



**MINNESOTA BOARD OF**  
ARCHITECTURE ■ ENGINEERING ■ LAND SURVEYING  
LANDSCAPE ARCHITECTURE ■ GEOSCIENCE ■ INTERIOR DESIGN

Charles L Marohn  
616 N 4<sup>th</sup> St  
Brainerd, MN 56401

July 24, 2020

**RE: Charles L Marohn, PE # 40142**  
**Board File # 2020-0043**

Dear Mr. Marohn:

Please be informed that the Board's Complaint Committee is investigating circumstances regarding your conduct as a Professional Engineer (PE) licensed by the Board.

It has come to the attention of the Board that you may have acted in violation of Minnesota Statutes § 326.02, subdivisions 1 and 3 (2018), § 326.03, subdivision 1 (2018), and Minnesota Statutes § 326.111, subdivision 4(a) (1) (2018).

Specifically, it is alleged that you were holding yourself out as a licensed PE when your Minnesota PE license expired on June 30, 2018. Additionally, you may have practiced professional engineering without a license after the expiration date until your renewal date of June 17, 2020. A copy of the complaint has been enclosed.

The purpose of this investigation is to determine whether or not the facts alleged are true and, if so, whether enforcement action should be initiated pursuant to Minnesota law. This investigation is authorized by Minnesota Statute § 214.10 (2018) and Minnesota Statute § 326.111 (2018).

Minnesota Statutes § 326.02, subdivisions 1 and 3 (2018) state:

**326.02 LICENSURE OR CERTIFICATION.**

**Subdivision 1. Licensure or certification mandatory.**

In order to safeguard life, health, and property, and to promote the public welfare, any person in either public or private capacity practicing, or offering to practice, architecture, professional engineering, land surveying, landscape architecture, or professional geoscience, or using the title certified interior designer in this state, either as an individual, a copartner, or as agent of another, shall be licensed or certified as hereinafter provided. It shall be unlawful for any person to practice, or to offer to

practice, in this state, architecture, professional engineering, land surveying, landscape architecture, or professional geoscience, or to use the title certified interior designer, or to solicit or to contract to furnish work within the terms of sections 326.02 to 326.15, or to use in connection with the person's name, or to otherwise assume, use or advertise any title or description tending to convey the impression that the person is an architect, professional engineer (hereinafter called engineer), land surveyor, landscape architect, professional geoscientist (hereinafter called geoscientist), or certified interior designer, unless such person is qualified by licensure or certification under sections 326.02 to 326.15. This subdivision does not preclude an individual who retired from one of the professions listed in this subdivision from using the designation architect, professional engineer, land surveyor, landscape architect, professional geoscientist, or certified interior designer as long as the designation is preceded by the word "retired" and the individual was licensed or certified in the designated profession in the state of Minnesota on the date the individual retired from the designated profession and the individual's license or certification was not subsequently revoked by the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design.

**Subd. 3. Practice of professional engineering.** (a) Any person shall be deemed to be practicing professional engineering within the meaning of sections 326.02 to 326.15 who holds out as being able to perform or who does perform any technical professional service, such as planning, design or observation of construction for the purpose of assuring compliance with specifications and design, in connection with any public or private structures, buildings, utilities, machines, equipment, processes, works, or projects wherein the public welfare or the safeguarding of life, health, or property is concerned or involved, when such professional service requires the application of the principles of mathematics and the physical and applied engineering sciences, acquired by education or training, and by experience.

(b) No person other than one licensed under sections 326.02 to 326.15 as a professional engineer may:

(1) use the term "professional engineer";

(2) use any other abbreviation or term, including the initials "P.E." or "PE" by signature, verbal claim, sign, advertisement, letterhead, card, or similar means that would lead the public to believe that the person was a professional engineer; or

(3) use any means or in any other way make a representation that would lead the public to believe that the person was a professional engineer.

(c) A professional engineering license satisfies any requirements by the state or its political subdivisions to perform any actions authorized under the professional

Charles Marohn

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engineering license. A person licensed as a professional engineer under sections 326.02 to 326.15 shall only be required to obtain a license, certification, or other form of approval for a skill or service in addition to a professional engineering license if the state or political subdivision has made an affirmative written determination in statute, rule, or ordinance that such additional license or certification is necessary to safeguard life, health, or property, or promote the public welfare. This section does not preclude the state or a political subdivision from including additional requirements when soliciting public contracts for engineering services. This paragraph does not apply to practice areas where licenses or certifications are required prior to August 1, 2015.

Minnesota Statutes § 326.03, subdivision 1 (2018) states:

**326.03 LICENSE OR CERTIFICATE REQUIRED.**

**Subdivision 1. Plans; documents.**

No person, except an architect, engineer, land surveyor, landscape architect, geoscientist, or certified interior designer, licensed or certified as provided for in sections 326.02 to 326.15 shall practice architecture, professional engineering, land surveying, landscape architecture, or professional geoscience, or use the title certified interior designer, respectively, in the preparation of plans, specifications, reports, plats or other architectural, engineering, land surveying, landscape architectural, geoscientific, or interior design documents, or in the observation of architectural, engineering, land surveying, landscape architectural, geoscientific, or interior design projects. In preparation of such documents, reasonable care shall be given to compliance with applicable laws, ordinances, and building codes relating to design.

