

**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. 2023-081

Name: Justin Hall )  
P.E. Certificate of Licensure No.: 27542 )  
Address: P.O. Box 241302 )  
          Little Rock, AR 72223 )

**FILED**

Name: Hall Engineering Group, LTD )  
Certificate of Authorization No.: 7587 )  
Address: P.O. Box 241302 )  
          Little Rock, AR 72223 )

**JAN 11 2024**

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

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, Justin Hall ("Hall"), and Hall Engineering Group, LTD (the "Firm") (collectively the "Respondents").

**NOTICE OF HEARING**

1. On February 15, 2024, the Board will be in session at 9:00 o'clock a.m. at 220 N.E. 28<sup>th</sup> 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. On September 17, 2014, the Board received an application for Professional Engineer (“P.E.”) licensure from Justin Hall (“Hall”) to offer and/or practice engineering in the State of Oklahoma. He listed his employer as Hall Engineering Group, LTD (the “Firm”), together (the “Respondents”).

7. On September 19, 2014, Board Staff notified Hall, via e-mail, informing him that if he intended to offer to practice and/or practice engineering through his Firm, the Board must receive an application for a Certificate of Authorization (“CA”) for the Firm which would be processed simultaneously with his P.E. application.

8. On September 19, 2014, Hall responded to Board Staff that he would re-take the OLE examination and *“I will initially not be practicing in OK under my corporation”* and *“I will apply for the CA when the time comes.”*

9. On October 1, 2014, P.E. Certificate of Licensure No. 27542 was issued to Hall to offer and/or practice engineering in the State of Oklahoma and is currently active through March 31, 2024.

10. Board records indicate, and the Board Staff verified, that Hall received a Bachelor of Science degree in Mechanical Engineering from the University of Arkansas in 1997.

11. Hall’s pertinent NCEES examination history includes the following:

- Passed – PE Fundamentals – October 1996
- Passed – PE Principal & Practice, Mechanical – April 2002
- Failed – PE Civil/Construction – October 2021
- Failed – PE Civil/Structural – July 2022
- Passed – PE Civil/Construction – October 2022
- Failed – PE Civil/Structural – January 2024

12. On April 15, 2016, the Board received a CA application to offer and/or practice engineering in the State of Oklahoma through a Firm.

13. On April 21, 2016, CA No. 7587 was issued to the Firm to offer and/or practice engineering through a firm and is currently active through June 30, 2025.

14. Board records indicate Hall is the Managing Agent and the only Responsible Charge P.E. for the Firm.

15. A review of Hall's administrative licensure actions in other states reveals a litany of previous actions. Two matters in Texas resulted in a one-year suspension, administrative fines, and a reprimand. In Arkansas, Hall's license and the Firm's CA were revoked in one action. (This revocation was later set aside by appellate review.) In a second Arkansas matter, Hall's P.E. and the Firm's CA were suspended for four months, and a fine of \$6,000.00 was levied against the collective Respondents. A third Arkansas matter recently resulted in the Arkansas Board revoking Hall's P.E. and the Firm's CA. This order is presently being appealed by Hall and the Firm. A Missouri administrative action placed Hall on probation for two years, along with other conditions and requirements.

#### **OKLAHOMA (1)**

16. On May 30, 2023, Board filed a Formal Notice of Charges against the Respondents, Board Case No. 2021-059, for violating the provisions of 59 O.S. § 475.18(A)(5) and OAC § 245:15-23-2(b) by being disciplined for violating the Statutes and Rules of the States of Texas and Arkansas, which are the same or substantially equivalent to those contained in Oklahoma.

17. On June 29, 2023, The Oklahoma Board and the Respondents entered into an agreed Consent Order finding the Respondents guilty of violating the provisions of 59 O.S. § 475.18(A)(5) and OAC § 245:15-23-2(b) by being disciplined for violating the Statutes and Rules of the States of Texas and Arkansas, which are the same or substantially equivalent to those contained in Oklahoma.

