

**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. 2024-011

Name: American Roofing and Construction, LLC)
Certificate of Authorization No.: None)
Address: 735 N. Union)
Ponca City, OK 74601)

FILED

MAR 18 2024

OKLA. BOARD OF LIC. FOR
PROF. ENGRS. & LAND SURVEYORS

Name: Jeff Beets, President)
Certificate of Licensure No.: None)
Address: 735 N. Union)
Ponca City, OK 74601)

Respondents.)

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, brings this Formal Notice of Charges against the above named Respondents, American Roofing and Construction, LLC ("the Firm"), and Jeff Beets, President ("Beets") (collectively the "Respondents").

NOTICE OF HEARING

1. On April 18, 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. Respondents, in accordance with the above mentioned statutes and rules, have 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. Respondents are 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(s) of its final decision in writing.

JURISDICTION

Jurisdiction for this Formal Notice of Charges 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

6. The Firm does not or has not ever held an Oklahoma Certificate of Authorization (“CA”) to offer and/or practice engineering in the State of Oklahoma.

7. The Firm has no employees that hold a Professional Engineering Certificate of Licensure in Oklahoma.

8. On September 20, 2023, the Firm issued a Metal Roof Damage Report of the First United Methodist Church -Woodward (Project 1). The Metal Roof Damage Report includes a notation stating: “This document has been electronically signed and/or sealed in accordance with the applicable certification of Forensic Engineering in Roofing.” Further, the Metal Roof Damage Report shows the trademark logo HAAG prominently throughout the document, while the name of the Firm is not shown.

9. The trademark logo HAAG belongs to the Firm HAAG Engineering Co., which has held Oklahoma Certificate of Authorization 2322 to offer and/or perform engineering services continuously since May 13, 1994. According to correspondence received from HAAG Engineering Co., there is no corporate connection or association between HAAG Engineering Co. and the Firm.

10. Beets, President and employee of the Firm, applied his signature to the cover page of the Field Observation Report for Project 1, and each subsequent page includes the notation: “Report Filed by: Jeff Beets, 735 N. Union, Ponca City, OK, 74601, HAAG Cert. # 201705401.”

11. On October 09, 2023, the Firm issued a Field Observation Report of the Central Baptist Church Ponca City (Project 2). The Field Observation Report includes a notation stating: “This document has been electronically signed and/or sealed in accordance with the applicable certification of Forensic Engineering in Roofing.” The Field Observation Report shows the trademark logo HAAG prominently throughout the document, while the name of the Firm is not shown.

12. Beets applied his signature to the cover page of the Field Observation Report for Project 2, and each subsequent page includes the notation: “Report Filed by: Jeff Beets, 735 N. Union, Ponca City, OK, 74601, HAAG Cert. # 201705401.”

COUNT I:

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

13. At the time the Firm issued a Metal Roof Damage Report for Project 1 and a Field Observation Report for Project 2 with the notation: "This document has been electronically signed and/or sealed in accordance with the applicable certification of Forensic Engineering in Roofing," and included the HAAG logo, the Firm did not have a Certificate of Authorization to offer to practice and/or practice engineering in the State of Oklahoma.

14. The Firm is, therefore, guilty of violating the provisions of 59 O.S. § 475.21(A)(2) and OAC § 245:15-23-1(a) by offering to practice and/or practicing engineering in the State of Oklahoma as defined by 59 O.S. § 475.1 et seq., without a Certificate of Authorization, 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 Respondents and Count I above are incorporated herein by reference.

15. At the time the Metal Roof Damage Report for Project 1 and the Field Observation Report for Project 2 were issued signed by Beets with an accompanying notation reading: "This document has been electronically signed and/or sealed in accordance with the applicable certification of Forensic Engineering in Roofing," and included the HAAG logo, Beets did not hold a Professional Engineer Certificate of Licensure in the State of Oklahoma.

16. Beets is, therefore, guilty of violating the provisions of 59 O.S. § 475.1 and OAC § 245:15-23-1(a) by offering and/or performing engineering services in the State of Oklahoma

without a Professional Engineer Certificate of Licensure, 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. Respondents are in violation of any or all of the aforementioned statutes and rules.
2. That appropriate action be taken against Respondents, which may include:
 - A. An Administrative Penalty;
 - B. Reprimand;
 - C. Censure;
 - D. Suspension;
 - E. Revocation;
 - F. Such other action as the Board deems appropriate.

Respectfully submitted,



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