

# **A Guide for Consumers..**



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# INTRODUCTION

This guide is designed to help consumers who may need the services of an engineer or land surveyor. If you've never dealt with one of these professionals, you'll learn about:

- the services available
- the functions and responsibilities of an engineer
- the functions and responsibilities of a land surveyor
- the kind of projects that require an engineer
- the kind of projects that require a land surveyor
- how to select a licensed professional
- how having a written agreement helps avoid misunderstandings later on
- how the Board for Professional Engineers and Land Surveyors (Board) can help you work with these highly skilled professionals
- how the Board may help you file a complaint

Careful selection of the licensed professional best suited for your project, and clear communication in the beginning, is the foundation of a successful project.

**You should carefully review this guide BEFORE you select a professional engineer or land surveyor for your project.**

## THE BOARD



The Board for Professional Engineers and Land Surveyors is part of the California Department of Consumer Affairs. The Board:

- licenses professional engineers and land surveyors
- regulates the practice of civil (including geotechnical and structural), electrical, and mechanical engineers and the practice of land surveyors, as mandated by state law
- authorizes the use of other specific engineering and land surveying titles
- licenses individuals only, not companies.

There are thirteen Board members. By law, five of them are professional engineers, one is a professional land surveyor, and seven are public members (neither engineers nor land surveyors). One of the professional Board members is from a local public agency, and one is from a state agency. Eleven are appointed by the Governor and two by the Legislature for four-year terms. Members may serve a second term. They are not full-time employees, but are paid for days spent on Board business and are reimbursed for travel expenses. The Board has a staff of approximately 40 state employees to carry out its mission.

### The Board's Mission

The Mission of the Board for Professional Engineers and Land Surveyors is to safeguard the life, health, property, and welfare of the public by regulating the practice of professional engineering and land surveying. The Board accomplishes its Mission by:

- Licensing qualified individuals as professional engineers and land surveyors.
- Anticipating changes in the engineering and land surveying professions to ensure that the laws and regulations are contemporary, relevant, and responsive.
- Establishing regulations and promoting professional conduct.
- Enforcing laws and regulations.
- Providing information so that the public can make informed decisions regarding utilizing professional engineering and land surveying services.

## DOES MY PROJECT REQUIRE A PROFESSIONAL ENGINEER OR LAND SURVEYOR?

Before you attempt to build, repair, or alter structures, do grading or drainage work, install or repair septic systems, build or repair retaining walls, or have a survey of your property done, consider the following:

- Your city or county building department and county surveyor's office know about the local conditions, including heavy snow falls, high winds, earthquake activity, or tidal action, among others which could affect your project.
- Your city or county Building and Safety Department, Department of Public Works, Planning Department, or Municipal Utility District will also be able to advise you about building code requirements and what permits, plans, and maps are required, if any. These agencies can also tell you when an engineer or land surveyor is required.
- If your project requires the services of an engineer or land surveyor, be sure that he or she is properly licensed by this Board. Unlicensed persons are allowed to offer or perform professional engineering or land surveying services **only** if they are working under the direction of a licensed engineer or land surveyor.
- See page 14 to learn how to check on the license of any engineer or land surveyor you are thinking of hiring.

**Know your RESPONSIBILITIES as well as your RIGHTS.**

## IN THE EVENT OF A NATURAL DISASTER



For a home or other building that has been damaged by natural forces such as earthquake, wind, flood, or fire, consultation with a civil or structural engineer is recommended to determine if the building is safe to occupy and can safely be repaired or rebuilt.

Civil and/or structural engineers can judge whether or not damage has made a building unsafe to live or work in, or if its condition endangers nearby buildings or the public. Sometimes a geotechnical or soils report is necessary. If so, both civil and geotechnical engineers can provide this service. It is also possible that a survey would need to be done to relocate your property boundaries.

Contact your county or city Building and Safety Department, Department of Public Works, and County Surveyor's Office immediately. They will tell you about the requirements necessary to repair damage to your home or building or if you need to have your property resurveyed before the repair work can be started.

## PROFESSIONAL ENGINEERING SERVICES

California state law requires all California-licensed engineers to have many years of education and experience prior to being licensed. Professional Engineers apply their knowledge and skills to provide design, analysis, and evaluation as well as consultation and technical advice on projects such as:

- foundations
- grading plans
- commercial buildings
- residential buildings
- electrical systems
- heating, ventilation and air conditioning systems
- drainage and sewage disposal systems
- masonry walls and retaining walls
- bridges
- seismic strengthening for projects including retrofitting
- dams, flood level studies, and water supply systems
- improvements for subdivisions
- structural beams and trusses

It is illegal for anyone to practice or offer to practice civil, electrical or mechanical engineering or to use the title “Civil Engineer,” “Electrical Engineer,” “Mechanical Engineer,” “Geotechnical Engineer,” “Soils Engineer,” or “Structural Engineer” in California unless he or she is currently licensed as such by this Board.

