

**NEVADA STATE BOARD OF PROFESSIONAL ENGINEERS
AND
LAND SURVEYORS RULES OF PRACTICE**

Updated as of January 15, 2026

RULES OF PRACTICE

In accordance with NRS 233B.050, the Nevada State Board of Professional Engineers and Land Surveyors (the "Board") adopts the following rules of practice.

PROCEDURES FOR HANDLING COMPLAINTS AGAINST LICENSEES

I. Initial Complaint:

a. Upon the receipt of a complaint against a licensee, applicant or third party, a determination shall be made by a Board compliance officer ("Compliance Officer") following consultation with the Board's executive director ("Executive Director"), if necessary, as to whether the complaint sets forth adequate grounds for the imposition of discipline by the Board (See NRS 625.410).

b. In conjunction with the review of the complaint, Compliance Officer may return the Board's complaint form to the person filing the complaint ("Complainant") and request Complainant to more fully set forth the nature of the complaint, the identity of Complainant and/or the identity of the person against whom the complaint is made ("Respondent"). A copy of the complaint form currently used by the Board is attached as Exhibit "1" to these Rules of Practice and Procedure.

c. When the Board receives the completed complaint form that the Compliance Officer determines sets forth grounds adequate for the possible imposition of discipline Compliance Officer shall forward a copy of the complaint to Respondent and request a detailed written response to the complaint. Respondent is required to respond to Compliance Officer's request within thirty (30) days (See NRS 625.410(9)).

d. Upon receipt of the Respondent's response to the complaint, Compliance

Officer, with the assistance of Executive Director (and/or the Board's legal counsel if necessary), shall make an initial determination as to whether it is probable that a violation of the statutes, regulations or rules governing the practice of professional engineering or land surveying in the State of Nevada has occurred.

e. Compliance Officer shall make a recommendation to Executive Director concerning the manner in which the complaint should be handled (dismissal, stipulated agreement, referral to an advisory committee or a formal disciplinary hearing). (See NAC 625.640).

f. The Executive Director shall select an appropriate Board member ("Board Liaison") to review the matter with Executive Director, consider the recommendation made by the compliance staff and, if necessary, discuss the matter with the Board's legal counsel.

g. Executive Director and Board Liaison will decide whether to: dismiss the action; refer the matter to an advisory committee; proceed with disciplinary proceedings; or request that additional information be provided (See NRS 2338 and NAC 625.640).

(1) If the matter is dismissed, Complainant and Respondent shall be advised in writing that the complaint has been dismissed, and Executive Director shall report the dismissal at the next regularly scheduled meeting of the Board.

(2) If Executive Director and Board Liaison decide to have the matter heard by an advisory committee, Compliance Officer shall follow the procedures necessary to establish an advisory committee and shall set a time and place for the committee to review the matter (See NAC 625.646).

(3) If Executive Director and Board Liaison decide that the matter warrants going forward with a disciplinary proceedings, Executive Director and Board Liaison

shall develop terms acceptable to them for the matter to be resolved by stipulated agreement between the Board and Respondent, which the Board legal counsel shall incorporate into a stipulated agreement and forward to Respondent for consideration. A form example stipulated agreement is attached hereto as Exhibit "2". If Respondent declines the proposed stipulated agreement, Executive Director and Board Liaison shall have the discretion to direct Board's legal counsel to prepare a formal disciplinary complaint and set the matter for hearing. If Respondent accepts the proposed stipulated agreement, it shall be submitted to the Board for consideration at its next meeting, or at such Board meeting thereafter as time permits. The stipulated agreement shall not be effective unless and until approved by the Board.

(4) If Executive Director and Board Liaison decide to go forward with a formal disciplinary complaint, or should the Board decline to accept a proposed stipulated agreement and order the matter be set for hearing, Executive Director shall set a hearing date and direct the Board's legal counsel to prepare a formal disciplinary complaint.

h. The Board, acting through its Chairperson or Executive Director, may issue subpoenas requiring the attendance of an individual or the production of requested documents (See NRS 625.440).

II. Formal Disciplinary Complaint:

a. The Board's legal counsel shall prepare a formal disciplinary complaint setting forth the specifics of the complaint and the rules, statutes or regulations which the Respondent has allegedly violated. A form example disciplinary complaint is attached as Exhibit "3". The Board's legal counsel shall prepare the notice of the hearing on the formal disciplinary complaint. A form example notice of hearing is attached as Exhibit "4".

