

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
1511 PONTIAC AVENUE
BUILDINGS 68-69
CRANSTON, RI 02920

IN THE MATTER OF: :
 :
A.R.M. ENGINEERING, INC. : DBR No. 12DP071
 :
RESPONDENT. :

CONSENT AGREEMENT

The Director (“Director”) of the Rhode Island Department of Business Regulation (“Department”) and the State Board of Registration for Professional Land Surveyors (“Board”) enter into this Consent Order (“Order”) pursuant to R.I. Gen. Laws §§ 42-14-16, 42-35-9, 5-8.1-1 *et seq.*, and 5-84-1 *et seq.*, with regard to the above-referenced Respondent. The Director and the Board have determined to resolve this matter, prior to instituting administrative proceedings, making findings and imposing as set forth below.

The Director and the Board find the following:

A. FINDINGS

1. Respondent held Certificate of Authorization #LS-A15 since February 14, 1995 which lapsed on June 1, 2010.
2. Respondent has confirmed in writing that it has been practicing land surveying without proper authorization since June 1, 2010 but that the Respondent had ceased engaging in any surveying activities as of December 21, 2011.

Business Regulation
Legal Section

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3. The Board has confirmed two (2) occurrences of professional land surveying without proper authorization by Respondent.
4. Respondent has presented mitigating factors justifying a reduction of the total administrative penalty that may be assessed in this matter.

B. VIOLATIONS

5. Respondent has violated:
 - a. R.I. Gen. Laws § 5-8.1-12 by unlawfully signing and sealing the above-referenced plans;
 - b. R.I. Gen. Laws § 5-8.1-13 by engaging in unlicensed activity without the requisite certificate of authorization;
 - c. R.I. Gen. Laws §§ 5-8.1-14 and 17 by practicing and/or offering to practice land surveying in the State of Rhode Island.

C. SANCTIONS

6. Based on the above violations, the Board is respectfully requesting that the following sanctions be imposed:
 - a. Pursuant to R.I. Gen. Laws § 5-84-5, an administrative penalty of \$1,000.
 - b. After confirmation of compliance with all licensing and registration requirements, Respondent's COA reinstatement application shall be approved.
 - c. If Respondent fails to abide by any of the requirements of this Consent Agreement the Director may initiate further administrative proceedings and impose penalties against Respondent including such additional administrative penalties as deemed appropriate by the

Director. Respondent shall be provided with notice and opportunity of hearing should the Director deem to take such further action.

RECOMMENDATION

CONSENTED TO AS TO FORM AND SUBSTANCE BY:

Respondent by: *April E Rhodes Pres.*
A.R.M. ENGINEERING INC

Date: *10/3/12*

Department by:

Neena Sinha Savage
Neena Sinha Savage, Esq.
Chief of Legal Services

Date: *10/5/12*

John Mensinger
John Mensinger, Chairman, As Authorized,
Board

Date: *10.10.12*

THIS CONSENT AGREEMENT CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO RHODE ISLAND GENERAL LAWS TITLE 42, CHAPTER 35. AS SUCH, THIS AGREEMENT MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MAY BE COMPLETED BY FILING A PETITION FOR REVIEW OF SAID COURT. HOWEVER, RESPONDENT UNDERSTANDS THAT BY WAIVING ITS RIGHT TO A COMPLETE HEARING AND AGREEING TO THIS CONSENT AGREEMENT, THE ABOVE RIGHTS ARE WAIVED AND IF ANY TERMS OF THIS CONSENT AGREEMENT ARE VIOLATED, RESPONDENT'S LICENSE SHALL BE SUBJECT TO SUSPENSION OR REVOCATION.

CERTIFICATION

I hereby certify that on this 10th day of ~~September~~ October 2012 a copy of this Consent Agreement was sent by first class mail postage prepaid and certified mail to:

Mr. Robert J. Curran, PLS
Mr. Tyrel E. Rhodes
A.R.M. Engineering, Inc.
211 Main Street
P.O. Box 507
Ashaway, RI 02804

and by email to:

Robert J. Curran, PLS
State Board of Registration for Professional Land Surveyors
Louis A. DeQuattro, Jr. CPA, Esq., Deputy Director
Dawne Broadfield, Administrative Assistant
Neena Sinha Savage, Chief of Legal Services

A handwritten signature in black ink, appearing to read "Neena Sinha Savage", written over a horizontal line.