Other engineering titles regulated by this Board include branch titles, which are not practice-regulated. Anyone may practice these branches of engineering, but only engineers licensed by the Board may use the branch title as a personal title or credential. Title licenses are obtained through a process which includes demonstrating qualifications and experience to the Board.

The authority to use the following titles **does not permit** the person to practice civil, electrical or mechanical engineering:



Agricultural Engineer  
Chemical Engineer  
Control Systems Engineer  
Fire Protection Engineer  
Industrial Engineer  
Manufacturing Engineer  
Metallurgical Engineer  
Nuclear Engineer  
Petroleum Engineer  
Traffic Engineer

It is also against the law for anyone other than a professional engineer licensed by this Board to use the titles “Professional Engineer,” “Registered Engineer,” “Licensed Engineer,” or “Consulting Engineer.” See page 14 for information on how to check the license status of an engineer.

**Civil engineers** may design any building or structure except a hospital or public school. Civil engineers may also perform structural and geotechnical (soils) engineering if fully competent to do so. Civil engineers analyze and design buildings to withstand the natural forces of gravity, earthquakes, or wind, and can provide advice regarding structural design requirements to architects and contractors, as well as to consumers, and may design any building or structure except a hospital or public school. Civil engineers prepare design and repair recommendations for drainage systems, septic systems, foundations, and retaining walls. They also prepare grading plans and topographic maps of the elevations and contours of the land. Civil engineers also may design swimming pools.



**Structural engineers** are civil engineers who have obtained additional experience and passed a specialized engineering examination which authorizes them to use the title “Structural Engineer.” Their specialized engineering knowledge and experience enables them to analyze and design buildings or other structures including public schools and hospitals. Structural engineers also provide advice regarding structural design requirements to architects, contractors, and consumers.

**Geotechnical engineers** are civil engineers who have obtained additional experience and passed a specialized geotechnical engineering examination which authorizes them to use the titles “Geotechnical Engineer,” “Soil Engineer,” or “Soils Engineer.” Geotechnical engineering includes the investigation and engineering evaluation of earth materials including soil, rock, groundwater, and man-made materials and their interaction with earth retention systems, foundations, and other civil engineering works. Geotechnical engineers apply the principles of soil mechanics and the earth sciences and are knowledgeable about engineering laws, formulas, construction techniques, and performance evaluation of civil engineering works influenced by earth materials.

**Electrical engineers** may design electrical systems in commercial buildings, educational facilities, and other projects. Electrical engineering generally includes the design of power distribution, lighting, communications, and other electrical systems.



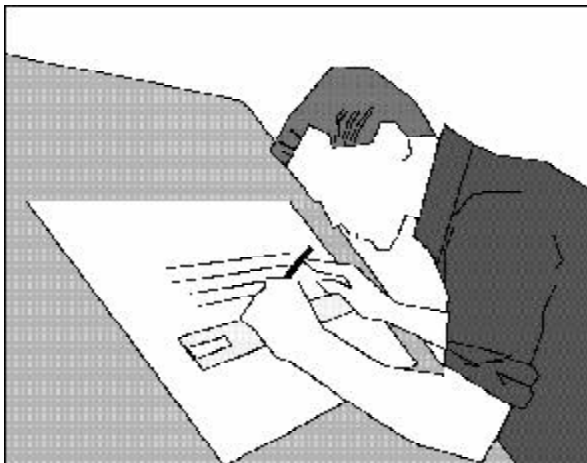
**Mechanical engineers** may design mechanical systems in commercial buildings, educational facilities, and other projects. Mechanical engineering generally includes the design of heating, ventilation, air conditioning, plumbing, and other mechanical systems.

**All civil, electrical, and mechanical engineering plans and specifications that are permitted or released for construction and all final calculations and reports must:**

- be prepared by a licensed engineer or by a subordinate under his or her direction;
- be signed and sealed (or stamped) by the licensed engineer;
- include the expiration date of the license;
- include the date on which the licensed engineer signed and sealed the documents; and
- if the plans have multiple pages or sheets, the signature, seal or stamp, expiration date and date of signing and sealing must appear on each sheet of the plans and on the title sheets, cover sheets, or signature sheet of the specifications, calculations, and reports.

