

BEFORE THE IOWA ENGINEERING AND LAND SURVEYING
EXAMINING BOARD

Department of Commerce
Professional Licensing Bureau
FILED 5/12/22 (Date)
JEL/SEB
Board / Commission
Robert E. Lampe
Signature, Executive Officer

IN THE MATTER OF:

Jim E. Lichty
#P13287

Respondent.

Case No. 21-07

STATEMENT OF CHARGES, CONSENT
AGREEMENT, AND ORDER

The Iowa Engineering and Land Surveying Examining Board (“**Board**”) and Jim E. Lichty (“**Respondent**”) enter into this Statement of Charges, Consent Agreement, and Order (“**Agreement**”) pursuant to Iowa Code §§ 17A.10(1), 272C.3(4)(a) (2022), and Iowa Administrative Code r. 193—7.42:

A. Legal Authority and Jurisdiction.

1. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A, 272C, and 542B.
2. The Board has authority to take disciplinary action against Respondent under Iowa Code chapters 272C and 542B, and Iowa Administrative Code rule 193C—9.3.

B. Facts.

3. Respondent is a licensed professional land surveyor in Iowa. The Board originally issued Respondent his license as a professional land surveyor on June 5, 1995.
4. Respondent last renewed his license on December 17, 2020.
5. Respondent was selected for a random compliance review of his professional development hours (PDH) pursuant to Iowa Administrative Code rule 193C—7.8(2).
6. Board staff sent a certified letter to Respondent requesting supporting documentation for the PDH that Respondent reported having completed with the renewal application.
6. Respondent did not submit supporting documentation for fifteen PDH.

C. Charges.

16. Respondent committed one (1) count of reporting satisfaction of continuing education, in a false manner, through overt deceit, or with reckless disregard for the truth or accuracy of the information asserted in violation of Iowa Administrative Code rule 193C—9.3(1)(c).

D. Consent Agreement

17. Respondent has a right to a hearing on the charges but waives Respondent's right to hearing and all attendant rights, including the right to seek judicial review, by freely and voluntarily entering into this Agreement. This Agreement constitutes discipline against Respondent and is the final agency order in the contested case, pursuant to Iowa Code section 17A.10 and Iowa Administrative Code rule 193—7.42. Respondent acknowledges that Respondent had an opportunity to review this Agreement with legal counsel before signing it.

18. Respondent agrees the State's counsel may present this Agreement to the Board and may have ex parte communications with the Board while presenting it.

19. This Agreement shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any future disciplinary action to be imposed in the event of any future violations.

20. This Agreement is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22.

21. Failure to comply with the provisions of this Agreement shall be grounds for further disciplinary action pursuant to Iowa Code section 272C.3(2)(a). However, no action may be taken against Respondent for violations of these provisions without a hearing or waiver of hearing.

22. This Agreement is subject to approval of the Board:

a. If the Board fails to approve this Agreement, it shall be of no force or effect on either party, and it shall not be admissible for any purpose in further proceedings in this matter;

b. If the Board approves this Agreement, it shall fully dispose of all issues in this case.

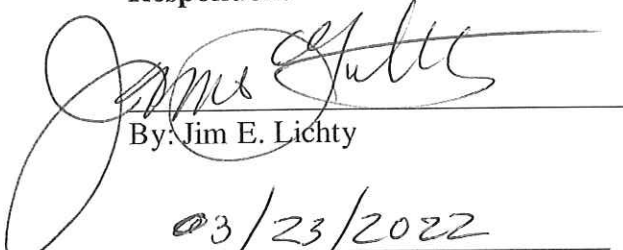
IT IS THEREFORE ORDERED:

1. **Voluntary Surrender.** Respondent agrees to surrender his license effective on the date both parties sign this Statement of Charges, Consent Agreement, and Order. Should Respondent wish to reactive his license in the future, Respondent agrees he may apply for reinstatement per the terms of Iowa Administrative Code rule 193—7.38.

AGREED AND ACCEPTED:

Respondent

**The Iowa Engineering and Land Surveying
Examining Board**


By: Jim E. Lichte


By Robert Lampe, Board Executive, on behalf of the
Board

03/23/2022
Date

5/12/22
Date