Minnesota Statutes § 326.111, subdivision 4(a) (1) (2018) states:

**326.111 UNAUTHORIZED PRACTICE; DISCIPLINARY ACTION.**

**Subdivision 4. Actions against applicants and licensees.**

(a) The board may, by order, deny, refuse to renew, suspend, temporarily suspend, or revoke the application, license, or certification of a person; censure or reprimand that person; condition or limit the person's practice; refuse to permit a person to sit for examination; or refuse to release the person's examination grades if the board finds that the order is in the public interest and the applicant, licensee, or certificate holder:

(1) has violated a statute, rule, or order that the board has issued or is empowered to enforce.

At the present time, the Board formally requests that you provide a written response to the allegations, which should include a narrative explanation of the matter. Please provide a detailed written response to the allegations no later than **August 5, 2020**. Include the file number 2020-0043 on all correspondence. In your response, the Board specifically requests the following information:

Charles Marohn

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1. Copies of the position description(s) you held in Minnesota from July 1, 2018 to June 17, 2020.
2. A listing of all Minnesota projects and the number of hours spent on each project that you worked on from July 1, 2018 to June 17, 2020.
3. Copies of any and all plans, drawings, reports, etc. that you signed and/or certified as a Minnesota P.E. during the lapse from July 1, 2018 to June 17, 2020.
4. Please state what corrective steps you took to rectify the matter once you were aware that your Minnesota P.E. license was expired.

Information provided to the Board or to the Office of the Attorney General as part of an active investigation is confidential pursuant to the Minnesota Government Data Practices Act, Minnesota Statutes § 13.41 (2018). Such information is for the use of the Board and the Attorney General in evaluating the complaint. In accordance with statutes, rules, and professional standards governing legal action, information provided to the Board and the Attorney General may, in some circumstances, be disclosed to certain persons or entities, including but not limited to the Office of Administrative Hearings and appellate courts. Thus, this information may thereby become public data. **Please read the enclosed Tennessee Warning.**

If you have any questions or need additional time to respond, you may contact me at 651-757-1517.

Sincerely,



Doreen Johnson  
Executive Director

Enclosures: Tennessee Warning  
Copy of the Complaint  
Filing a Complaint Brochure

Minnesota Board of Architecture, Engineering, Land Surveying,  
Landscape Architecture, Geoscience, and Interior Design

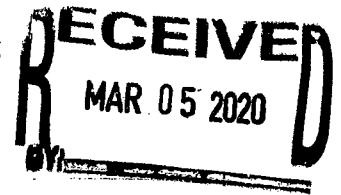
**TENNESSEN WARNING**

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design (the "Board") is seeking information from you that may be considered private or confidential under the Minnesota Government Data Practices Act. Minnesota Statutes section 13.04 (2) requires the Board to notify you of the following matters before you are asked to supply any private or confidential information about yourself.

1. This information is being collected as part of an investigation into your conduct, and the information you supply to the Board may be used to determine whether you have violated any statutes or rules enforced or administered by the Board.
2. If you hold a valid license or certificate issued by the Board, or are an applicant for a license or certificate, you are required to respond to Board communications, appear before the Board and to cooperate with the investigations of the Board according to Minnesota Rules 1800.0100 and 1800.0110. However, if you choose to not voluntarily cooperate, the Board may subpoena you to obtain the information it is seeking. You are advised that you are not required to incriminate yourself in any possible criminal investigation and you may exercise your constitutional right to refuse to supply any information on grounds that you might incriminate yourself.
3. If you supply the information requested and it shows a violation of any of the statutes or rules enforced by the Board, then you may be subject to legal action by the Board.
4. If you choose to not supply the Board with any requested information, whether or not that choice is based on your constitutional right to refuse to supply the Board with the requested information, then the Board has the right to base its decision whether to pursue action against you based on the other information which is available to the Board.
5. You are advised that the information that you supply will be accessible to staff of the Board and the Office of the Attorney General. It may be released to other persons and/or governmental entities who have statutory authority to review the information, investigate specific conduct and/or take appropriate legal action, including but not limited to law enforcement agencies, courts and other regulatory agencies. If the Board institutes a formal disciplinary action against you, then your name and the information you supply could become public.



BOARD OF ARCHITECTURE • ENGINEERING  
 LAND SURVEYING • LANDSCAPE ARCHITECTURE  
 GEOSCIENCE • INTERIOR DESIGN  
 85 East 7th Place, Suite 160, St. Paul, MN 55101-2113  
 Phone: 651-296-2388 • Fax: 651-297-5310 • [mn.gov/aelstagid](http://mn.gov/aelstagid)



## COMPLAINT REGISTRATION FORM

### GENERAL INFORMATION

COPY

You ("the Complainant") may use this form to file a complaint against an architect, professional engineer, land surveyor, landscape architect, professional geoscientist or certified interior designer ("the Respondent"). You may also use this form to file a complaint against an individual engaged in the unauthorized practice of a profession regulated by the Board.

Your complaint may be disclosed to members, employees and consultants of the Board and to employees of the Minnesota Attorney General's Office. Under certain circumstances your complaint, or a summary of your complaint, may be disclosed to the person you are complaining against or to other persons who might have information about the matter. It also may be necessary to disclose your complaint and related investigative data to an administrative law judge.

You are not legally required to complete or return this form. However, if you do not provide the information requested in this form, the Board may not be able to evaluate your complaint.

#### Provide your name and contact information.

(Only one person per complaint form. Any additional complainants should complete their own separate form.)