**If the plans, calculations, specifications, and reports are not final, permitted, or released for construction, they must**

- include the licensed engineer's name and license number
- include a notation regarding the intended purpose of the document, such as "preliminary," "not for construction," "for plan check only," or "for review only."



## WHEN IS A LICENSE NOT REQUIRED?

California law allows persons not licensed as architects or engineers to design certain types of buildings or parts of buildings. Generally, an unlicensed person can design:

- single-family homes of conventional woodframe construction not more than two stories and basement in height;
- multiple-unit homes containing no more than four dwelling units of conventional woodframe construction, not more than two stories and basement in height, and not more than four dwelling units per lot;
- garages or other structures appurtenant to single-family homes of conventional woodframe construction not more than two stories and basement in height;
- agricultural and ranch buildings of conventional woodframe construction;
- nonstructural storefronts, interior alterations or additions, fixtures, cabinetwork, furniture, or other appliances or equipment, including nonstructural work necessary to install them; and
- nonstructural building alterations or additions necessary for the installation of storefronts, fixtures, cabinetwork, furniture, appliances, or equipment.

Designs prepared by an unlicensed person must satisfy all local building codes.

If any portion of the design deviates from substantial compliance with conventional framing requirements for woodframe construction, the law states that the building official shall require plans for that portion to be prepared by a licensed architect or engineer. For example, the building official will often require structural calculations for the installation of tile roofs or to accommodate snow loads in the mountains.

Electrical and mechanical systems for residential or commercial buildings may be designed by a licensed electrical or mechanical contractor, as long as that same contractor installs the system.

***The expertise of a licensed professional engineer may benefit your project even if not required by state law or local jurisdiction.***



# CAN LOCAL BUILDING OFFICIALS REQUIRE A LICENSED ENGINEER?



In addition to the situations described on the previous page, cities and counties usually require that a licensed engineer prepare seismic calculations for homes in seismically active areas and foundation design in areas where the soil may be a problem. They may also require structural calculations for the installation of tile roofs and to accommodate snow loads in the mountains.

## Licensed Engineer's Seal and Signature Requirements

All licensed engineers are required to use a seal or stamp on plans or calculations prepared by them or under their responsible charge. The seal or stamp authorized for use by professional engineers, including structural engineers and geotechnical engineers, may be a rubber stamp, an embossing seal or a computer-generated seal. It must be at least one and one-half inches in diameter. Civil, electrical, and mechanical engineers must include the expiration date of their license when they sign and seal or stamp documents.

### How Can I Find Out About an Engineer or Land Surveyor's License Status?

Call the Board or check on the Board website to:

- verify that the person is currently and properly licensed; and,
- find out if there have been any complaints or disciplinary actions taken against the person's license. (Please see Disclosure Policy, page 24.)

Board phone number: (916) 263-2222  
Board website: <http://www.dca.ca.gov/pels>

## PROFESSIONAL LAND SURVEYORS



**Professional land surveyors** licensed in California are required to have qualifying experience and to pass an examination before the Board licenses them. Land surveyors retrace property lines, perform boundary line adjustments, prepare topographic maps, prepare subdivision maps, and perform construction surveys, among other duties.

It is unlawful for anyone to do land surveying or offer to do land surveying unless he or she is currently licensed as a land surveyor. Civil Engineers licensed before January 1, 1982 (or have a license number below C33966) may also perform land surveying services if they are competent. Only licensed land surveyors can use the title “land surveyor.”

Other land surveyor titles regulated by the Board include “professional land surveyor,” “licensed land surveyor,” “land surveyor,” “land survey engineer,” “photogrammetric surveyor,” “survey engineer,” “geodetic engineer,” or “geometronic engineer.”

See page 14 to learn how to check on the license of any land surveyor you’re considering hiring.

***The expertise of a licensed professional land surveyor may benefit your project even if not required by state law or local jurisdiction.***

# PROFESSIONAL LAND SURVEYING SERVICES

Licensed professional land surveyors can provide the following services:

- prepare legal descriptions and maps for subdividing property
- perform boundary line adjustments
- replace lost or obliterated property corners
- set boundary markers or property corners, also known as monuments
- retrace boundaries for fences and other purposes
- locate, relocate, establish, reestablish, or retrace any property line or boundary of any parcel of land, right-of-way, easement, or alignment of those lines or boundaries
- prepare legal descriptions and information shown with the description of any deed or other title document
- prepare maps or plats for plot plans
- stake the location of fixed engineering works for construction purposes\*
- determine boundary discrepancies
- locate, relocate, establish, reestablish, or retrace the alignment or elevation for any of the fixed works embraced within the practice of civil engineering\*
- determine contours of the earth's surface for topographic maps\*
- photogrammetric surveying or aerial topographic mapping

A survey that does not determine property lines, but is made only for geological or landscaping purposes, does not require a licensed land surveyor.

