**BEFORE THE OKLAHOMA STATE BOARD OF LICENSURE FOR**

**PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

**STATE OF OKLAHOMA ex rel. OKLAHOMA )**

**STATE BOARD OF LICENSURE FOR )**

**PROFESSIONAL ENGINEERS AND LAND )**

**SURVEYORS, )**

 **)**

 **Complainant, )**

 **)**

**vs. ) Case No. 2024-043**

 **)**

**Name: Aric Glasser )**

**Certificate of Licensure, P.E. 23175 )**

**Address: 33092 N. 3960 Road )**

 **Ramona, OK 74061 )**

 **)**

 **Respondent. )**

**FORMAL NOTICE OF CHARGES**

 COMES NOW the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors (hereinafter the "Board") by and through its attorney, Robert A. Manchester, IV, and based upon the recommendation of the Board's Investigation Committee, its investigator and as ordered by the Board, brings this Formal Notice of Charges against the above named Respondent, Aric Glasser (“Glasser”).

## NOTICE OF HEARING

 1. On September 12, 2024, the Board will be in session at 9:00 o'clock a.m. at 220 N.E. 28th Street, Oklahoma City, Oklahoma, at which time this Formal Notice of Charges will be considered by the Board and a formal fact finding hearing will be held pursuant to Oklahoma Administrative Procedures Act, 75 O.S. § 301, *et seq.*, the Statutes Regulating Professional Engineering and Land Surveying, 59 O.S. § 475.1 *et seq*., and the duly promulgated Rules of the Board OAC § 245:2 *et seq*.

 2. Respondent, in accordance with the above mentioned statutes and rules, has the right to appear personally or to be represented by an attorney and will be afforded the opportunity to respond, compel the testimony of witnesses, present evidence, and argue all issues involved.

 3. Respondent is ordered by the Board to appear at said hearing on said date. If a Respondent is not present in person or through legal counsel, then the proceeding will be held in the absence of such Respondent, and the Board, in its discretion, may summarily take appropriate action as authorized by law. The Board will notify the absent Respondent of its final decision in writing.

**JURISDICTION**

 Jurisdiction for this Formal Complaint is based upon:

4. The statutes regulating Professional Engineering and Land Surveying, 59 O.S. § 475.1 *et seq*.

5. The Rules of the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors (OAC § 245:2 *et seq*.).

**STATEMENT OF ALLEGATIONS/CHARGES**

**AGAINST THE RESPONDENT**

 It is alleged that Respondent has violated 59 O.S. § 475.1 *et seq.* and the Board Rules (OAC § 245:2 *et seq*.) as follows:

 6. On February 5, 2008, Professional Engineer Certificate of Licensure No. 23175 was issued to Aric Glasser to offer and/or perform engineering services in the State of Oklahoma.

 7. On February 4, 2024, Glasser renewed his Oklahoma Professional Engineer Certificate of Licensure No. 23175, at which time he certified that he had read the requirements for continuing education, he had earned a minimum of thirty (30) acceptable Professional Development Hours (PDH's) for the previous two (2) year renewal period of March 1, 2022 to February 29, 2024, and he understood if selected for a PDH audit, he must provide proof of completion of the required PDH's. Further, Glasser certified that he understood that failure to comply with a PDH audit or submitting false information to the Board relating to a PDH audit is a violation of Board Statutes and Rules which could lead to formal disciplinary action.

 8. On March 25, 2024, Board Staff notified Glasser, via regular mail, that he had been randomly selected for the annual audit of the PDH's he claimed as being completed when he renewed his Professional Engineer Certificate of Licensure No. 23175 on February 04, 2024.

 9. Glasser was provided detailed instructions to provide acceptable proof of completion for the PDH's he certified as being completed when he renewed his Professional Engineer Certificate of Licensure No. 23175 on February 04, 2024, and to provide such acceptable proof of completion to the Board no later than April 30, 2024.

 10. On March 29, 2024, Glasser contacted Board staff via email, that he would not be able to provide certification of PDH hours for 2022-2023.

 11. On April 1, 2024, Board staff contacted Glasser that his PDH audit would be turned over to the Compliance Department for review of possible violation of our statutes and rules.

**COUNT I**

 The Allegations contained in the Statement of Allegations/Charges Against Respondent above are incorporated herein by reference.

 12. Glasser failed to comply with the Continuing Education Audit for the renewal period of March 1, 2022 to February 29, 2024 by not providing acceptable proof of completion of the thirty (30) PDH's he certified to completing when renewing his Professional Engineer Certificate of Licensure No. 23175 on February 4, 2024.

 13. Glasser is, therefore, guilty of violating the provisions of 59 O.S. § 475.18(A)(16) and OAC §§ 245:15-11-5(a)(b) and 245:15-11-11(c), and is, therefore, subject to and should be assessed the Administrative Penalties set forth in 59 O.S. § 475.20(B) and OAC § 245:15-23-3 and 18.

**COUNT II**

 The Allegations contained in the Statement of Allegations/Charges Against Respondent and Count I above are incorporated herein by reference.

 14. Glasser provided false information to the Board when he renewed his Professional Engineer Certificate of Licensure No. 23175 on February 04, 2024, by certifying he had completed the Continuing Education requirement of obtaining thirty (30) PDH's for the two (2) year renewal period of March 01, 2022 to February 29, 2024, when in fact he had not.

 15. Glasser is, therefore, guilty of violating 59 O.S. §475.18(A)(12) and OAC § 245:15-23-4(A) by certifying he had completed the Continuing Education requirements, when in fact he had not, and is, therefore, subject to and should be assessed the Administrative Penalties set forth in 59 O.S. § 475.20(B) and OAC § 245:15-23-3 and 18.

**REQUESTED FINDINGS OF THE BOARD AND PENALTY**

 The undersigned requests the Board, after considering all the testimony, evidence and argument, to find:

 1. Respondent is in violation of any or all of the aforementioned statutes and rules.

 2. That appropriate action be taken against Respondent, which may include:

 A. An Administrative Penalty;

 B. Reprimand;

1. Censure;
2. Suspension;
3. Revocation;

 F. Such other action as the Board deems appropriate.

Respectfully submitted,

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ROBERT A. MANCHESTER, OBA #19518

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 Licensure for Professional Engineers

 and Land Surveyors