Name David D Dixon  
(First) (Middle) (Last) (Suffix)  
 Address 514 Americas Way #1885  
 City Box Elder Home Phone \_\_\_\_\_  
 State SD Zip 57719 Work Phone 307-735-3478

#### Provide the name and contact information of the individual your complaint is against.

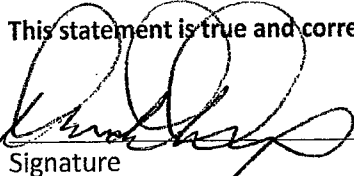
(Only one individual per complaint form. If against more than one respondent, complete a separate form.)

Name Charles Marohn Jr.  
(First) (Middle) (Last) (Suffix)  
 Address 1511 Northern Pacific Rd Room 206  
 City Brainerd  
 State MN Zip 56401 Work Phone 218-325-3311

**Statement of Complaint.** (Use additional sheets, if needed.)

See attached statement.

This statement is true and correct to the best of my knowledge.

  
Signature

2/17/2020

Date



BOARD OF ARCHITECTURE • ENGINEERING  
LAND SURVEYING • LANDSCAPE ARCHITECTURE  
GEOSCIENCE • INTERIOR DESIGN

85 East 7th Place, Suite 160, St. Paul, MN 55101-2113  
Phone: 651-296-2388 • Fax: 651-297-5310 • [mn.gov/aelslagid](http://mn.gov/aelslagid)

## AUTHORIZATION TO RELEASE COMPLAINT

Select and sign **ONE** of the two options below:

**I hereby authorize** the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design to provide a copy of my Statement of Complaint (including my name), a summary of its contents, and any documentation I provide in support of my Statement of Complaint, at the Board's discretion, to Charles Marohn, Jr. ("Respondent"), who is the subject of my complaint. I also hereby authorize the Board to release this information to a third party in the course of the Board's investigation of my complaint. I understand that I am not legally required to sign this form. The purpose of this authorization is to facilitate the investigation of my complaint. I am willing to appear as a witness at a hearing if the Board determines there is cause to warrant disciplinary action against the Respondent. This authorization expires one year after this date.

Signature authorizing release

David D. Dixon

Printed Name

2/17/2020

Date

# OR

**I hereby decline to authorize** the release of my Statement of Complaint, a summary of its contents, my name, and any documentation I provide in support of my Statement of Complaint to the Respondent. I understand that if I do not want my Statement of Complaint, a summary of its contents, my name, and any documentation I provide in support of my Statement of Complaint released to the person against whom my complaint is filed, or if I do not want to be called as a witness at a disciplinary hearing against Respondent, **then the Board may dismiss the complaint.**

Signature declining release

Date

Printed Name



On February 14, 2020, I read an article written by Mr. Charles Marohn on the website strongtowns.org, where he advertises that he is both founder and CEO. In the article, "Four Ways Traffic Engineers Thwart Public Will," Mr. Marohn mentioned that he's had his "license challenged for speaking out." At that time, I was curious how the case was investigated and/or resolved. The author bio on at the end of the article mentioned that Mr. Marohn "is a Professional Engineer (PE) licensed in the State of Minnesota", so I searched for the Minnesota board that regulates engineering licenses. Strong Towns is a 501(c)(3) based in Brainerd, Minnesota.

A quick search of Mr. Marohn's name on the AELSLAGID site returned a result showing his license number, 40142, with "EXPIRED" in the last column. At about the same time, I located a post on Strong Towns that included a copy of a letter from AELSLAGID Executive Director Doreen Frost, dated January 26, 2015. It contained the same PE registration number, and referenced Board File No. 2015-0024.

At the time, I was unfamiliar with the specifics of Minnesota's law regarding engineering practice, but presumed that holding oneself out as a Professional Engineer and/or using the initials PE, when not registered, violates state law as it would in most (if not all) other states. I quickly learned that PE licenses in Minnesota expire June 30 in even-numbered years, which would suggest that Mr. Marohn's license had not been expired for just a small time, but instead at least 19 months.

Based on that, I sought to determine whether this reference on StrongTowns was an isolated reference, perhaps an oversight, or part of a deliberate effort to mislead the public about Mr. Marohn's credentials. Correspondence with AELSLAGID confirmed that Mr. Marohn's license was last renewed April 25, 2016, and expired June 30, 2018, so I conducted a couple of quick searches to determine where, how often, and how recently Mr. Marohn has been advertised or introduced as having a current license to practice engineering in Minnesota.

That search quickly turned up a number of results, with language similar to that posted on StrongTowns. It includes the following (though there are likely others):

- A February 11, 2020 article on StrongTowns, including an author bio at the bottom, listing Mr. Marohn as a "Professional Engineer (PE) licensed in the State of Minnesota". <https://www.strongtowns.org/journal/2020/2/11/the-hyperloop-is-always-greener-from-the-other-side-of-the-stroad>
- The StrongTowns staff page contains language similar to the text used in Mr. Marohn's author bios on the site.
- A page introducing Mr. Marohn as the keynote speaker at the Cumberland Region Tomorrow's 2019 Power of Ten event, held on October 3. It leads with the following: "Charles Marohn - known as 'Chuck' to friends and colleagues - is a Professional Engineer (PE) licensed in the State of Minnesota and a member of the American Institute of Certified Planners (AICP)." <https://www.cumberlandregiontomorrow.org/p10speakers>

Unfortunately, the About the Author chapter of the book was much more explicit in its claims. The second sentence reads as follows: "He is a professional engineer licensed in the State of Minnesota and a land use planner with two decades of experience."

The frequency of recent, deliberate uses of the term Professional Engineer, including in his presence in the Annapolis introduction which was not corrected when he began speaking, make clear that he is well aware of the use of the term in introducing him, and strongly suggestive (especially in the context of StrongTowns, which he controls) that he continues to use the term himself.