\*These tasks may also be done by civil engineers licensed after January 1, 1982 (and consequently, have license numbers greater than 33965) as long as boundaries are not determined.

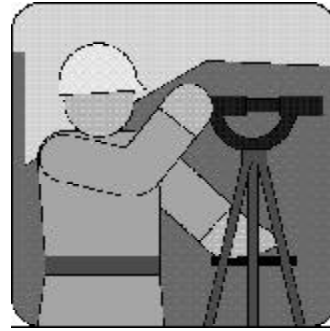
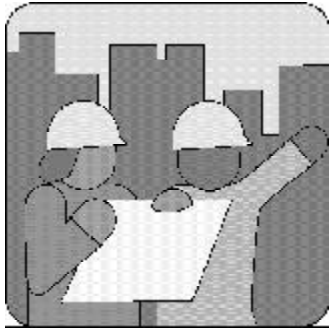


**All land surveying maps, plats, reports, descriptions, or other documents issued must meet the following requirements:**

- be prepared by a licensed land surveyor or licensed civil engineer legally authorized to practice land surveying (see page 10) or by a subordinate under his or her direction;
- contain the surveyor's or civil engineer's signature;
- contain the surveyor's or civil engineer's seal or stamp;
- contain the expiration date of the license; and
- if multiple pages or sheets have been prepared, the signature, seal or stamp, and expiration date of the license need only appear on the originals of the map or plat and on the title sheet of the report, description, or other document.



## SELECTING AN ENGINEER OR LAND SURVEYOR



To locate an engineer or land surveyor, you can ask friends for personal referrals, look in your local telephone directory, search the Internet, or contact engineering and land surveying societies (see Resources, P. 21). You can also search the Board's website [<http://www.dca.ca.gov/pels>] for California-licensed engineers or land surveyors in your city or county. (However, the Board is not allowed to provide recommendations or referrals.)

### Before You Talk to the Engineer or Land Surveyor

➤ *Be prepared - write down what you want to accomplish. Some things to consider are:*

- What is your project?
- How much can you or are you willing to spend?
- How soon do you need the work done?

### Listen Carefully and Take Notes

Notes of each one of your conversations and each person's answers to your questions will help you decide whom to hire.

- Does the person have experience with projects similar to yours?
- Ask for references and contact them before hiring the person.
- Are there alternatives or modifications to your project that could make it more attractive or bring the costs down? What could cause the costs to increase?
- Ask about local environmental conditions that may require modifications or additions to your plans.
- Ask about permits that may be needed.
- What will his or her services cost? Does that include permit costs and/or filing fees?

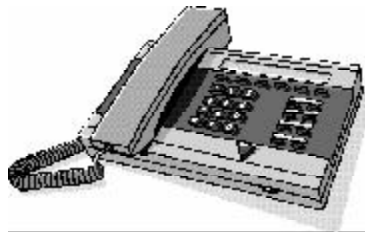
***It is your responsibility as a consumer to determine the professional that best meets the requirements for your project. Consider experience and qualifications as well as cost when making your selection.***

## Check License Status and References

- Licensed engineers and land surveyors are required to provide notice to their clients that they are licensed by the California Board for Professional Engineers and Land Surveyors. There are many ways in which they can do this, such as:
  - displaying their wall certificates in a public area, office, or work area of their places of business
  - posting a notice in a public area of their places of business stating their names and that they are licensed by the Board;
  - including a statement on their letterhead or on the contract (immediately above the signature line) that they are licensed by the Board; or
  - providing a statement to you for you to sign and date and return to them that you understand they are licensed by the Board.
  
- Call the Board or look on the Board's website to:
  - verify that the professional is currently and properly licensed; and,
  - find out if there have been any complaints or disciplinary actions taken against the person's license. (Please see Disclosure Policy, page 24.)

