested to provide documentation of completion of the 24 hours he certified he had obtained.
4. In response to the audit, the Respondent provided documentation that he had completed 6 of the 24 PDHs required for the renewal.

5. The Respondent provided documentation of an additional 8 PDHs after notice of the audit.
6. In order to resolve this matter with the Board, the Respondent agrees to pay a civil penalty in the amount of One Thousand Five Hundred Dollars (\$1500.00) in connection with his failure to have documentation that he completed all 24 PDHs required by § 14-314 of the Maryland Professional Engineers Act, §§ 14-101 *et seq.*, Business Occupations and Professions Article, Annotated Code of Maryland (“the Act”), and the Board’s regulations contained in the Code of Maryland Regulations (“COMAR”) at 09.23.06.03A, prior to applying for reinstatement of the license. The Respondent agrees to take an additional 10 PDHs, (with 1 hour in professional engineering ethics as required by the regulations), in order to complete the 24 PDHs needed for the reinstatement of his license by the Board. The additional courses will be taken within thirty (30) days of the date the Respondent executes this Consent Order. The Respondent further agrees to provide documentation to the Board that he has obtained the PDHs pursuant to this agreement within forty-five (45) days of the date that he executes this Consent Order.
7. The Respondent waives the right to the issuance of a statement of charges and a formal hearing on charges in connection with the audit and where the Respondent would have the opportunity to present a defense to charges of a violation of the Act.
8. The Respondent agrees to abide by the provisions of the Act, and the continuing education requirements of the Board as set out in the Board’s regulations.
9. The Respondent enters into this Consent Order willingly and voluntarily and having had the opportunity to consult with private counsel regarding the terms.

BHJ

10. The Respondent and the Board understand that this Consent Order will serve as the final resolution of the matter and that this Consent Order will be a part of the Respondent's licensing record maintained by the Board.

WHEREFORE, based on these stipulations and agreements, it is hereby this

19th day of OCTOBER, 2018, ORDERED by the State Board for


Professional Engineers:

- I. **That** the Respondent will abide by the Maryland Professional Engineers Act, § 14-101 *et seq.*, Business Occupations and Professions Article, Annotated Code of Maryland in future practice;
- II. **That** the Respondent violated the provisions of COMAR 09.23.06.03A.
- III. **That** the Respondent pay a fine of One Thousand Five Hundred Dollars (\$1,500.00) in connection with this matter and upon his execution of this Consent Order;
- IV. **That** the Respondent will complete the additional 10 PDHs required for the renewal of his license, (with 1 hour in professional engineering ethics), within thirty (30) days of the date that he executes this Consent Order; and,
- V. **That** the Respondent will provide documentation that he has completed the courses in accordance with the terms of this Consent Order within forty-five (45) days of his execution of the Consent Order; and,
- VI. **That** should the Respondent fail to comply with the terms of this Consent Order, the Respondent's license will, upon written notice to the Respondent, be summarily suspended by the Board, without a hearing prior to the suspension and that the

suspension will continue until such time as the Respondent evidences to the Board his compliance with the terms of this Consent Order; and,

VII. **That** the records of the Board shall reflect that this matter was resolved by the Respondent and the Board by Consent Order.

Signature on File



Brent Harvey, Respondent

19 OCTOBER 2018
Date

Signature on File

**Chairman, State Board for
Professional Engineers**

Date