The Board's legal counsel shall forward by certified mail, return receipt requested, the formal complaint and notice of the hearing to Respondent, together with a letter advising the Respondent of his or her certain rights and obligations, as well as the requirement for Respondent to provide a list of witnesses and exhibits to Board's legal counsel at least ten (10) calendar days before the hearing. A form example letter to Respondent is attached as Exhibit "5".

b. Respondent may request a continuance of the scheduled hearing.

Generally, Executive Director will grant one continuance of a scheduled disciplinary hearing. All other requests for continuances will be denied unless Respondent can demonstrate clear and convincing grounds for the granting of a second continuance.

c. Prior to the hearing, Executive Director may discuss with Board Liaison and the Board's legal counsel the parameters within which the disciplinary complaint may be settled. If settlement is pursued, the Board's legal counsel shall discuss possible settlement of the disciplinary action with Respondent. If it appears that the complaint can be resolved by stipulated agreement, the Board's legal counsel shall draft a proposed Stipulation and Decision to resolve the formal disciplinary complaint.

d. The proposed Stipulation and Decision shall be submitted to the Board at its next meeting. The Stipulation and Decision is not effective unless and until the Stipulation and Decision is approved by the Board at a public meeting.

e. Prior to the hearing, if a Stipulation and Decision is not entered, the Board's legal counsel shall attempt to enter into a stipulation of proposed list of exhibits with

Respondent to be admitted at the hearing.

III. Procedures Governing a Formal Disciplinary Hearing:

a. The hearing may be held before the Board or, at the discretion of the Executive Director and Board Liaison, delegated to be held before a hearing officer of the Board.

b. Respondent is entitled to be represented by an attorney licensed in the State of Nevada.

c. In a disciplinary hearing before the Board, the Chairperson of the disciplinary hearing shall request all Board members to advise whether they have a conflict which requires them to recuse themselves from participating in the hearing.

d. In a disciplinary hearing before the Board, Board Liaison in a matter shall recuse him or herself from participating in the hearing.

e. The Board's legal counsel shall mark and place into evidence all exhibits which support the allegations contained in the complaint. Respondent may state his/her objections, if any, to the exhibits and may submit additional exhibits which are relevant to the charges set forth in the complaint or to the defenses raised in Respondent's answer to the complaint.

f. In a disciplinary hearing before the Board, the Board Chairperson, or a Board member designated by the Board Chairperson, shall chair the disciplinary hearing.

g. The Chairperson or hearing officer, as the case may be, of the disciplinary hearing shall make all rulings concerning the admission of evidence. The Chairperson or hearing officer, as the case may be, of the disciplinary hearing may accept into evidence those exhibits that have been marked and offered by the Board's legal counsel and/or Respondent.

h. The Board's legal counsel and Respondent may make a short opening

statement. Thereafter, the Board's legal counsel shall call witnesses to testify concerning the allegations contained in the complaint. Respondent may cross-examine the witnesses and may call witnesses to testify on his or her behalf. Board's legal counsel may cross-examine Witnesses called by Respondent. The Board Chairperson or designee shall have the discretion as to whether counsel shall have the right to re-direct and/or re-cross examination.

i. Formal rules of evidence do not apply. (See NRS 2338.123).

j. After the evidence, exhibits and testimony have been submitted, Respondent may make a closing argument. The Board's legal counsel does not make a closing argument and does not make any recommendation to the Board or hearing officer, as the case may be, concerning the manner in which the disciplinary complaint should be resolved, but it may clarify to the Board or hearing officer, as the case may be, the various counts asserted against Respondent.

k. After the evidence has been submitted and Respondent has finished his or her closing statement, the Chairperson or hearing officer, as the case may be, of the disciplinary hearing shall summarize the issues to be decided or addressed by the Board or hearing officer, as the case may be. The alleged violations must be proven by substantial evidence.

l. For a disciplinary hearing before a hearing officer, the hearing officer shall make findings and recommendations, which shall be presented to the Board to:

- (1) Approve, with or without modification,
- (2) Reject and remand the matter to the hearing officer;
- (3) Reject and order a hearing de novo before the Board; or
- (4) Take any other action that the Board deems appropriate to resolve the matter.

m. For disciplinary hearings before the Board, or upon being presented the findings and recommendations of a hearing officer, any Board member may make a motion concerning the decision to be made by the Board. The motion must be seconded and adopted by a majority vote of the Board members participating in the hearing to be effective.

n. After the Board has made a decision on a matter, the Board's legal counsel shall draft a formal Decision and Order and submit the draft to the Executive Director. The Executive Director may make appropriate revisions and forward the revised Decision and Order to the Chairperson of the disciplinary hearing for signature.

o. The signed Decision and Order of the Board shall be served by certified mail on Respondent, return receipt requested.

p. Respondent has 30 days following receipt of the written decision of the Board to seek judicial review. (See NRS 2338. 130).