NSPE's Board of Ethical Review has previously addressed references to expired licenses, particularly in Case 05-8. It held that merely assenting to the references to an engineer's expired PE license was unethical. Each instance holding himself out as a PE or using the term Professional Engineer would be a clear violation of 326.02 Subdivisions 1 and 3.

Mr. Marohn talks about being a policy expert, the type that reads law and ordinance. It is not reasonable to assume that Mr. Marohn was not aware that use of the term Professional Engineer, PE, or other similar representations while not licensed, is a violation of law. It is also clear that both Mr. Marohn and Strong Towns, through speaking tours and fundraising activities, benefit from using the claimed licensure. I urge the board to investigate as it sees fit, and to send a clear message that frauds of this sort are not tolerated.

# STRONG TOWNS

LATEST ABOUT EVENTS PODCASTS  
COMMUNITY BOOK JOIN THE MOVEMENT

## THE HYPERLOOP IS ALWAYS GREENER FROM THE OTHER SIDE OF THE STROAD

FEBRUARY 11, 2020

BY CHARLES MAROHN

I like Cleveland. Much like the other overlooked cities along the Great Lakes, it has amazing potential. Cleveland has inflicted a lot of self-harm over the past 70 years chasing after growth—just look at all those parking lots—in a model that only made it poorer and more fragile. This is not a revelation. The smart people there largely get this now.

If there is a prototype city for the Strong Towns approach, it is Cleveland. For the next three or more decades, the city needs to focus on making better use of existing investments. To rebuild their wealth, they need to shift from expansion of infrastructure systems to aggressively maintaining what they have.

Growth investments should be of the venture capital variety, using small, neighborhood-focused tactical projects inspired by the urgent struggles of their residents. Thickening up their neighborhoods by improving

way to shift demand, why wait for hyperloop? Oh yeah, because they are never going to do that.

Finally, the Greater Cleveland Regional Transit Authority has an annual budget of \$300 million. Over the next five years, they are hoping for an additional \$600 million for capital investments, things like maintaining facilities and equipment. RTA provides over 50 million rides per year, which is 10x what the hyperloop is optimistically projected to provide. They do this with an annual budget that is 1% of the hyperloop construction.

Don't be distracted, Cleveland. Do the real work—serve your people—and true prosperity will follow.

*Top image from Cleveland.com, reposted from public document.*

You May Also Like



[The Fight For #NoNewRoads Is Alive and Well in Washington State](#)

Veteran advocates for a sane and financially sustainable transportation policy in Washington State see a chance to turn crisis into opportunity. And they're hoping to get state leaders to see it too.

Feb 3, 2020 · Strong Towns



[How Much Does a Mile of Road Actually Cost?](#)

The Federal Highway Administration has a chart full of answers to that question you might find useful.

Jan 27, 2020 · Strong Towns



[The State of U.S. Transit in 5 Observations](#)

Where did we spend our money building transit in the U.S. in the last 10 years? And what did we get for it?

Jan 16, 2020 · Daniel Herriges



[Charles Marohn](#)

Charles Marohn - known as "Chuck" to friends and colleagues - is the **Founder and President** of Strong Towns and the author of [Strong Towns: A Bottom-Up Revolution to Rebuild American Prosperity](#). He is a Professional Engineer (PE) licensed in the State of Minnesota and a land use planner with two decades of experience. He holds a bachelor's degree in Civil Engineering and a Master of Urban and Regional Planning, both from the University of Minnesota.

Marohn is also the lead author of [Thoughts on Building Strong Towns — Volume 1](#), [Volume 2](#) and [Volume 3](#) — as well as the author of [A World Class Transportation System](#). He hosts the [Strong Towns Podcast](#) and is a primary writer for Strong Towns' web content. He has presented Strong Towns concepts in hundreds of cities and towns across North America. He is featured in the documentary film [Owned: A Tale of Two Americans](#), and was named one of the [10 Most Influential Urbanists of all](#)



STRONG TOWNS



World-class transportation systems are the key to building the STRONGEST TOWN. [Read More](#)

# STRONG TOWNS

- LATEST
- ABOUT
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- COMMUNITY
- BOOK



## STAFF

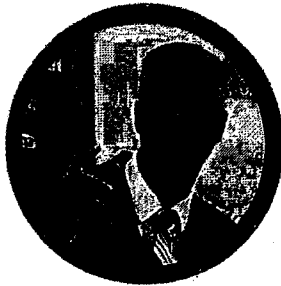


### Charles Marohn

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[Read More](#) →



KEYNOTE

**CHARLES MAROHN**

President & Co-Founder, **Strong Towns**

Charles Marohn - known as "Chuck" to friends and colleagues - is a Professional Engineer (PE) licensed in the State of Minnesota and a member of the American Institute of Certified Planners (AICP). He is the Founder and President of **Strong Towns**. Marohn has a bachelor's degree in Civil Engineering from the University of Minnesota's Institute of Technology and a Master of Urban and Regional Planning degree from the University of Minnesota's Humphrey Institute.

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Marohn is a long time commentator on KAXE Northern Community Radio. He currently co-hosts KAXE's Dig Deep program, a monthly examination of public policy issues affecting Minnesotans.

Chuck grew up on a small farm in Central Minnesota. The oldest of three sons of two elementary school teachers, he joined the Minnesota National Guard on his 17th birthday during his junior year of high school and served for nine years. In addition to being passionate about building a stronger America, he loves playing music, is an obsessive reader and religiously follows his favorite team, the Minnesota Twins. Chuck and his wife live with their two daughters in their hometown of Brainerd, Minnesota.

