

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING, LANDSCAPE  
ARCHITECTURE, GEOSCIENCE AND INTERIOR DESIGN

In the Matter of the Professional Engineer License  
of Charles Marohn

**COMPLAINT COMMITTEE'S  
MEMORANDUM SUPPORTING  
SUMMARY DISPOSITION**

Respondent Charles Marohn falsely claimed to hold a professional engineer license issued by the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design after his license had expired. When he eventually renewed his license, he falsely told the Board that he had not done so. Both of Marohn's falsehoods violate Minnesota's laws regulating professional engineers. Because no genuine issues of material fact exist and the Board's Complaint Committee is entitled to relief as a matter of law, the Court should recommend summary disposition in favor of the Committee.

**FACTS**

1. In 2000, the Board issued Marohn a professional engineer license, No. 40142. Lang Decl.
- ¶ 2. Marohn's license expired effective June 30, 2018, because he failed to renew it. *Id.* On June 17, 2020, Marohn filed a renewal application for both the 2018–2020 and 2020–2022 periods. *Id.*
- ¶ 5. On June 23, 2020, the Board renewed Marohn's license. *Id.* ¶ 2. Marohn thus did not have a valid professional engineer license between July 1, 2018, and June 22, 2020.
2. Despite failing to renew his license, Marohn nevertheless repeatedly and improperly held himself out as a licensed professional engineer while his license was expired:
  - a. While his license was expired, Marohn's LinkedIn profile stated that “[h]e is a Professional Engineer (PE) licensed in the State of Minnesota.” *Id.* Ex. 1A at 1.

- b. Marohn is the president of Strong Towns, a Minnesota non-profit corporation. In his staff biography on Strong Town's website, Marohn claimed that "[h]e is a Professional Engineer (PE) licensed in the State of Minnesota." *Id.* Ex. 1B at 1. Likewise, on Strong Town's course pages where Strong Towns sells training courses, Marohn's instructor biography stated that "[h]e is a professional engineer." *Id.* Ex. 1B at 7.
  - c. Marohn published *Strong Towns: A Bottom-Up Revolution to Rebuild American Prosperity* while his license was expired. *Id.* ¶ 3; *Id.* Ex. 1C. In his author biography in the book jacket, Marohn claimed to be a "certified Professional Engineer (PE)." *Id.* Ex. 1C at 2. Likewise, in the "About the Author" section, Marohn claimed to be "a professional engineer licensed in the State of Minnesota." *Id.* Ex. 1C at 3.
  - d. In the spring of 2020, Marohn gave at least three presentations wherein he claimed to be a "PE," a term commonly understood in the engineering field to mean "professional engineer." *Id.* ¶ 4; *Id.* Ex. 2B at 0:00:11, Ex. 2C at 01:56; Ex. 2E at 0:05:37.
3. In his June 2020 renewal applications, Marohn affirmed to the Board that he had "not represented [him]self as . . . [a] professional engineer . . . without proper licensure or certification, either verbally or on any printed matter, in the State of Minnesota . . . ." *Id.* Exs. 3A–3B.
4. During the Committee's investigation, Marohn conceded that during the time period he was not licensed, "I represented myself as being licensed in the state of Minnesota." *Id.* Ex. 4 at 2.

## ARGUMENT

Summary disposition is the administrative equivalent of summary judgment. *In re Minn. Living Assistance, Inc.*, 934 N.W.2d 300, 302 (Minn. 2019). It is intended to secure a just, speedy, and inexpensive disposition of an action where the material facts are undisputed. *Vacura v. Haar's Equip., Inc.*, 364 N.W.2d 387, 391 (Minn. 1985). Summary disposition must be granted when no

genuine issue of material fact exists and the moving party is entitled to judgment as a matter of law. *JPMorgan Chase Bank, N.A. v. Erlandson*, 821 N.W.2d 600, 603 (Minn. Ct. App. 2012).

The Board may impose discipline against any person who holds out as a professional engineer without a license or makes false statements on license applications. Minn. Stat. § 326.02, subds. 1 & 3 (2020); Minn. R. 1805.0200, subps. 1(B), 2, & 4(C) (2021). The Committee is entitled to summary disposition because the undisputed facts establish that Marohn held himself out as a professional engineer without a license and then falsely told the Board he did not do so on his renewal applications.

**I. MAROHN HELD OUT AS A PROFESSIONAL ENGINEER WHILE HE WAS NOT LICENSED.**

No person may refer to themselves as a professional engineer or P.E. unless the person has a valid professional engineer license. Minn. Stat. § 326.02, subd. 3 (2020). Marohn did so, in clear violation of Minnesota law, subjecting him to discipline.

Marohn improperly referred to himself a professional engineer in the book he published while unlicensed, in his biography on Strong Towns pages, and on his LinkedIn profile. And in at least three presentations, Marohn's introductory slide stated he was a "PE." Finally, Marohn admitted to the Committee that he represented himself as having a professional engineer license when he did not. Marohn is subject to discipline because he plainly and repeatedly held himself out as a licensed professional engineer while his license was inactive.

**II. MAROHN SUBMITTED FALSE INFORMATION ON HIS LICENSE RENEWAL APPLICATIONS.**

Licensees may not be dishonest in professional documents. Minn. R. 1805.0200, subp. 1(B) (2021). Nor may they make false statements on a license application. *Id.* 1805.0200, subp. 2 (2021). Finally, they may not engage in conduct involving dishonesty or misrepresentation. *Id.* 1805.0200, subp. 4(C) (2021).

Marohn's conduct straightforwardly violated these rules. Marohn falsely stated on his renewal applications that he had not represented himself as a professional engineer without proper licensure. He later conceded that he did so. Marohn's false statements to the Board subject him to discipline.

### **CONCLUSION**

The undisputed facts establish that Marohn held himself out as a professional engineer and then lied to the Board about it on his license renewal applications. The Court should recommend granting summary disposition in favor of the Committee.

Dated: January 21, 2022

Respectfully submitted,

KEITH ELLISON  
State of Minnesota  
Attorney General

/s/Allen Cook Barr  
ALLEN COOK BARR  
Assistant Attorney General  
Atty. Reg. No. 0399094

445 Minnesota Street, Suite 1400  
St. Paul, Minnesota 55101-2131  
(651) 757-1487 (Voice)  
(651) 297-1235 (Fax)  
allen.barr@ag.state.mn.us

ATTORNEY FOR COMPLAINT COMMITTEE  
OF MINNESOTA BOARD OF ARCHITECTURE,  
ENGINEERING, LAND SURVEYING,  
LANDSCAPE ARCHITECTURE, GEOSCIENCE  
AND INTERIOR DESIGN