EXHIBIT “1”
COMPLAINT FORM



COMPLAINT FORM

1755 E Plumb Lane, Suite 258
Reno, NV 89502
(775) 688-1231
board@boe.state.nv.us

Email the completed form and all supporting documents to: board@boe.state.nv.us or mail to:

Nevada Board of Professional Engineers and Land Surveyors

1755 E Plumb Lane, Suite 258
Reno, NV 89502

COMPLAINANT INFORMATION (person filing the complaint):

Complainant Occupation: Engineer Land Surveyor Other

Name:

Business Name:

Address:

City:

State:

Zip:

Phone:

Email:

RESPONDENT INFORMATION (person who the complaint is filed against):

Respondent Occupation: Engineer <input type="checkbox"/> Land Surveyor <input type="checkbox"/> Other <input type="checkbox"/>
Name:
Business Name:
Address:
City:
State:
Zip:
Phone:
Email:

To submit a complete and accurate complaint, please include the following:

- Description of the issue - what happened?
- Provide important dates and timeline
- City or county where project is located
- Names and contact information of those involved (names, addresses, phone numbers)
- Public entity involved in permitting the project
- Public entity reference / permit number for the project
- Supporting documents: contracts, invoices, plan sets, maps, etc. If there is no formal contract, provide scope of work, completion schedule, and cost estimate

Anyone can file a complaint (consumers, building officials and other design professionals). Complaints may allege unethical conduct, incompetence, misconduct, unlicensed practice or other actions. All complaints that fall within the board's jurisdiction, regardless of the source or allegation, will be investigated.

COMPLAINT NARRATIVE (details of the complaint):

Please be as complete and specific as possible (attach additional sheets if necessary)

I declare that the information contained in this complaint (and the attached pages) is true and correct to the best of my knowledge and belief.

Signature: _____ Date: _____

(Typed name accepted as signature)

EXHIBIT “2”
STIPULATED AGREEMENT

STIPULATED AGREEMENT
OF JOHN DOE
LICENSE NO. _____
COMPLAINT NO. _____

This Stipulated Agreement is made by and between the Nevada State Board of Professional Engineers and Land Surveyors (the "State Board") and JOHN DOE, a registered in the State of Nevada, License No. _____ A complaint was filed with the State Board by _____ against JOHN DOE on or about month/date, year, for (list out violations)

Pursuant to NAC 625.640¹, this matter may be resolved without a formal hearing by Stipulated Agreement, on the following basis:

1. Mr. DOE's Nevada license shall be suspended for two (2) years, stayed, and probation for that period, pursuant to NRS 625.410(5).
2. The stay of Mr. DOE's suspension may be lifted by the State Board, upon notice and opportunity to be heard, should Mr. DOE fail to abide by the terms of this Stipulated Agreement and/or NRS Chapter 625.
3. Mr. DOE's successful completion of probation is expressly conditioned

¹ NAC 625.640 Procedure for complaints concerning professional misconduct or incompetence.

2. Upon receipt of a complaint, a member of the Board's staff shall initiate an investigation. Upon completion of the investigation, the member of the Board's staff shall submit a written report containing the results of the investigation to the Executive Director.

3. The Executive Director shall:

- (a) Review the written report submitted pursuant to subsection 2; and
- (b) Upon completion of the review, recommend to the Board that:

- (1) The Board dismiss the complaint;
- (2) The Executive Director negotiate a settlement with the respondent, subject to the approval of the Board;
- (3) The Board schedule the matter for a disciplinary hearing; or
- (4) The Board refers the matter to an advisory committee for further review.

upon his full compliance with the following conditions of probation:

(a) Mr. DOE shall provide the Board with bi-monthly probation reports for Nevada projects, he performs work on for the two months immediately preceding the report.

(b) Mr. DOE shall pay an administrative fine in the amount of _____ Dollars (\$ _____) within thirty (30) days from the date of the State Board's approval of this Stipulated Agreement.

(c) Mr. DOE shall reimburse the State Board for investigative costs and fees incurred in this matter in the amount of _____ Dollars (\$ _____) within thirty (30) days of the date of the State Board's approval of this Stipulated Agreement.