PANEL AND BREAKOUT SESSION SPEAKERS

- Burkley Allen, Council Member, Metro Nashville
- Sigrid Biermann, Human Resources Business Partner, UBS
- Melissa Bryant, Regional Field Director, Tennessee Farm Bureau
- Suzanne Carlson, Director, Division of Multi-modal Transportation Resources, TDOT
- Miranda Clements, Program Manager, Nashville Connector
- Kat Coffen, Director, SBA Strategies
- Alfred Degraffinreid, Associate Vice Chancellor for Community Relations, Vanderbilt University
- Doug Demosel, Planning Director, Rutherford County
- Jimmy Granbery, Chairman & CEO, H.G. Hill Realty Company
- Erin Hafkenschiel, Executive Director of Mobility, Vanderbilt University
- Anthony Holt, County Mayor, Sumner County
- John Houghton, Senior Transportation Planner, Gresham Smith
- Emily Hunter, Director, Planning and Sustainability, Franklin
- Michael Kenner, MiKeN Development LLC
- Lucy Kempf, Executive Director, Metro Planning
- Nora Kern, Executive Director, Walk Bike Nashville
- Mike Matteson, Director, Planning & Zoning, Williamson County
- Leslie Meehan, Director of Primary Prevention, Tennessee Department of Health
- Dirk Melton, Development Director, MarketStreet Enterprises
- Jim Moore, G.S. Moore & Son
- Freddie O'Connell, Council Member, Metro Nashville
- Mary Esther Reed, Mayor, Smyrna
- Stewart Schwartz, Executive Director, Coalition for Smarter Growth
- Jeff Tyndall, Director, Clarksville/Montgomery County Regional Planning Commission
- [Name obscured], Special Assistant to the Director, Wildlife Resources Agency



The 2019 Power of Ten was  
held on October 3.

Thanks to all our sponsors, speakers, and attendees.

- † Events
- † 2020 Law Seminar
- † SPONSORS
- † 2020 Law Seminar Photos
- † CHARITY of Law Seminar - Bring a Book
- † Who Should Attend and Registration
- † Location & Reservations
- † Schedule At-A-Glance
- † Presentations
- † MOLEs & Continuing Education Units
- † Sponsorship Opportunities, Schedule & Details
- † 2019 Law Seminar

PRESENTATIONS

Wayne Hyatt Lecture Series Keynote Speaker:

Charles "Chuck" Marohn

Thursday, January 16, 2020  
 12:30 p.m. - 1:30 p.m.  
 Sponsored by Burg Simpson Eldredge Hersh Jardine, P.C.



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OPTIONAL HALF-DAY PROGRAMMING

Wednesday, January 15, 2020

1 - 5 p.m. | **Optional Half-Day Track - Managing Partner Track: Internal Challenges of a Community Association Law Practice**  
 Meet your challenges head-on and learn how you can better lead your association practice in this interactive two-part presentation by managing partners and other community association law firm executive leaders from around the country. Part I features managing and executive level partners discussing common challenges and best practices, including: starting a new firm; what happens when a partner leaves the firm; practicing community association law within a multi-practice large firm; challenges of medium and small firm association practices; marketing; retirement planning; and human resource and business management issues. Part II provides attendees the opportunity to network and share ideas and individual experiences.

- Matt D. Ober, Esq., *Richardson/Ober/DeNichilo, LLP, Pasadena, CA*
- J. David Ramsey, Esq., *Becker, Marlinton, NJ*
- Elkan A. Shapiro, Esq., *Goodman, Shapiro & Lombardi, LLC, Dedham, MA*
- Robin L. Steffen, Esq., *Williams & Steffen, LLC, Columbus, OH*
- B. Thomas Murray, Esq., *Edds, Murray & Pugh, P.C., Indianapolis, IN*





### Charles Marohn, PE

Planner. Engineer. Author of Strong Towns: A Bottom-Up Revolution to Rebuild American Prosperity  
Brainerd, Minnesota · 500+ connections

- Strong Towns
- University of Minnesota
- Websites

Join to Connect

### About

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### Activity



**A refreshingly thoughtful short read about street over-design. "For a traffic engineer, to be conservative in your design is to spend extra money..."**