18. As a result, the Respondents were found **GUILTY** and **REPRIMANDED**, the Respondents agreed to no longer offer and/or practice structural engineering in Oklahoma until such time as Hall took and passed the NCEES Civil/Structural examination to prove competence

in structural engineering, and Board records reflected Hall's area(s) of engineering competence as Mechanical and Civil/Construction based upon education and/or examination until such time as it is notified by Hall that he has successfully completed the referenced examination.

19. Present evidence indicates Hall has not yet passed the NCEES Civil/Structural examination.

20. Hall's Oklahoma primary area of engineering competency designated in the Board records is mechanical engineering with secondary areas of competence as civil and construction engineering.

**OKLAHOMA 2**  
**Martin S. Henry, EI 16139 / Case No.: 2023-082**

21. On October 30, 2023, the Board filed a Formal Notice of Charges against Martin S. Henry ("Henry"), Oklahoma Engineering Intern No.: 16139 in Board Case No. 2023-082, for practicing engineering and signing the "Document of Record – Special Inspections – Retaining Wall" report for the Commercial Retaining Wall Construction for Crossover Community Center located at 940 E. 36<sup>th</sup> St. N., Tulsa, Oklahoma, Report No. 23-5232 ("Project 1"); the "Engineering Inspection Record – Residential Segmental Retaining Wall" report for the Residential Retaining Wall Failure for Melanie Maxwell, 4552 Cliffside Dr., Kingston, OK, Report No. 23-5305-A, ("Project 2"); and the Engineering Design Plan-Segmental Retaining Wall for Tropical Smoothie Café in Claremore, OK, Report No. 23-5313 IR, ("Project 3").

22. The engineering reports for Projects 1 – 3 are signed by Henry as the "Engineer of Record for Project" and includes his Arkansas EIT #5729.

23. Board records, as provided by Henry and verified by Board Staff, reflect that Henry received a Bachelor of Sciences Degree in Mechanical Engineering from the University of

Arkansas, is employed by the Non CA Firm MSH Consulting, LLC, and is not an employee of the Firm.

24. The engineering reports for Projects 1 – 3 are issued on the title block of Hall Engineering, LTD, Structural Inspection Design, & Construction Consultation, and are also signed and sealed by Justin W. Hall, Managing and Reviewing Professional Engineer in Charge. The title block incorrectly shows P.E. 11050 (his AR P.E. No.) and includes the Firms correct OK CA #7587. The engineering reports for Projects 1 – 3 include the Oklahoma P.E. seal of Justin W. Hall.

25. On December 4, 2023, Henry and the Board entered into an agreed Consent Order in 2023-082 finding Henry guilty of not having a P.E. Certificate of Licensure to offer and/or practice engineering in the State of Oklahoma at the time he performed the engineering services and applied his signature and his Arkansas Engineer Intern Certification Number as the “Engineer of Record” for Projects 1 – 3. Henry was ordered to Cease and Desist from holding himself as someone having the qualifications to offer or perform engineering services in the State of Oklahoma and was assessed an administrative penalty of One Thousand Seven Hundred Fifty Dollars (\$1,750.00).

### **OKLAHOMA PROJECTS 1 - 3**

26. On May 2, 2023, the Firm issued the “Document of Record – Special Inspections – Retaining Wall” report for the Commercial Retaining Wall Construction for Crossover Community Center located at 940 E. 36<sup>th</sup> St. N., Tulsa, Oklahoma, Report No. 23-5232 (“Project 1”), signed and sealed by Justin W. Hall, Managing and Reviewing Professional Engineer in Charge. The title block incorrectly shows P.E. 11050 (his AR P.E. No.), and includes the Firms

correct OK CA #7587. The engineering reports for Projects 1 – 3 include the Oklahoma P.E. seal of Justin W. Hall.

27. The Document of Record – Special Inspections – Retaining Wall report included the following statements, in part...:

- a. Let it be known that a new commercial retaining wall, constructed at the subject address was inspected and evaluated for the purpose of verifying that structural and safety aspects of specific interest such as: 1) footing/pad preparation. 2) soil compactions, and 3) placement of soil reinforcements were incorporated in such a way to meet or exceed the requirements set forth by Hall Engineering Design.
- b. Upon the completion of on-site physical inspections and related evaluations, it has been determined that the subject retaining wall meets or exceeds the applicable requirements of IBC 2015 Section 1807.
- c. This structural inspection report for the subject building(s) is prepared for the sole and exclusive use by the owner(s) or inspection purchasing agent.
- d. This structural inspection report may not be sold, transferred, or assigned to any other party without contacting Hall Engineering, Ltd.
- e. Liability under this structural inspection report is limited solely to the owner(s).