(d) Mr. DOE shall comply with Nevada Revised Statutes Chapter 625.

(e) Mr. DOE shall provide proof of the completion of thirty (30) professional development hours that are required on a biennial basis for all professional engineers before renewing their license, pursuant to NAC 625.430 and NAC 625.480.

4. Mr. DOE understands that this Stipulated Agreement is subject to the approval of the State Board and has no force or effect until a final decision is rendered by the State Board.

5. The imposition of discipline set forth in this Stipulation does not limit the powers of the State Board to impose discipline upon Mr. DOE on matters not yet presented to the Board.

6. Mr. DOE acknowledges that he has the following rights, among others:

(a) The right to a formal fact-finding hearing before the State Board;

(b) The right to counsel;

(c) The right to compel testimony of witnesses at hearing;

- (d) The right to cross-examine witnesses of the prosecution at hearing; and
- (e) The appellate right of judicial review of the State Board's decision resulting from a formal hearing.

7. By entering into this Stipulated Agreement Mr. DOE hereby waives the right to a hearing and any corresponding appellate rights, should this Agreement be approved and executed by the State Board.

8. Mr. DOE is entering this Stipulated Agreement upon his own volition, with full opportunity to consult legal counsel.

9. This Stipulated Agreement contains the entire agreement between the parties. Mr. DOE is not relying on any other agreement or representation, verbal or otherwise. This Agreement shall be effective upon approval and execution by the State Board.

I, JOHN DOE, have read the above Stipulated Agreement, understand its contents, and accept the conditions set forth within it.

Signed: _____ Date: _____, 20____
JOHN DOE

I, JOHN DOE, have read the above Stipulated Agreement, understand its contents, and do not accept the conditions set forth within it. I request that this matter be scheduled for a formal hearing before the Nevada State Board of Professional Engineers and Land Surveyors.

Signed: _____ Date: _____, 20____
JOHN DOE

This Stipulated Agreement is approved by the Nevada State Board of Professional Engineers and Land Surveyors this ____ day of _____, 20____.

The effective date of this Stipulated Agreement is _____, 20__.

Date: _____, 20__ . Signed: _____
_____, Chairman

EXHIBIT “3”
FORMAL DISCIPLINARY COMPLAINT

BEFORE THE STATE OF NEVADA

BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

IN THE MATTER OF

JOHN DOE,

A PROFESSIONAL _____

COMPLAINT

LICENSE NUMBER _____

COMPLAINT NUMBER _____
_____ /

Complainant, _____, Executive Director of the State of Nevada Board of Professional Engineers and Land Surveyors ("State Board"), does hereby complain against JOHN DOE, and respectfully requests that he be disciplined and avers as grounds therefor the following:

I.

JOHN DOE is licensed as a professional land surveyor in the State of Nevada, having license number _____ in the discipline of professional land surveying.

II.

On or about month/day, 20____, the State Board received a complaint against Mr. DOE from, _____ (individual that filed Complaint Form). The complaint alleges that Mr. DOE (list of violations)

III.

The Compliance Officer of the State Board notified Mr. DOE of the complaint received and requested Mr. DOE to provide a written response to the allegations contained therein.

IV.

Mr. DOE's provided a written response to the Complaint to the Board, dated month/day, 20____. A copy of Ms. DOE's response is attached hereto as Exhibit "B".

V.

NRS 625.410 provides in relevant part as follows:

The Board may take disciplinary action against a licensee, an applicant for licensure, an intern or an applicant for certification as an intern for:

2. Any gross negligence, incompetency or misconduct in the practice of professional engineering as a professional engineer or in the practice of land surveying as a professional land surveyor.

...

4. Conviction of or entry of a plea of nolo contendere to any crime an essential element of which is dishonesty or which is directly related to the practice of engineering or land surveying.

VI.

NAC 625.530 provides, in relevant part, as follows:

In a professional engineer's or land surveyor's relations with his or her employers and clients, he or she shall:

1. Act in professional matters as a faithful agent or trustee for each employer or client.

...

5. While employed, not engage in supplementary employment or consulting practice except with the consent of the employer.

...

VII.

Mr. DOE's conduct also constitutes gross negligence, incompetence and/or misconduct in the practice of professional engineering in violation of NRS 625.410(2).

VIII.

Mr. DOE's violations of NRS 625.410, and NAC 625.530 are sufficient grounds for the imposition of discipline of his registration as a professional land surveyor in the State of Nevada under NRS 625.410(5), which provides as follows:

The Board may take disciplinary action against any licensee...for:

...