**Board phone number: (916) 263-2222**

**Board website: <http://www.dca.ca.gov/pels>**



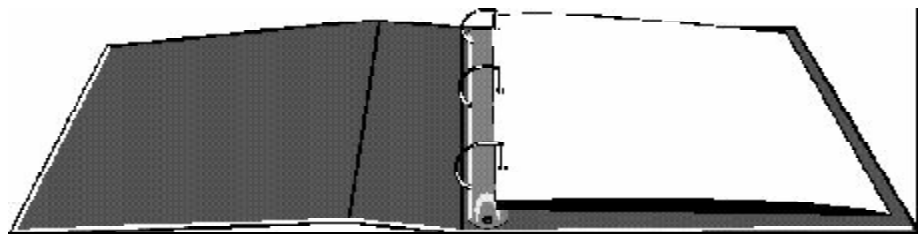
- Ask for local references on similar projects and compare qualifications and experience:
  - Does the person have the background and experience to do the specific type of engineering or land surveying that your project requires?
  - Does he or she have previous experience working with your local building department, public works department, municipal utility district, or county surveyor's office?
  - Contact previous clients to verify work and view the work or project if possible. Listen carefully and, if you view the work, ask questions.



# THE CONTRACT OR AGREEMENT

- The law requires all licensed engineers and land surveyors to use a written contract when providing their professional services. The written contract must include at a minimum the following information:
  1. A description of the services to be provided by the licensed engineer or land surveyor;
  2. A description of any basis of compensation applicable to the contract and the method of payment agreed upon by the parties (such as a fixed fee cost, an hourly rate charge, or an hourly rate charge with a maximum fee, as well as the method and schedule for billing and payment);
  3. The name, address, and license number of the licensed engineer or land surveyor, and the name and address of the client;
  4. A description of the procedures to be used to accommodate additional services (for example, requiring all work-order changes to be in writing and initialed by both parties or agreeing that work-order changes made be approved verbally with written follow-up confirmation); and
  5. A description of the procedure to be used by either party to terminate the contract.
- Additional information may be included by either you or the licensed engineer or land surveyor. The following is a list of some items you may want to consider including in your contract:
  - Who is responsible for paying for other people's services, if any, that might be required for your project, such as testing services, contractors' fees, other consultants' fees, etc.
  - Identify any other charges that may be involved (such as permit fees, plan checking fees, preliminary title report and subdivision guarantee, copying of plans, filing fees, administrative fees, etc.) and who will be responsible for paying them.
  - Who will obtain the necessary permits, approvals, title reports, etc. Make sure you understand what you will be responsible for.
  - Identify the starting date and completion date. Keep in mind that unanticipated delays may be caused by such things as the review and processing times of local jurisdictions or the weather.
  - Determine ownership or custody of the project documents and the fees and methods of obtaining extra copies if the licensee retains the documents.
- The contract must be signed by the licensed engineer or land surveyor and you, or your representatives, prior to the start of any work on the project, or you may agree in writing that work may start before the contract is finalized.
- The written contract may also be done in an electronic format.

- **Before** you sign the contract, be sure you understand the terms the professional is using in the contract and what services are and are not included in the contract.
  - Make sure everything you have agreed upon is included.
  - Make sure that any exclusions from the contract are clear and are not necessary for successful completion of the project.
  
- A written contract is not required under the following circumstances, although the parties may choose to use one if they wish:
  - The licensed engineer or land surveyor is doing the work free of charge.
  - The licensed engineer or land surveyor has done work for you in the past and you have paid him or her in full for that previous work.
  - You state in writing, after the licensed engineer or land surveyor has fully advised you of the requirements of the law to have a written contract, that a written contract is not needed.
  - The licensed engineer or land surveyor is providing his or her services to another licensed engineer or land surveyor; a licensed architect; a licensed contractor; a licensed geologist or geophysicist; a manufacturing, mining, public utility, research and development, or other industrial corporation (if the services provided are in connection with or incidental to the products, systems, or services of that corporation or its affiliates); or a public agency.
  
- A verbal contract may be just as binding on both parties as a written contract. However, miscommunications and misunderstandings can often occur when a written contract is not used. A written contract protects both parties by making clear what services will be performed, how and when payments are to be made, and how any changes or modifications that can occur during the project will be handled.
  
- Professional engineers do **not** have a duty to supervise your project during construction. In general, the engineer draws the plans and the contractor does the construction. The engineer has no responsibility to supervise the contractor. If you wish to add construction supervision to the engineer's duties, you will need to include this in your contract. Such supervision usually consists only of periodic oversight of the project.
  - Construction supervision means supervising (overseeing) the entire construction.



- Construction observation means just observing the construction part of the project.
  - Construction supervision by the engineer does not replace any required inspections by the local jurisdiction.
  - A building department may require construction observation by the engineer of a specific aspect of a project. This is not the same as construction supervision.
- Engineers and land surveyors have lien rights against your property.
- The Board does not have the legal authority to regulate fees charged by engineers or land surveyors and cannot advise you about appropriate fees. You can determine if the fees quoted are reasonable for the services to be performed by checking with the licensees' references.