Liked by Charles Marohn, PE



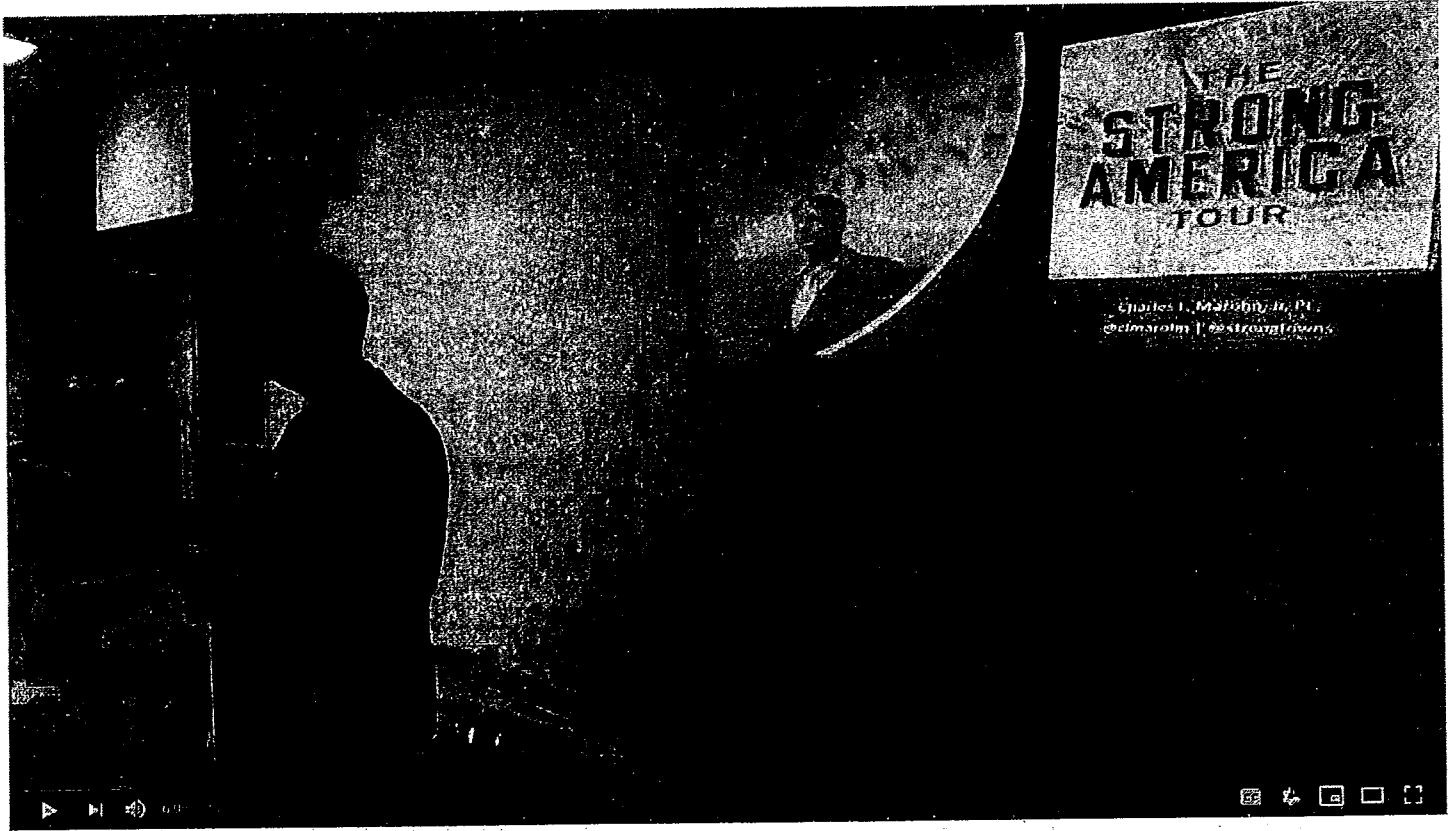
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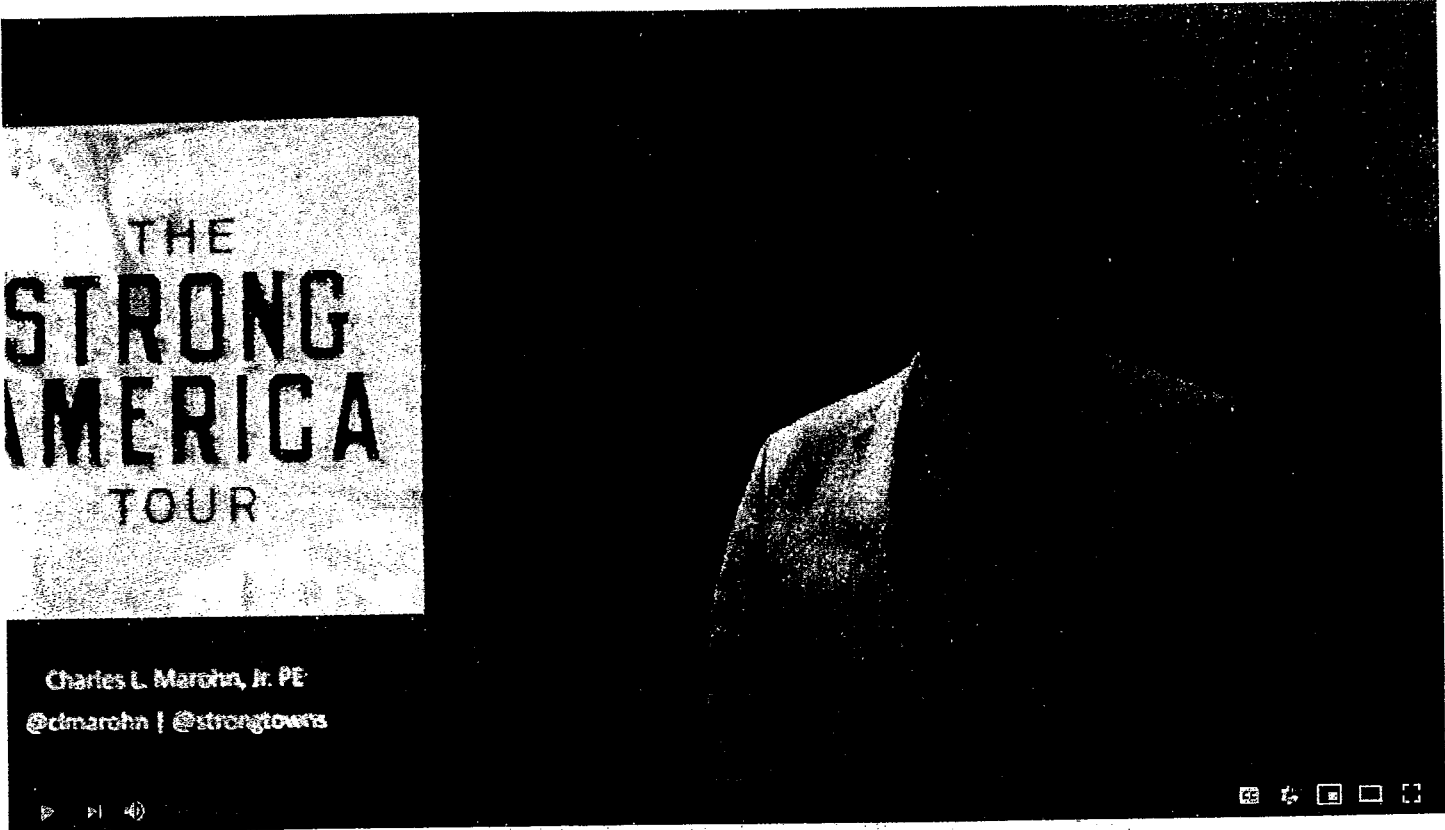
