

MARYLAND STATE BOARD  
FOR PROFESSIONAL LAND  
SURVEYORS

v.

JERRY NOKLEBY

Respondent

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BEFORE THE  
MARYLAND STATE BOARD  
FOR PROFESSIONAL LAND  
SURVEYORS  
COMPLAINT NO. : 11-LS-13

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**CONSENT ORDER**

This matter comes before the Maryland State Board for Professional Land Surveyors (the "Board") based on a complaint filed with the Board against Jerry Nokleby ("Respondent"). Based on the complaint and information obtained in an investigation, the Board determined that further administrative action against the Respondent was appropriate. Prior to the initiation of disciplinary action, including the issuance of charges and a formal hearing on the charges, the Board and the Respondent agreed to resolve the complaint by entering into this Consent Order.

1. Whereas pursuant to the Maryland Professional Land Surveyors Act ("the Act" at Business Occupations and Professions Article, Sections 15-101 *et seq.*, Maryland Code Annotated), the Board is responsible for licensing and regulating persons engaged in the provision of professional land surveying services in the State of Maryland.

2. Whereas the Respondent is licensed by the Board as a property line surveyor in the State, under License Number 472.

3. Whereas the Respondent has been operating a land surveying business, Nokleby Surveying, Inc., in the State of Maryland,

4. Whereas, unless a sole proprietorship, the Respondent is required by law to have a firm permit issued by the Board in order for the corporation, partnership or limited liability company to lawfully offer to provide or provide land surveying services in Maryland.

5. Whereas the Respondent's firm does not hold a permit authorizing the Respondent to offer or provide the services through Nokleby Surveying, Inc.

6. Whereas the Respondent agrees to a finding of a violation of the Board's requirements to have a permit under Section 15-402, the Respondent has agreed to accept a violation of Section 15-402, and sanction under Section 15-317(a)(1)(vi); and further agrees to pay a civil penalty of \$500 in connection with the violations;

7. Whereas the Board agrees to accept the terms of this Consent Order as an appropriate and fair resolution to this matter;

8. Whereas the Board agrees that to resolve this complaint by entering into this Consent Order, the Respondent understands that this Consent Order will in no way limit or preclude the Board from pursuing charges against the Respondent in the future should the Board learn that the Respondent has failed to comply with the terms and/or conditions of the Consent Order in this matter.

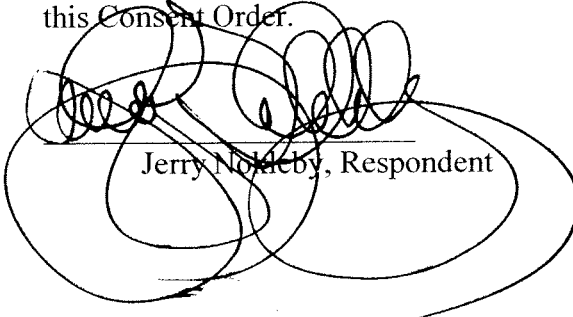
9. Whereas the Respondent also agrees to abide by the Business Occupations and Professions Article, Maryland Code Annotated, which governs the practice of professional land surveying in the State of Maryland.

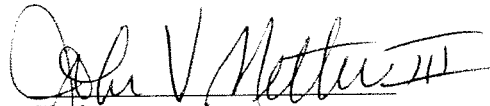
10. Whereas the Respondent enters this Consent Order freely, knowingly and voluntarily and with the opportunity to consult with counsel, as a means of resolving the matter of this complaint filed with the Board.

IT IS THEREFORE, this 7th day of March, 2012 BY THE MARYLAND STATE BOARD FOR PROFESSIONAL LAND SURVEYORS,

ORDERED, that the Respondent violated Sections 15-402 and 15-317(a)(1)(vi), Business Occupations and Professions Article, Maryland Code Annotated, and that the Respondent will pay a civil penalty of \$500 in connection with the violations within thirty (30) days of the date of this Order; and it is further

ORDERED, that the Board's records and publications shall reflect the terms of this Consent Order.

  
Jerry Noveby, Respondent

  
Chairman  
State Board for  
Professional Land Surveyors