28. On July 10, 2023, Hall prepared, signed, sealed, and issued the “Engineering Inspection Record – Residential Segmental Retaining Wall” report for the Residential Retaining Wall Failure for Melanie Maxwell, 4552 Cliffside Dr., Kingston, OK, Report No. 23-5305-A, (“Project 2”).

29. The Engineering Inspection Record – Residential Segmental Retaining Wall report included the following statements in part...

- a. The homes rear concrete patio slab collapsed and was pulled away from the home leaving multiple roof-support columns under-supported and hanging.
- b. Geogrid placement was incorrect considering the minimum global stability requirements of the wall system.
- c. The rebar used to reinforce the concrete patio was not properly positioned in the section of the concrete.

- d. The concrete patio was improperly pinned to the homes foundation system.
- e. Place a concrete pile footing directly below each of the roof-support columns that were left under-supported when the soil/patio collapse occurred. (Figure 1)
- f. Figure 14b, Inadequate pin embedment of adjacent concrete flatwork- ¾" shown, should be at least 8" ...preferably 10-12".
- g. Figure 14c, Showing poor workmanship and attention to detail-rebar placed below slab section- in effect, slab is un-reinforced.
- h. Figure 16, Close up showing under-supported and hanging roof support column.
- i. Figure 18, Close up showing under-supported and hanging roof support column.
- j. This structural inspection report for the subject building(s) is prepared for the sole and exclusive use by the owner(s) or inspection purchasing agent.
- k. This structural inspection report may not be sold, transferred, or assigned to any other party without contacting Hall Engineering, Ltd.
- l. Liability under this structural inspection report is limited solely to the owner(s).

30. On August 8, 2023, Hall prepared, signed, sealed, and issued the Engineering Design Plan-Segmental Retaining Wall for Tropical Smoothie Café in Claremore, OK. Report No. 23-5313 IR, ("Project 3").

31. The Engineering Design Plan-Segmental Retaining Wall report included the following statements in part...

- a. Locate geogrid where shown, as shown, making certain that it extends back to the specified depth for each respective wall section/panel.
- b. This structural inspection report for the subject building(s) is prepared for the sole and exclusive use by the owner(s) or inspection purchasing agent.
- c. This structural inspection report may not be sold, transferred, or assigned to any other party without contacting Hall Engineering, Ltd.
- d. Liability under this structural inspection report is limited solely to the owner(s).

#### **FIRM'S WEBSITE**

32. As of the date of filing of this Formal Notice of Charges, the Respondent's website <https://hall-engr.com> includes the following offerings, in part...:



- Engineering Evaluations by Professional Engineers –
  - We specialize in:
    - Engineering Evaluations
    - FHA & HUD Foundation Certifications
    - Technical & Forensic Investigations
    - Retaining Wall Designs
    - Earthquake Damage Evaluations
    - Tornado Damage Evaluations
    - Retaining Wall Failure Analysis
- Coverage Areas:
  - Engineering Inspections – ALL of AR, MO, OK & TX
  - FHA & HUD Inspections – AR, MO, OK, MS, TX

**COUNT I:**

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

33. At the time Hall performed, signed, sealed, and issued the “Engineering Inspection Record – Residential Segmental Wall” report for the retaining wall failure for Project 2, and the “Engineering Design Plan – Segmental Retaining Wall” for Project 3, Hall was performing structural engineering services outside his area of engineering competence as designated in Board records.

34. Hall is, therefore, guilty of violating the provisions of 59 O.S. § 475.18(A)(14) and OAC § 245:15-19-4(a) and (b) by offering to practice and practicing engineering services outside his area of engineering competence as designated in Board records and is, therefore, subject to and should be assessed the Administrative Penalties set forth in 59 O.S. § 475.20(B) and OAC § 24515-15-23-3 and 18.

