

**BEFORE THE IOWA ENGINEERING AND LAND SURVEYING  
EXAMINING BOARD**

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<b>IN THE MATTER OF:</b>	)	
	)	
<b>Robert G. Boling, PE</b>	)	<b>CASE NO. 08-17</b>
<b>#06832</b>	)	
	)	<b>COMBINED STATEMENT OF CHARGES</b>
	)	<b>AND CONSENT ORDER</b>
<b>RESPONDENT</b>	)	

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**A. Statement of Charges**

1. The Iowa Engineering and Land Surveying Examining Board ("Board") has jurisdiction of this disciplinary matter pursuant to Iowa Code chapters 17A, 272C, and 542B (2007).

2. Respondent was issued Professional Engineer license number 06832 on December 3, 1970. The respondent's professional engineering license is active with an expiration date of December 31, 2009.

3. On December 31 2007, the Board received an application from the Respondent requesting renewal of his professional engineer license and acknowledging that he had, since his last renewal in Iowa, been disciplined by another jurisdiction. On January 10, 2008, the Board opened a disciplinary case and requested an explanation regarding the nature of the Respondent's practice in Iowa. Having not received a response to that request, the Board sent a second request on June 20, 2008.

4. On July 7, 2008, the Board received a letter from the Respondent requesting termination of his Iowa license and stating that he would not seek reinstatement.

5. At its regular meeting on August 1, 2008, the Board found probable cause to offer a voluntary surrender of his Iowa professional engineer license to the Respondent.

6. The Board and Respondent have agreed to fully resolve these charges through the following Consent Order, rather than proceed to contested case hearing.

## **B. Settlement Agreement and Consent Order**

7. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including the right to seek judicial review, by freely and voluntarily entering into this Order. This Consent Order constitutes discipline against the Respondent, and is the final agency order in the contested case, pursuant to Iowa Code section 17A.10 and 193 Iowa Administrative Code 7.4.

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

9. This Order 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.

10. This Combined Statement of Charges and Consent Order is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2007).

11. Failure to comply with the provisions of this Order shall be grounds for further disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (2007). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

12. This Order is subject to approval of the Board:

(a) If the Board fails to approve this Order, 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 Order, it shall fully dispose of all issues in this case.

**IT IS THEREFORE ORDERED:**

**A. Reprimand.** Respondent is reprimanded for failure to respond to a request for information from the Board.

**B. Voluntary Surrender.** Respondent shall voluntarily surrender his license to practice professional engineering in the State of Iowa effective August 1, 2008. Respondent shall submit his certificate and license card to the Board's office no later than October 1, 2008. In lieu of proceeding to a contested case hearing, Respondent agrees to never request reinstatement of this license.

**AGREED AND ACCEPTED:**

  
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Respondent

Date Sept 30, 2008

**For the Iowa Engineering and Land Surveying Examining Board**

  
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Christy VanBuskirk, PE, Chair

Date 11/6/2008