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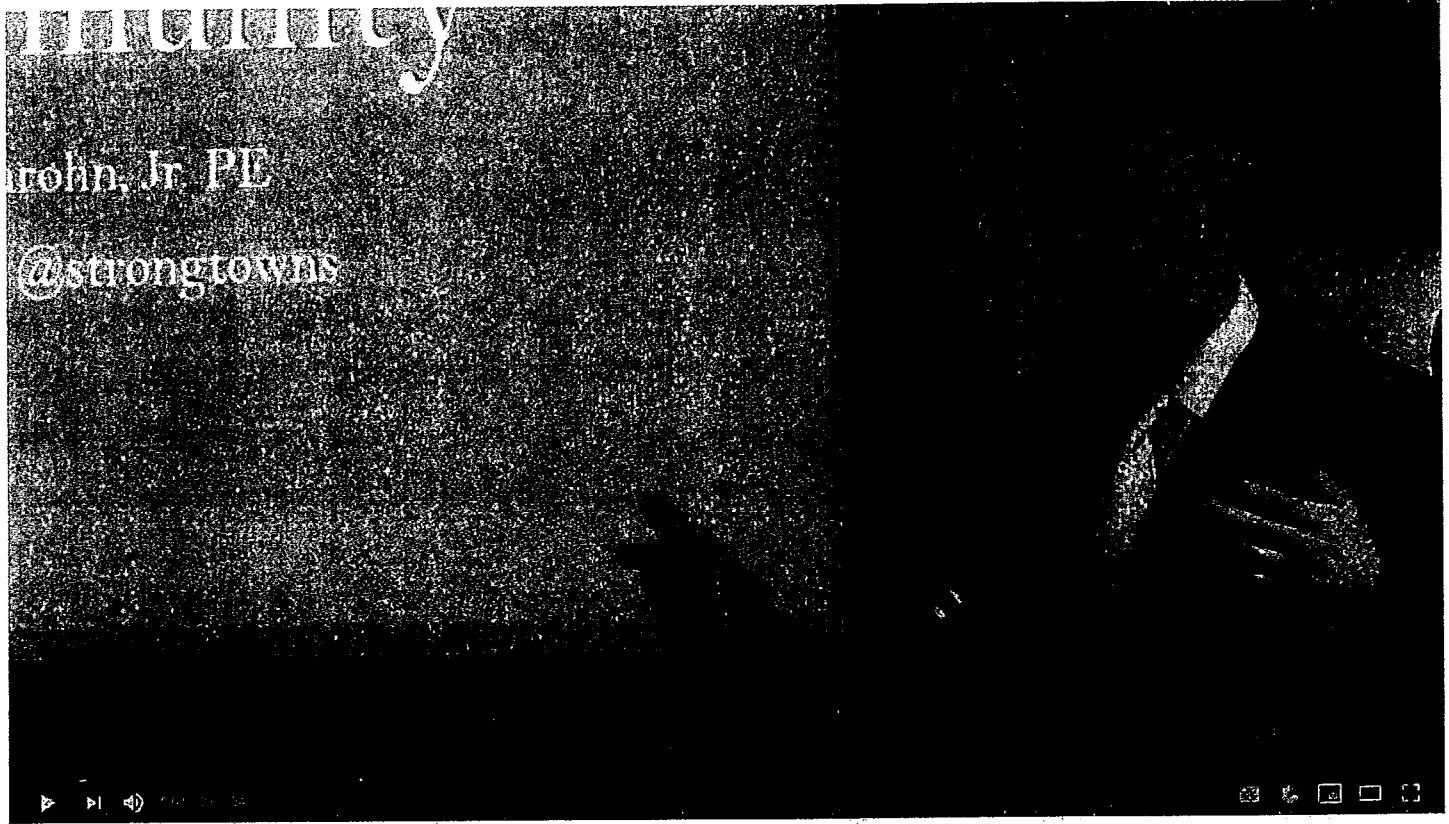
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# COMPLAINT PROCESS

