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Board / Commission

# BEFORE THE IOWA ENGINEERING AND LAND SURVEYING EXAMINING BOARD

ignature, Executive Officer

IN THE MATTER OF:

Case No. 23-12

Chad Leichti

COMBINED STATEMENT OF CHARGES, CONSENT AGREEMENT, AND FINAL ORDER

Respondent.

COMES NOW the Iowa Engineering and Land Surveying Examining Board ("Board") and Chad Leichti ("Respondent") and enter into this Combined Statement of Charges and Consent Order ("Order") pursuant to Iowa Code §§17A.10 and 272C.3(4)(a), and Iowa Administrative Code rule 193—7.4.

# A. LEGAL AUTHORITY AND JURISDICTION

- 1. The Board has jurisdiction of 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. STATEMENT OF CHARGES

3. The Board charges Respondent with failure to disclose prior license discipline from other jurisdictions in violation of Iowa Code 542B.21(1) and Iowa Administrative Code rule 193—9.3(1).

#### C. FACTUAL CIRCUMSTANCES

- 4. On November 21, 2023, Respondent submitted a renewal application for his Iowa Engineering license. The application disclosed license discipline from Missouri. It also mentioned previous discipline in 2015 by Colorado and Oklahoma.
- On December 11, 2023, upon request from Board staff, Respondent submitted further information indicating that he was disciplined in Oklahoma for unlicensed practice in 2015. In 2021, he was disciplined in Colorado for the conduct that resulted in Oklahoma discipline. In 2023, he was disciplined in Missouri for failure to disclose the Colorado discipline.

6. Respondent had not disclosed the 2015 Oklahoma discipline on his 2017 Iowa renewal application, nor did he disclose the 2021 Colorado discipline on his Iowa renewal application.

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## D. SETTLEMENT AGREEMENT AND FINAL ORDER

- 7. Respondent acknowledges that the allegations in the Statement of Charges, if proven in a contested case hearing, would constitute grounds for the discipline agreed to in this Order.
- 8. Execution of this Order constitutes the resolution of a contested case. Respondent has a right to hearing before the Board on the charges, but Respondent waives the right to hearing and all attendant rights, including the right to appeal or seek judicial review of the Board's action, by freely and voluntarily entering into this Order. Once entered, this Order is the final agency order and shall have the force and effect of a disciplinary order entered following a contested case hearing.
- 9. Respondent acknowledges that he has the right to be represented by counsel on this matter and has had an opportunity to review this Order with legal counsel before signing it.
- 10. Respondent agrees that the State's counsel may present this Order to the Board and may have ex parte communications with the Board while presenting it.
- 11. This Order is subject to approval by a majority of the full Board. If the Board does not approve this Order, it shall be of no force or effect to either party and shall not be admissible for any purpose in further proceedings in this matter. If the Board approves this Order, it shall be the full and final resolution of this matter.
- 12. This Order shall be part of Respondent's permanent record and may be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.
- 13. This Order shall not be binding as to any new complaints received by the Board.
- 14. This Order, when fully executed, is a public record and is available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C.

## IT IS THEREFORE ORDERED:

15. Within thirty (30) days of the Board's approval of this Order, Respondent shall pay a civil penalty in the amount of two hundred fifty dollars (\$250). All civil penalty payments shall be deposited in the State of Iowa general fund.

- 16. Respondent is ordered to submit documentation of twenty-four (24) continuing education hours, with at least two (2) of those hours in ethics, that meet the requirements of Iowa Administrative Code rule 193C—7.5 within thirty (30) days of the Board's approval of this Order. These hours may not be used to satisfy the hours requirement for the next biennial term.
- 17. Respondent is ordered to obey all applicable Iowa laws and rules in the future.

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Date	CHAD LEICHTI

Respondent

This Combined Statement of Charges and Consent Order is approved by the Iowa Engineering and Land Surveying Examining Board on 3//4/2024.

Board Chair

Iowa Engineering and Land Surveying Examining Board

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