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BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING  
OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH

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IN THE MATTER OF THE LICENSES OF )  
**R. CRAIG BROWN** ) STIPULATION AND ORDER  
TO PRACTICE AS A PROFESSIONAL )  
STRUCTURAL ENGINEER AND AS A ) CASE NO DOPL 2012- 32  
PROFESSIONAL ENGINEER )  
IN THE STATE OF UTAH )

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**R. CRAIG BROWN** (“Respondent”) and the **DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING** of the Department of Commerce of the State of Utah

(“Division”) stipulate and agree as follows

1 Respondent admits the jurisdiction of the Division over Respondent and over the subject matter of this action

2 Respondent acknowledges that Respondent enters into this Stipulation knowingly and voluntarily

3 Respondent understands that Respondent has the right to be represented by counsel in this matter and Respondent's signature below signifies that Respondent has either consulted with an attorney or Respondent waives Respondent's right to counsel in this matter

4 Respondent understands that Respondent is entitled to a hearing before the State of Utah's Professional Engineers and Professional Land Surveyors Licensing Board ("Board"), or other Division Presiding Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses, and confront adverse witnesses Respondent understands that by signing this document Respondent hereby waives the right to a hearing, the right to present evidence on Respondent's own behalf, the right to call witnesses, the right to confront adverse witnesses, and any other rights to which Respondent may be entitled in connection with said hearing Respondent understands that by signing this document Respondent hereby knowingly and intelligently waives the right to all administrative and judicial review as set forth in Utah Code Ann §§ 63G-4-301 through 63G-4-405, and Utah Administrative Code R151-46b-12 through R151-46b-15 Respondent and the Division hereby express their intent that this matter be resolved expeditiously through stipulation as contemplated in Utah Code Ann § 63G-4102(4)

5 Respondent waives the right to the issuance of a Petition and a Notice of Agency Action in this matter

6 Respondent acknowledges that this Stipulation and Order, if adopted by the Division Director, will be classified as a public document The Division may release this Stipulation and Order, and will release other information about this disciplinary action against Respondent, to other persons and entities

7 Respondent admits the following facts are true

- a Respondent was first licensed as a professional engineer in the State of Utah on or about January 19, 1983 That license was superseded by a license to practice as a professional structural engineer on or about May 21, 2008
- b On or about February 2, 2011 Respondent voluntarily entered into a Stipulation and Order with the Division in DOPL Case No 2011-43, which is incorporated by reference into this Stipulation and Order and attached as Exhibit A Respondent's license was revoked, the revocation stayed, and the license was placed on probation for 3 years, subject to certain terms and conditions
- c Respondent has failed to comply with the terms and conditions of the Stipulation and Order in DOPL Case No 2011-43
- d At the May 31, 2011 meeting of the Professional Engineer and Land Surveyor Licensing Board, Respondent was out of compliance with paragraph 8(1)(b) of his Order due to failure to cause his reviewer to submit reports to the Board and Division assessing Respondent's compliance with the terms of Respondent's probation
- e At the September 29, 2011 Board meeting, Respondent was out of compliance with paragraph 8(1)(b) a second time due to his failure to cause his reviewer to timely submit reports to the Board and Division assessing Respondent's compliance with the terms of Respondent's probation
- f At the January 18, 2012 Board meeting, Respondent was out of compliance with paragraph 8(1)(b) due to his failure to cause his reviewer to timely submit reports to the Board and Division assessing Respondent's compliance with the terms of Respondent's probation
- g Respondent failed to comply with paragraph 8(1)(a) when he failed to appear at his March 21, 2012 appointment with the Board

8 Respondent admits that Respondent's conduct described above is unprofessional conduct as defined in Utah Code Ann § 58-1-501(2)(a), and that said conduct justifies disciplinary action against Respondent's license pursuant to Utah Code Ann § 58-1-401(2)(a) Respondent agrees that an Order, which constitutes disciplinary action against Respondent's

license by the Division pursuant to Utah Administrative Code R156-1-102(6) and Utah Code Ann § 58-1-401(2), shall be entered in this matter as follows

- (1) Respondent's period of probation shall be extended one year, so that scheduled date of termination of Respondent's probation is now February 2, 2015
- (2) Respondent shall comply with all the terms and conditions set forth in the Stipulation and Order in DOPL Case No 2011-43
- (3) Respondent shall successfully complete a continuing professional education course, of at least 3 hours, focusing on the practice of structural engineering. The course shall be pre-approved by the Division and Board. Respondent shall consult with his reviewer to help determine which course he shall take. The course shall be successfully completed within one year of the effective date of this Stipulation and Order.