**COUNT II:**

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

35. At the time Hall performed, signed, sealed, and issued the “Engineering Inspection Record – Residential Segmental Wall” report for the retaining wall failure for Project 2, and the “Engineering Design Plan – Segmental Retaining Wall” for Project 3, the Firm knew or should have known that Hall was performing structural engineering services outside his area of engineering competence as designated in Board records.

36. The Firm is, therefore, guilty of violating the provisions of 59 O.S. § 475.18(A)(8) by aiding and assisting Hall in offering to practice and practicing engineering services outside his area of engineering competence as designated in Board records and is, therefore, subject to and should be assessed the Administrative Penalties set forth in 59 O.S. § 475.20(B) and OAC § 245:15-15-23(3) and (18).

**COUNT III:**

The allegations contained in the Statement of Allegations/Charges Against Respondents and Count’s I and II above are incorporated herein by reference.

37. Hall has failed to comply with the terms of the Consent Order in Board Case No. 2021-059, by preparing, signing, sealing, and issuing the structural engineering work for Projects 2 and 3, as referenced above, in which Hall agreed to no longer offer to practice and/or practice structural engineering in the State of Oklahoma until such time as he takes and passes the NCEES Civil/Structural examination to prove competence in structural engineering.

38. Hall is, therefore, guilty of violating the provisions of 59 O.S. § 475.18(A)(9) by failing to comply with the terms imposed and agreed to in Board Case No. 2021-059, and is,

therefore, subject to and should be assessed the Administrative Penalties set forth in 59 O.S. § 475.20(B) and OAC § 245:15-15-23-(3) and (18).

**COUNT IV:**

The allegations contained in the Statement of Allegations/Charges Against Respondents and Count's I, II and III above are incorporated herein by reference.

39. The Firm has failed to comply with the agreed terms of the Consent Order in Board Case No. 2021-059 by issuing the structural engineering work for Projects 2 and 3, in which the Firm agreed to no longer offer to practice and/or practice structural engineering in the State of Oklahoma until such time as Hall takes and passes the NCEES Civil/Structural examination to prove competence in structural engineering.

40. The Firm is, therefore, guilty of violating the provisions of 59 O.S. § 475.18(A)(9) by failing to comply with the terms imposed and agreed to in Board Case No. 2021-059, and is, therefore, subject to and should be assessed the Administrative Penalties set forth in 59 O.S. § 475.20(B) and OAC § 245:15-15-23(3) and (18).

**COUNT V:**

The allegations contained in the Statement of Allegations/Charges Against Respondents and Count's I, II, III and IV above are incorporated herein by reference.

41. At the time Hall reviewed, signed, sealed, and issued the engineering reports for Projects 1 – 3 as the Managing and Reviewing Professional Engineer that were prepared by Martin Henry, Hall did not meet the requirements for maintaining direct control and personal supervision of Henry.

42. Hall is, therefore, guilty of violating the provisions of 59 O.S. § 475.18(A)(10) for reviewing, signing, and sealing the engineering work that were not prepared under his direct

control and personal supervision and is, therefore, subject to and should be assessed the Administrative Penalties set forth in 59 O.S. § 475.20(B) and OAC § 245:15-15-23(3) and (18).

**COUNT VI:**

The allegations contained in the Statement of Allegations/Charges Against Respondents and Count's I, II, III, IV and V above are incorporated herein by reference.

43. At the time the Firm issued the engineering reports for Projects 1 – 3 as signed and sealed by Hall as the Managing and Reviewing Professional Engineer that were prepared by Martin Henry, the Firm aided Hall in his failure to meet the requirements for maintaining direct control and personal supervision of Henry.

44. The Firm is, therefore, guilty of violating the provisions of 59 O.S. § 475.18(A)(10) by issuing the engineering reports for Projects 1 – 3 as signed and sealed by Hall as the Managing and Reviewing Professional Engineer that were not prepared under Hall's direct control and personal supervision and is, therefore, subject to and should be assessed the Administrative Penalties set forth in 59 O.S. § 475.20(B) and OAC § 245:15-15-23(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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