- 5. A violation of the provisions of this chapter or regulation adopted by the Board.

XII.

Mr. DOE has not been previously disciplined by the State Board, which may be considered by the State Board as a mitigating factor in the imposition of discipline.

WHEREFORE, Complainant respectfully request that a hearing be had, and upon such hearing, that the Nevada State Board of Professional Engineers and Land Surveyors enter an order imposing one or more of the following penalties:

- 1. Revocation or suspension of Mr. DOE's license as a professional land surveyor in the State of Nevada being license number _____;
- 2. Placement of Mr. DOE on probation;
- 3. Imposition of an administrative fine in an amount not to exceed \$ _____ for each violation of Chapters 625 of the Nevada Revised Statutes and Nevada Administrative Code and/or any regulation adopted by the Board;
- 5. Other disciplinary action; and
- 6. Directing Mr. DOE to reimburse the State Board for all costs and fees incurred in the investigation of this matter and prosecution of this disciplinary action.

DATED this _____ day of _____, 20_____.

State of Nevada Board of Professional Engineers and Land Surveyors

By: _____, Executive Director

VERIFICATION

I, _____, (Executive Director) under penalty of perjury, declare that the following assertions are true:

That I am the EXECUTIVE DIRECTOR of the STATE OF NEVADA BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS, the Complainant in the above-entitled action; that I have read the foregoing Complaint and know the contents thereof; that the same are true and correct to the best of my knowledge, save and except those matters therein stated on information and belief and as to those matters I believe them to be true.

DATED this _____ day of _____, 20 ____.

State of Nevada Board of Professional
Engineers and Land Surveyors

By: _____
_____, Executive Director

EXHIBIT “4”
NOTICE OF HEARING

BEFORE THE STATE OF NEVADA
BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

IN THE MATTER OF

JOHN DOE

A PROFESSIONAL _____

NOTICE OF HEARING

LICENSE NUMBER _____

COMPLAINT NUMBER _____

_____ /

TO: JOHN DOE
Address
City, State Zip

NOTICE IS HEREBY GIVEN, pursuant to Nevada Revised Statute 625.430, that the State of Nevada Board of Professional Engineers and Land Surveyors ("State Board") will hold a hearing on the attached Complaint against JOHN DOE, requesting that the State Board to determine whether he be suspended, fined, placed on probation and/or otherwise disciplined, or that the Board impose any other penalty provided by law which the Board may deem appropriate. The hearing will be held at the Nevada State Board of Professional Engineers and Land Surveyors, 1755 E. Plumb Lane, Suite 135, Reno, Nevada, on month/day, 20____, commencing at ____:____ a.m.

YOU HAVE THE RIGHT to be represented by counsel and to request the Board to subpoena witnesses to testify at the hearing.

DATED this _____ day of _____, 20____.

By _____
Attorney for Nevada State Board of
Professional Engineers and Land Surveyors

EXHIBIT “5”
COVER LETTER

DATE

Via Certified Mail, U.S. Mail & Email

John Doe
Address
City, State Zip

Re: Notice of Hearing and Formal Complaint for Complaint Number _____

Dear Mr. Doe:

Our firm serves as counsel for the Nevada State Board of Professional Engineers and Land Surveyors ("Board"). At its last meeting, the Board was provided with notice of a complaint filed against you in relation to your actions _____.

Enclosed, please find copies of the following:

1. Notice of the Hearing on Complaint Number _____ filed with the Board. The hearing is scheduled to be held on month/day, 20____, commencing at TIME a.m. at the State Board's office, located at 1755 E. Plumb Lane, Suite 135, Reno, Nevada; and
2. The disciplinary Complaint filed against you, Mr. Doe, by the Executive Director of the State Board.

If there are witnesses who would provide relevant information, but who are unwilling to voluntarily testify at the hearing, the Board will subpoena those witnesses if you timely request the Board to do so.

The Board requires that all exhibits proposed to be submitted at the hearing, as well as the list of witnesses that may testify at the hearing, be forwarded to me at least ten (10) calendar days of the hearing. I will be forwarding you all documentation I plan to present at the hearing.

Please confirm in writing that you will attend the hearing scheduled to be held on month/day, 20____ at _____:____ a.m. and whether you will be represented by counsel in this matter.

Sincerely,

Attorney for Nevada State Board of
Professional Engineers and Land Surveyors

Encl.
cc: Executive Director