STATE OF MINNESOTA
BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING, LANDSCAPE ARCHITECTURE, GEOSCIENCE AND INTERIOR DESIGN

In the Matter of Leroy H. J. Nyhus
License No. 10981

ORDER TO NOT ISSUE, RENEW, OR TRANSFER LICENSE

Board File No. 2004-0067

1. The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") is authorized pursuant to Minn. Stat. §§ 326.02-326.15 (2002) to license, regulate, and discipline persons who apply for, or hold a professional engineering license in the State of Minnesota and is further authorized pursuant to Minn. Stat. §§ 326.111 and 214.10 (2002) to initiate appropriate disciplinary action.

2. Mr. Leroy H. J. Nyhus ("Respondent") has been and is now subject to the jurisdiction of the Board from which he holds a professional engineering license, which expires June 30, 2004.

3. Pursuant to Minn. Stat. § 270.72, subd. 1 (2002), the Board must not issue, renew or transfer a professional license if the license holder owes delinquent state taxes, penalties, or interest, and the Minnesota Commissioner of Revenue so notifies the Board.

4. On June 7, 2004, the Board received a Notice of Requirement for Tax Clearance from the Minnesota Department of Revenue, which advised the Board that Respondent has an outstanding tax liability. Under Minn. Stat. § 270.72 (2002), the Board must not issue, renew, or transfer Respondent's license.

ORDER

1. IT IS HEREBY ORDERED that Respondent's license shall not be ISSUED, RENEWED, OR TRANSFERRED pursuant to Minn. Stat. § 270.72, subd. 1

(2002). During the period Respondent is not licensed as a professional engineer, Respondent shall not offer to perform or perform any services in this state that require licensure as a professional engineer, including holding himself out to the public as a professional engineer.

2. IT IS FURTHER ORDERED that during the period Respondent is not licensed as a professional engineer, Respondent shall remove the designation of being a licensed professional engineer from all Respondent's advertisements, business cards, business forms, and signage.

3. IT IS FURTHER ORDERED that this Order shall take effect immediately and shall remain in effect until the Board receives a Tax Clearance Certificate from the Minnesota Department of Revenue indicating that Respondent does not owe the State any uncontested delinquent taxes, penalties, or interest and has filed all required returns. If a Tax Clearance Certificate is received, the Board shall then issue an Order to rescind this Order prohibiting the issuance, renewal, or transfer of Respondent's license.

Dated: 6/9/04

STATE OF MINNESOTA
BOARD OF ARCHITECTURE,
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LANDSCAPE ARCHITECTURE,
GEOSCIENCE AND INTERIOR DESIGN

JAMES O'BRIEN, FAIA, CID
Board Chair