

FILED
Florida Engineers Management
Corporation

JUN 24 2014

Clerk: *Ludwig Finkbeiner*

STATE OF FLORIDA
BOARD OF PROFESSIONAL ENGINEERS

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	6/24/2014
File #	2014-04769

FLORIDA ENGINEERS MANAGEMENT
CORPORATION,

Petitioner,

vs.

FEMC Case No.: 2011-032162
DOAH Case No.: 13-4046-PL
License No.: PE 18230

OLIVER TURZAK, P.E.,

Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF PROFESSIONAL ENGINEERS (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on June 12, 2014, in Tampa, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order; in the above-styled cause. Petitioner was represented by John J. Rimes, III, Chief Prosecuting Attorney. Respondent was present and represented at the hearing by David P. Rankin, Esq.

At the hearing, Respondent WITHDREW his Exception filed in this matter.

Upon review of the Recommended Order, the argument of the parties and after a review of the complete record in this case, the Board makes the following findings and conclusions:

FINDINGS OF FACT

1. The Findings of Fact set forth in the Recommended Order at approved and adopted and incorporated herein by reference.
2. There is competent substantial evidence to support the Findings of Fact.

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DIVISION OF
ADMINISTRATIVE
HEARINGS

CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 471, Florida Statutes.
2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

DISPOSITION

Upon a complete review of the record in this case, the Board determines:

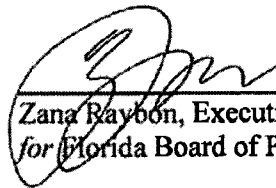
1. Respondent's license shall be REPRIMANDED.
2. Respondent shall pay a fine of \$2,000.00, payable within thirty (30) days of this Final Order.
3. Respondent's license is suspended for one (1) year from the date of this Final Order.
4. Respondent's license shall then be placed on probation for a period of two (2) years after reinstatement of Respondent's license from suspension. The terms of probation are:
 - a. Respondent shall provide a detailed list of completed projects (sign, sealed, and dated) at the six (6) month and eighteen (18) month intervals of the term of probation.
 - b. A FEMC Consultant will pick two (2) projects from each submitted list for review. Respondent is responsible for the Consultant's fee for reviewing the projects. If the Consultant provides an unfavorable review of a project, the review will go to the Probable Cause Panel for a determination of whether additional disciplinary proceedings shall be initiated.

c. Respondent shall complete the Study Guide prepared by the Board of Professional Engineers regarding Chapter 471, Florida Statutes, and Rules of the Florida Board of Professional Engineers, and return the Study Guide to the Board at 2639 North Monroe St., Suite B-112, Tallahassee FL 32303, within thirty (30) days of the date of this Final Order.

This Final Order shall take effect upon being filed with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 24th day of June, 2014.

BOARD OF PROFESSIONAL ENGINEERS



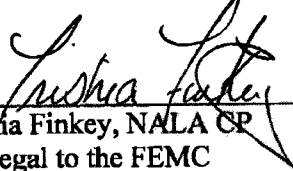
Zana Raybon, Executive Director
for Florida Board of Professional Engineers

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE FLORIDA ENGINEERS MANAGEMENT CORPORATION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to Oliver Turzak, P.E. , 5405 Water Street, New Port Richey, Florida 34652; to David Rankin, Esq., 18540 North Dale Mabry Highway, Lutz, Florida 33548; to Robert S. Cohen, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by interoffice delivery to Michael T. Flury, Senior Assistant Attorney General, PL-01 The Capitol, Tallahassee FL 32399-1050; and John J. Rimes, III, FEMC, 2639 North Monroe St., Suite B-112, Tallahassee FL 32303 this 20th day of June, 2014.



Trishia Finkey, NALA CP
Paralegal to the FEMC
Final Order Compliance Coordinator to the FBPE