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

In the Matter of
Shane Granger, Unlicensed

CEASE AND DESIST ORDER
AND
NOTICE OF RIGHT TO HEARING

Board File No: 2011-0021

TO: Shane Granger
2749 Lismore Road
Duluth, Minnesota 55804-9614

ALLEGATIONS

The Complaint Committee of the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") alleges as follows:

1. A complaint concerning Shane Granger ("Respondent") has been received and reviewed by the Board's Complaint Committee.

2. Respondent is not currently and never has been licensed by the Board as a Land Surveyor in the State of Minnesota.

3. In response to a letter from the Board's Investigator, Respondent sent correspondence to the Board in January 2011, stating that since 2005, he and a relative who was licensed by the Board as a Land Surveyor jointly owned and operated a land surveying business in Minnesota, and that Respondent performed field work under his relative's license.

4. In his correspondence to the Board, Respondent admits: (a) that he conducted the research, field work and calculations for a boundary survey for one line of a property located in Duluth, Minnesota

in August 2010; (b) that as part of his work, Respondent placed wooden stakes with ribbon on the property line and placed irons in the same property; (c) that in conjunction with this work, he made representations to the client that the work would be performed under the license of his relative; and (d) that his relative's Land Surveyor License had lapsed at the time Respondent performed this work. Respondent indicates in his correspondence that his relative voluntarily decided not to renew his license.

5. Respondent's actions listed in paragraph 4 above violated Minnesota Statutes Section 326.02, subdivisions 1 and 4 and Section 326.03, subdivision 1 (2010).

6. The following order is in the public interest.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Minnesota Statutes section 326.111, subdivision 3 (2010), that Respondent Shane Granger shall **CEASE AND DESIST** from holding himself out as a land surveyor in Minnesota, from practicing land surveying in Minnesota, and from further violations of Minnesota Statutes sections 326.02 through Minnesota Statutes section 326.15 (2010) until such time as he becomes licensed as a Land Surveyor in the State of Minnesota.

NOTICE OF RIGHT TO HEARING

Pursuant to Minnesota Statutes section 326.111, subdivision 3 (2010), Respondent may request a hearing in this matter. Such request must be in writing and served upon the Board within thirty days after service of this Order, whereupon a hearing will be held within thirty days after receipt of the request unless Respondent and the Complaint Committee agree that the hearing be scheduled after the thirty-day period. In accordance with Minnesota Statutes section 326.111, subdivision 3 (2010), if no hearing is requested by Respondent within thirty days of service of this Order, this Order will become final and will remain in effect until it is modified or vacated by the Board.

In the event a hearing is scheduled in this matter, it will be held before an administrative law judge of the Office of Administrative Hearings for the State of Minnesota, 600 North Robert Street, Saint Paul, Minnesota, 55101, Telephone: (651) 361-7900. All parties have the right to represent themselves or be represented throughout the proceedings herein by legal counsel or a person of their choice if not otherwise prohibited as the unauthorized practice of law. The hearing will be conducted pursuant to the contested case procedures as prescribed in Minnesota Statutes section 14.57 (2010) to Minnesota Statutes section 14.69 (2010), as amended, and the Rules of the Office of Administrative Hearings, Minnesota Rules Chapter 1400.5010 through Minnesota Rules Chapter 1400.8401 (2011). Failure to attend the hearing in this matter may result in the allegations of this Order being taken as true and deemed proved without further evidence, the proceeding being determined against the party failing to attend. Questions concerning this Order may be directed to Assistant Attorney General Michele Owen, 1800 NCL Tower, 445 Minnesota Street, St. Paul, Minnesota 55101, Telephone: (651) 757-1322.

Copies of the above-cited statutes and procedural rules are available on-line at www.revisor.leg.state.mn.us or may be purchased from the Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155, telephone: (651) 297-3000.

IF YOU NEED A REASONABLE ACCOMMODATION for a disability in order to participate in the hearing process, such an accommodation can be made available upon advance request so that the hearing is accessible. Examples of reasonable accommodations include wheelchair accessibility, an interpreter, or Braille or large-print materials. If any party requires an interpreter, including a foreign language interpreter, the Board office must be promptly notified. To arrange an accommodation or an interpreter, you may contact Doreen Frost, Executive Director of the Board, Suite 160, 85 East Seventh Place, St. Paul, Minnesota 55101, or you may call: Voice (651) 296-2388 or TDD (651) 297-5353.

Dated: Oct 14, 2011

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

Lisa Hanni, LS
Complaint Committee Chair

AFFIDAVIT OF SERVICE BY MAIL

RE: In the matter of Mr. Shane Granger
File Number 2011-0021

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Lynette DuFresne, being first duly sworn, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on this the 14th day of OCTOBER, 2011, she served the attached **CEASE AND DESIST ORDER AND NOTICE OF RIGHT TO HEARING,** along with a **Tennessen Warning For Subject Of An Investigation,** by depositing in the United States mail at said city and state, a true and correct copy thereof, properly enveloped, with first class and certified postage prepaid, and addressed to:

Shane Granger
2749 Lismore Road
Duluth, Minnesota 55804-9614

CERTIFIED MAIL
Return Receipt Requested
7010 0780 0001 5886 2814

Lynette DuFresne

Subscribed and sworn to before me on this the 14th day of October, 2011.

Beverly A. Carey
(Notary Public)

BEVERLY A. CAREY
NOTARY PUBLIC
MINNESOTA
My Commission Expires Jan. 31 2015