***When in doubt, ASK QUESTIONS! Feel confident with the person you are hiring before you sign the agreement.***

## **AFTER THE AGREEMENT IS SIGNED — WHAT ELSE DO YOU NEED?**

### ***Keep Records of the Services Performed***



***It's a good idea to start a notebook or file of records of your project. Keep a calendar or log of the services performed, including***

- the date and time the work was performed or completed; and
- the date, time and persons contacted regarding the project (for example, the engineer, land surveyor, local building departments, secretary, etc.) and important aspects of the conversation.

### ***Also keep:***

- ✓ copies of the written agreements and work-order changes;
- ✓ all cancelled checks or check records, bills, and invoices;
- ✓ all letters, memos, notes;
- ✓ copies of permits, plans, calculations, reports, specifications, etc., and
- ✓ preliminary and/or final lien notices.

***Be professional and "businesslike." Don't be afraid to ask questions, request copies of documents, or ask for schedules for completion of services, during any stage of your project.***

## WHAT IF THERE'S A PROBLEM?

Most problems between consumers and an engineer or land surveyor are communication problems. The scope of services, the quality of the services, and the timeliness of those services can lead to misunderstandings.

A licensed engineer or land surveyor is a professional and is obligated to meet with the client, as needed, so that both sides can present their views.

- Meet with the professional in charge of your project, and:
  - list specific concerns or deviations from your agreement;
  - present records of the problem;
  - request specific action; and
  - allow time for a response.
  
- If you want an independent review of the services performed (independent of the public agency review), you may hire, at your own expense, another professional engineer or land surveyor to review the reports, plans, calculations, or maps prepared by your engineer or land surveyor. This is typically referred to as a peer review.

## WHEN TO CONTACT THE BOARD

When you cannot resolve the problem, you may contact the Board for assistance. We will help you determine what alternatives are available. The Board investigates complaints relating to specific violations of the Board's laws and regulations. The Board has the authority to discipline licensees for violations of the Professional Engineers Act and Professional Land Surveyors Act.

### What Is a Violation?

If you believe the problem you are having is a violation of the Board's licensing laws, you may consider filing a complaint with the Board. Please note, however, that the Board cannot regulate the fees charged by engineers and land surveyors. Violations the Board may be able to help with include:

- breach of contract;
- negligence or incompetence;
- fraud, deceit and misrepresentation in professional practice;
- aiding and abetting unlicensed practice or any other violation of the Board's laws and regulations; and
- unlicensed activity

**YOU MAY CONTACT THE BOARD FOR ASSISTANCE:  
(916) 263-2222**

## AVAILABLE RESOURCES

### Small Claims Court

Generally up to \$5,000. For free advice, contact your local Small Claims Court Advisory Clinic, listed in the "government" pages of your telephone directory under "County Municipal Court."

### Attorney General's Office

Consumer Fraud Units  
San Francisco, Los Angeles, Sacramento

### Local City Attorney or District Attorney

(Check your telephone book under "City or County Government.")

### California Department of Consumer Affairs:

#### Consumer Information Center

1-800-952-5210 <http://www.dca.ca.gov/cic>

#### Board of Architectural Examiners

(916) 445-3393 <http://www.cab.ca.gov>

#### Board for Geologists and Geophysicists

(916) 263-2113 <http://www.dca.ca.gov/geology/>

#### Landscape Architects Technical Committee

(916) 445-4954 <http://www.latc.dca.ca.gov/>

#### Contractors State License Board

1-800-321-2752 <http://www.cslb.ca.gov/>

### Local Better Business Bureau

### Local Consumer Assistance Organizations

### Local Libraries

Most local libraries have information that can help you learn about engineers and land surveyors, as well as computer terminals for public access to the Internet.

To obtain a free copy of "The Consumers Resource Handbook," which is published by the United States Office of Consumer Affairs, write to:

Handbook  
The Consumer Information Center  
Pueblo, CO 81009



**YOU MAY ALSO WANT TO CONTACT PROFESSIONAL SOCIETIES FOR  
ENGINEERS OR LAND SURVEYORS.**

**Professional Engineering and Professional Land Surveying Societies:**

*The following list is not intended to be a complete list the professional societies, nor is it a recommendation of any organizations.*

American Society of Civil Engineers (ASCE)  
3 Park Avenue, New York, NY 10016-9998; (800) 548-2723  
<http://www.asce.org>

American Society of Mechanical Engineers (ASME)  
3 Park Avenue, New York, NY 10016-5990; (800) 843-2763  
<http://www.asme.org>