## MISSION OF THE BOARD

The mission of the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design (the "Board") is to regulate the professions and enforce the statutes and rules in order to protect the public.

We ensure that individuals meet the education, examination and experience standards for licensure or certification, and maintain their records in good standing.

We take disciplinary action against those who violate the statutes, rules and standards governing the practice of the professions.

Information regarding possible violations comes to the attention of the Board through written complaints. Complaints may be filed by anyone. Complaints are not public information and may not be discussed with anyone except the Respondent (subject of the investigation) and the Complainant. The Board is mandated to investigate all jurisdictional complaints against regulated individuals.

The principle laws that define and limit the Board's powers and responsibilities are:

- Minnesota Statutes Chapter 214
- Minnesota Statutes Section 326.02-326.15
- Minnesota Rules Chapter 1800 and Chapter 1805

## THE BOARD'S COMPLAINT COMMITTEE

The Complaint Committees consists of five members of the Board, with no more than one from each of the professions licensed or certified by the board, and no more than two public members. The Committee meets approximately ten times a year. The Complaint Committee is supported by:

1. The Investigator
2. The Board's Executive Director
3. The Minnesota Assistant Attorney General assigned to the Board

When a new Board Member(s) is assigned to the Complaint Committee, the staff investigator provides training on:

- The Complaint Registration Form.
- The complaint process.
- The Tennesen Warning.
- Explains the file may be closed with no disciplinary action taken or with a recommendation to take disciplinary action.
- Reviews Minnesota Statutes 14.045 (2018) for the limits on penalties and fines and the factors that go into account in determining the amount of the fine.

The Assistant Attorney General provides orientation as well. The training consists of (not all inclusive):

- The Board's jurisdiction
- Verified written complaint
- Investigations
- Conferences
- Committee action and remedies
- Settlement Agreement and Cease and Desist Order
- Stipulation and Consent Order
- Contested Case Hearing
- Unilateral Cease and Desist Order
- Minnesota Government Data Practices Act, Minnesota Chapter 13
- Open Meeting Law Chapter 13D
- Conflicts of interest

## 2. DISCIPLINARY ORDER.

Purpose: An order may be issued to a licensee or certificate holder or to an unlicensed person so as to protect the public. Any proposed order is drafted with the assistance of the Assistant Attorney General assigned to the Board.

### STIPULATION AND CONSENT ORDER:

1. When the Complaint Committee finds the licensee or certificate holder in violation of Minnesota Statutes 326.02-326.15 or Minnesota Rules 1800 or 1805, it will ask the Respondent (subject of the investigation) to voluntarily enter into a Stipulation and Order which includes the enforcement actions the Committee is proposing. The types of enforcement actions may include: reprimand, civil penalty, revocation, suspension, to place conditions and/or limitations on their license, ethics course, etc.
2. The Stipulation is an agreement between the Respondant and the Complaint Committee in which the Respondant agrees to the enforcement action as a result of the committee having identified the specific statutes and/or rules they violated.
3. Any Order is issued by the full board.
4. Should the Respondant refuse to agree to the Proposed Order itself and/or to the enforcement actions proposed by the Complaint Committee, or if the full Board rejects the proposed Stipulation and Order, the matter may proceed to a contested case hearing initiated under the Administrative Procedures Act. The hearing is held before an Administrative Law Judge (ALJ) and involves the presentation of testimony and submission of exhibits in a manner similar to a civil trial.
5. The ALJ makes a Findings of Fact and a recommendation which will be limited to discipline or no discipline. After reviewing the ALJ report, the Board may issue a Findings of Fact, Conclusion of Law and Order, which describes the disciplinary action taken against the licensee.

### SETTLEMENT AGREEMENT AND CEASE AND DESIST ORDER:

1. When the Complaint Committee finds an unlicensed or non-certificate holder in violation of Minnesota Statutes 326.02-326.15, it will ask the Respondent (subject of the investigation) to voluntarily enter into a Settlement Agreement and Cease and Desist Order including the enforcement actions the Committee is proposing. The types of enforcement actions may include: to cease and desist from holding themselves out as a licensee or certificate holder and/or from practicing as a professional governed by the Board and may include a civil penalty.
2. The Settlement Agreement and Cease and Desist Order is an agreement between the unlicensed person or non-certificate holder and the Complaint Committee in which they agree to the cease and desist and enforcement action as a result of the committee having identified the specific statute(s) they violated.
3. The Settlement Agreement and Cease and Desist Order is issued by the full board when it has reviewed and ratified the Settlement Agreement and Cease and Desist Order between the Complaint

Committee and the unlicensed or non-certificate holder. The Settlement Agreement and Cease and Desist Order implements the terms of the agreement.

4. Should the unlicensed or non-certificate holder refuse to agree to the Settlement Agreement and Cease and Desist Order itself and/or to the enforcement actions proposed by the Complaint Committee, or if the full Board rejects the proposed Settlement Agreement and Cease and Desist Order, the matter may proceed to a contested case hearing initiated under the Administrative Procedures Act. The hearing is held before an Administrative Law Judge (ALJ) and involves the presentation of testimony and submission of exhibits in a manner similar to a civil trial.
5. If the Complaint Committee is successful at the contested case hearing, the ALJ will indicate that the Board's position is correct and make a recommendation which will be limited to discipline or no discipline. After reviewing the ALJ report, the Board may issue a Findings of Fact, Conclusion of Law and Order, which describes the disciplinary action taken against the unlicensed person or non-certificate holder.

### TYPES OF ENFORCEMENT ACTIONS THAT MAY BE PART OF A DISCIPLINARY ORDER:

- Refuse to renew.
- Suspension. This requires the individual to cease all practice until the suspension is lifted.
- Revocation. This action results in the individual's license or certificate being annulled altogether.
- Censure and reprimand.
- Condition or limit the person's license or certificate to practice. This permits the individual to continue to practice, but must meet certain conditions within a specified time period.
- Civil penalty.