9 This Stipulation and Order, upon approval by the Division Director, shall be the final compromise and settlement of this non-criminal administrative matter. Respondent acknowledges that the Director is not required to accept the terms of this Stipulation and Order and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Division and Respondent waive any claim of bias or prejudice they might otherwise have with regard to the Director by virtue of the Director having reviewed this Stipulation, and this waiver shall survive such nullification.

10 Respondent agrees to abide by and comply with all applicable federal and state laws, regulations, rules and orders related to the Respondent's licensed practice.

11 This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties regarding the subject of this Stipulation and Order. There are no verbal agreements that modify, interpret, construe or affect this Stipulation. Respondent agrees not to

take any action or make any public statement, that creates, or tends to create, the impression that any of the matters set forth in this Stipulation and Order are without factual basis. A public statement includes statements to one or more Board members during a meeting of the Board. Any such action or statement shall be considered a violation of this Stipulation and Order.

12. The accompanying Order becomes effective immediately upon the approval of this Stipulation and signing of the Order by the Division Director. Respondent shall comply with all the terms and conditions of this Stipulation immediately following the Division Director's signing of the Order page of this Stipulation and Order. Respondent shall complete all the terms and conditions contained in the Stipulation and Order in a timely manner. If a time period for completion of a term or condition is not specifically set forth in the Stipulation and Order, Respondent agrees that the time period for completion of that term or condition shall be set by the Board and Division. Failure to complete a term or condition in a timely manner shall constitute a violation of the Stipulation and Order and may subject Respondent to revocation or other sanctions.

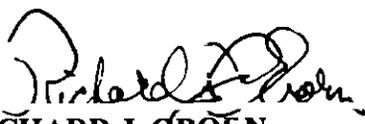
13. If Respondent violates any term or condition of this Stipulation and Order, the Division may take action against Respondent, including imposing appropriate sanction, in the manner provided by law. Such sanction may include revocation or suspension of Respondent's license, or other appropriate sanction. If the Division files a Petition alleging that Respondent has engaged in new misconduct or files an Order to Show Cause Petition alleging that Respondent has violated any of the terms and conditions contained in this Stipulation and Order, the period of Respondent's probation shall be tolled during the period that the Petition or Order to Show Cause Petition has been filed and is unresolved.

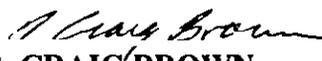
14 Respondent understands that the disciplinary action taken by the Division in this Stipulation and Order may adversely affect any license that Respondent may possess in another state or any application for licensure Respondent may submit in another state

15 Respondent has read each and every paragraph contained in this Stipulation and Order Respondent understands each and every paragraph contained in this Stipulation and Order Respondent has no questions about any paragraph or provision contained in this Stipulation and Order

DIVISION OF OCCUPATIONAL &  
PROFESSIONAL LICENSING

RESPONDENT

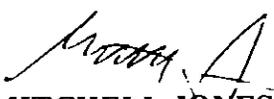
BY   
**RICHARD J. O'BRIEN**  
Bureau Manager

BY   
**R. CRAIG BROWN**

DATE 7/2/2012

DATE 6/21/2012

MARK L. SHURTLEFF  
ATTORNEY GENERAL

BY   
**L. MITCHELL JONES**  
Counsel for the Division

DATE 2 July 2012

**ORDER**

THE ABOVE STIPULATION, in the matter of **R. CRAIG BROWN**, is hereby approved by the Division of Occupational and Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. The issuance of this Order is disciplinary action pursuant to Utah Administrative Code R156-1-102(6) and Utah Code Ann § 58-1-401(2). The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 3 day of July, 2012



DIVISION OF OCCUPATIONAL AND  
PROFESSIONAL LICENSING

*for* *1.1. Russ Welton, Acting Director*  
**MARK B. STEINAGEL**  
Director

Investigator Rich Oborn