California Land Surveyors Association (CLSA)  
P.O. Box 9098 Santa Rosa CA 95405-9990; (707) 578-6016  
<http://www.ca-surveyors.org>

California Society of Professional Engineers (CSPE)  
910 Florin Road, Suite 112, Sacramento CA 95831; (916)422-7788  
<http://www.cspe.com>

Consulting Engineers and Land Surveyors of California (CELSOC)  
1303 J Street, Suite 370, Sacramento CA 95814; (916) 441-7991  
<http://www.celsoc.org>

Institute of Electrical and Electronics Engineers (IEEE)  
3 Park Avenue, 17th Floor, New York, NY 10016-5997 (212) 419-7900  
<http://www.ieee.org>

Society of Women Engineers (SWE)  
120 Wall Street, 11th Floor, New York, NY 10005-3902 (212) 509-9577  
<http://www.swe.org/>

Structural Engineers Association of California (SEAOC)  
555 University Ave., Suite 126, Sacramento, CA 95825-6584 (916) 427-3647  
<http://www.seaoc.org/>

## THE COMPLAINT PROCESS

There is a copy of the Board's complaint form at the end of this guide. The Board wants to help you resolve your complaint, but you need to provide evidence to substantiate the complaint.

**Do your homework!** Describe the problem and what you have done to try to resolve it. List facts in order by date, providing as much information as possible. Submit copies of plans, pictures, maps, reports, contracts, and any other documents you have that are related to the project. Identify the person against whom you wish to file your complaint. Also, identify any other individuals who have knowledge of the problem including city and/or county employees. Contact the Board's Enforcement Unit at (916) 263-2222 if you have any questions.

We will acknowledge your complaint within ten days of receiving it. If you have not provided enough evidence, we will ask for you to provide it before we open a case. If we receive enough evidence to open a case, your complaint will be assigned a case number. Please refer to that number when contacting the Board.

*The Board encourages mediation and, if appropriate, will communicate with the professional on your behalf in order to resolve differences. After investigation, if disciplinary action is warranted, the Board may issue a citation containing an order of abatement and an order to pay an administrative fine, or the Board may submit the case to the Office of the Attorney General to pursue the suspension or revocation of the engineer's or land surveyor's license.*

**Investigation of complaints and disciplinary proceedings may be a lengthy process; Board staff will keep you informed of the progress of the case. Even though you may believe the professional engineer or land surveyor has clearly violated the law, the law requires this process to collect material from both sides of the investigation, which takes time.**

