

**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.

Name: Hosrow Aframian)
Certificate of Licensure No.: P.E., S.E. 16643)
Address: P.O. Box 54362)
Oklahoma City, OK 73154)

Respondent.

FILED

MAR 11 2024

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

Case No. 2023-121

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, Hosrow Aframian, ("Aframian").

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. 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 July 10, 1992 Professional Engineer Certificate of Licensure No. 16643 was issued to Aframian to offer and/or perform engineering services in the State of Oklahoma.

7. On November 6, 2020, the Board approved Aframian's application to add the Structural Engineer designation to his Oklahoma Certificate of Licensure Number 16643 based on qualifying structural examinations.

8. On July 27, 2023, Aframian renewed his Oklahoma Professional Structural Engineer Certificate of Licensure No. 16643, 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 (PDHs) for the previous two (2) year renewal period of August 1, 2021 to July 31, 2023, and he understood if selected for a PDH audit, he must provide proof of completion of the required PDHs.

9. Further, Aframian 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.

10. On October 12, 2023, Board Staff notified Aframian via regular mail that he had been randomly selected for the annual audit of the PDHs he claimed as being completed when he renewed his Professional Structural Engineer Certificate of Licensure No. 16643 on July 27, 2023.

11. Aframian was provided detailed instructions to provide acceptable proof of completion for the PDHs he certified as being completed when he renewed his Professional Structural Engineer Certificate of Licensure No. 16643 on July 27, 2023, and to provide such acceptable proof of completion to the Board no later than December 1, 2023.

12. On or about October 24, 2023, Board Records show that a list of PDH activities was submitted by Aframian, but no proof of completion documents were included.

13. On December 11, 2023, Board Staff sent a reminder via email of the December 1, 2023 deadline to provide acceptable proof of completion for the PDHs he claimed when renewing his Professional Structural Engineer Certificate of Licensure No. 16643 on July 27, 2023.

14. On December 14, 2023, Board Staff sent a second reminder via email regarding the December 1, 2023 deadline to provide acceptable proof of completion for the PDHs he claimed

when renewing his Professional Structural Engineer Certificate of Licensure No. 16643 on July 27, 2023.

15. On December 28, 2023, Board Staff notified Aframian via certified and regular mail that because he did not provide acceptable proof of completion of the minimum requirements of the thirty (30) PDHs during his audited renewal period, he was deemed in non-compliance with the continuing education audit.

16. As of the date of filing this pleading, Respondent has failed to submit any new hours or information to the Board.

COUNT I

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

17. Aframian has failed to comply with the Continuing Education Audit for the renewal period of August 1, 2021 to July 31, 2023 by not providing acceptable proof of completion of the thirty (30) PDH's he certified to completing when renewing his Professional Structural Engineer Certificate of Licensure No. 16643 on July 27, 2023.

18. Aframian 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.

19. Aframian provided false information to the Board when he renewed his Professional Structural Engineer Certificate of Licensure No. 16643 on July 27, 2023, by certifying he had completed the Continuing Education requirement of obtaining thirty (30) PDHs for the two (2) year renewal period of August 1, 2021 to July 31, 2023, when in fact he had not.

20. Aframian is, therefore, guilty of 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;
 - C. Censure;
 - D. Suspension;
 - E. Revocation;
 - F. Such other action as the Board deems appropriate.

Respectfully submitted,

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