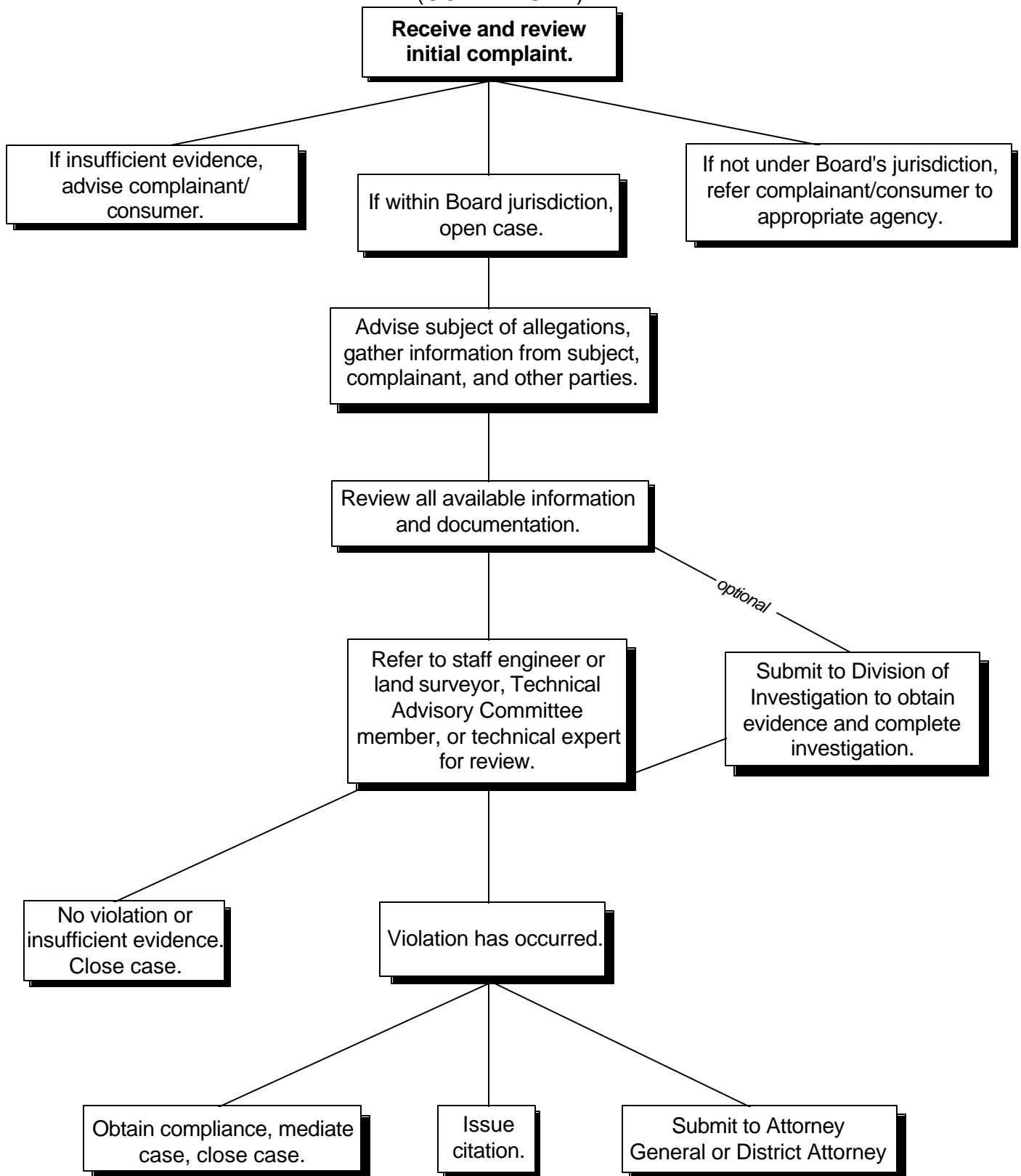




# BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

## COMPLAINT PROCESS

(CONDENSED)



Investigation of a complaint is often a lengthy process. Cases submitted to the Division of Investigation, a Technical Advisory Committee member, and/or a technical expert may require additional time to complete.

## DISCLOSURE OF COMPLAINTS AND DISCIPLINARY ACTIONS

### Complaints

The Board keeps records for five years of complaints against licensees and non-licensees that do not result in disciplinary action involving violations of the Professional Engineers Act, the Professional Land Surveyors' Act, and the Regulations of the Board.

During the investigation, no information concerning the complaint will be disclosed. If investigation reveals that there has been no violation of the law, no information concerning the complaint will be disclosed.

If investigation reveals that there has been a probable violation, upon written or oral request, the following information will be disclosed:

1. The number of complaints against a specific Board licensee or non-licensee.
2. The date the complaint was received and the date on which final disposition of the complaint was reached.
3. The disposition of the complaint, as follows:
  - a. Compliance obtained.
  - b. Complaint mediated/resolved.
  - c. Complaint referred for legal and/or disciplinary action (i.e., criminal action, citation issuance, and/or accusation filing).
  - d. Any other action taken, formal or informal.

### Disciplinary Actions (Criminal Convictions, Citations, Accusations, and Final Orders/Decisions)

The Board is required by law to keep records of disciplinary actions, including criminal convictions, citations, accusations, and final orders/decisions. After the effective date of a disciplinary action (including final citation orders), the Board publishes information about the action, including the reasons for the action. The information is published and made available to the public through press releases, articles in Board publications, and on the Board's Internet site. Upon request, information is disclosed regarding the disciplinary action taken, including the reasons for the action and the date of the action. The Board also provides this information to regulatory agencies for engineering and/or land surveying in other states. Final actions with effective dates from 1986 to the present will be on the Internet; information may be requested on earlier actions. Information regarding compliance with the order/decision, if not published with the above, is available upon request.



**4. DESCRIBE YOUR COMPLAINT:** Be specific. What happened? Who else is involved (names, addresses, phone numbers)? City or county? Give dates and details. Include copies of **ALL DOCUMENTS**, including plans, maps, calculations, letters, invoices, contracts, etc. If there was no written contract, write down the details of the agreement. (Attach extra pages as required — be as complete as possible. See "How to File a Complaint" for more details.)

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**5. WHAT DO YOU WANT THE BOARD TO ACCOMPLISH IN RESOLVING YOUR COMPLAINT?**

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**6. DECLARATION**

I declare, under penalty of perjury, that the information contained in this complaint, including any attached pages, is true and correct to the best of my knowledge and belief.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Please let us know how you obtained this form. This information will help us evaluate the effectiveness of the different methods we use to inform consumers of the services provided by the Board. Thank you.

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