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

In the Matter of the Engineering Activities of Scott Lee Lasky

SETTLEMENT AGREEMENT
AND
CEASE AND DESIST ORDER

Board File No. 2013-0104

TO: Mr. Scott Lee Lasky
3331 North East 32nd Street
Fort Lauderdale, Florida 33308

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") is authorized pursuant to Minnesota Statutes section 214.10 (2012) and Minnesota Statutes section 326.111 (2012) to review complaints concerning the unauthorized practice of architecture, professional engineering, land surveying, landscape architecture, geoscience and interior design, and to take action pursuant to those statutes whenever appropriate.

The Board received a complaint concerning Scott Lee Lasky ("Respondent"). The Board's Complaint Committee ("Committee") reviewed the information. The parties have agreed that the matter may now be resolved by this Settlement Agreement and Cease and Desist Order.

SETTLEMENT AGREEMENT

IT IS HEREBY AGREED by and between Respondent and the Committee as follows:

1. Jurisdiction. Pursuant to Minnesota Statutes section 326.111, subdivision

3 (2012), the Board is authorized to issue an order requiring an unlicensed person to cease and desist from practicing Professional Engineering in the State of Minnesota. Respondent is subject to the jurisdiction of the Board with respect to the matters referred to in this Settlement Agreement and Cease and Desist Order.

2. Facts. This Settlement Agreement is based upon the following facts:

a. Respondent was first licensed as an Architect in the State of Minnesota on September 23, 2009, license number 47734. As of the date of this Settlement and Agreement and Cease and Desist Order, Respondent's Architect license in Minnesota is current with an expiration date of June 30, 2014.

b. Respondent is not currently and never has been licensed by the Board as a Professional Engineer in the State of Minnesota.

c. On June 17, 2013, Respondent self-reported in a telephone conversation with the Board Investigator that he may have practiced as a Professional Engineer as he erroneously signed the mechanical, plumbing and electrical drawings for a project that he worked on in Saint Louis Park, Minnesota.

d. Respondent practiced professional engineering, as defined in Minnesota Statutes section 326.02, subdivisions 1 and 3, without a Minnesota Professional Engineer license, by signing the following plans for a Saint Louis Park, Minnesota project on March 6, 2013:

d.1 P-1, plumbing plan

d.2 P-2, plumbing plan

d.3 P-3, plumbing riser plan

d.4 M-1, HVAC plan

d.5 M-2, roof plan

d.6 M-3, details (Roof-top, HVAC unit, ceiling exhaust fan detail, duct detector detail, duct mounting detail, duct supports, etc.)

d.7 E-1, electrical plan

d.8 E-2, electrical panels & riser plan

e. Furthermore, Respondent practiced professional engineering, as defined in Minnesota Statutes section 326.02, subdivisions 1 and 3, without a Minnesota Professional Engineer license, by signing the following plans for a Minneapolis, Minnesota project on August 4, 2009:

d.1 P-1, plumbing plan

d.2 P-2, plumbing risers & details

d.3 G-1, gas pipe plan & riser

d.4 M-1, HVAC plan

d.5 M-2, HVAC details

d.6 E-1, electrical plan

d.7 E-2, electrical plan

d.8 E-3, electrical plan & riser

3. Violations. Respondent admits that the facts specified above constitute violations of Minnesota Statutes section 326.02, subdivisions 1 and 3 and section 326.03, subdivision 1 (2012) and are sufficient grounds for the action specified below. Specifically, Respondent practiced as a professional engineer, when he signed and certified the electrical, mechanical, plumbing, and gas lines plans for projects located in Saint Louis Park, Minnesota and in Minneapolis, Minnesota.

4. Enforcement Action. Respondent and the Committee agree that the Board may issue an Order in accordance with the following terms:

a. Cease and Desist Order. Respondent shall cease and desist from practicing Professional Engineering in Minnesota until such time as he becomes licensed as a Professional Engineer in the State of Minnesota.

b. Civil Penalty. Respondent shall pay a civil penalty of Five Thousand Dollars ($5,000.00) to the Board. Respondent shall submit (2) payments of $2,500.00 each in form of a check or money order to the Board within sixty (60) days of the date of the Board Order approving this Settlement Agreement and Cease and Desist Order.

5. Judicial Relief. If the Respondent violates paragraph 4 above, a district court of this state may, upon application of the Committee, enter an Order enjoining Respondent from such unauthorized practices, ordering Respondent to show cause why the required civil penalty has not been paid, and granting the Board its costs, reasonable attorney fees, and other appropriate relief.

6. Waiver of Respondent's Rights. For the purpose of this Settlement Agreement, Respondent waives all procedures and proceedings before the Board to which Respondent may be entitled under the Minnesota and United States constitutions, statutes, or the rules of the Board, including the right to dispute the allegations against Respondent and to dispute the appropriateness of discipline in a contested case proceeding pursuant to Minnesota Statutes Chapter 14 (2012). Respondent agrees that upon the application of the Committee without notice to or an appearance by Respondent, the Board may issue an Order requiring the action specified in paragraph 4 herein. Respondent waives the right to any judicial review of

this Settlement Agreement and Cease and Desist Order or the attached Board Order by appeal, writ or certiorari, or otherwise.

7. Collection. In accordance with Minnesota Statutes section 16D.17 (2012), in the event this order becomes final and Respondent does not comply with the condition in paragraph 4(b) above, Respondent agrees that the Board may file and enforce the unpaid portion of the civil penalty as a judgment without further notice or additional proceedings.

8. Board Rejection of Settlement Agreement and Cease and Desist Order. In the event the Board in its discretion does not approve this Settlement Agreement and Cease and Desist Order, this Settlement Agreement shall be null and void and shall not be used for any purpose by either party hereto. If this Settlement Agreement is not approved and a contested case proceeding is initiated pursuant to Minnesota Statutes Chapter 14 (2012), Respondent agrees not to object to the Board's initiation of the proceeding and hearing the case on the basis that the Board has become disqualified due to its review and consideration of this Settlement Agreement and the record.

9. Record. The Settlement Agreement, related investigative reports and other documents shall constitute the entire record of the proceedings herein upon which the Order is based. The investigative reports, other documents, or summaries thereof may be filed with the Board with this Settlement Agreement.

10. Data Classification. Under the Minnesota Government Data Practices Act, this Settlement Agreement and Cease and Desist Order is classified as public data upon its issuance by the Board, Minnesota Statutes section 13.41, subdivision 5 (2012). All documents in the record shall maintain the data classification to which they are

entitled under the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13 (2012). They shall not, to the extent they are not already public documents, become public merely because they are referenced herein. A summary of this Settlement Agreement and Cease and Desist Order will appear in the Board's newsletter. A summary will also be sent to the national discipline data bank pertaining to the practice of Professional Engineering.

11. Unrelated Violations. This settlement shall not in any way or manner limit or affect the authority of the Board to proceed against Respondent by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Respondent justifying disciplinary action which occurred before or after the date of this Settlement Agreement and which is not directly related to the specific facts and circumstances set forth herein.

12. Entire Agreement. Respondent has read, understood, and agrees to this Settlement Agreement and Cease and Desist Order and is freely and voluntarily signing it. The Settlement Agreement and Cease and Desist Order contains the entire agreement between the parties. Respondent is not relying on any other agreement or representations of any kind, verbal or otherwise.

13. Counsel. Respondent is aware that he may choose to be represented by legal counsel in this matter. Respondent knowingly waived legal representation.

14. Service. If approved by the Board, a copy of this Settlement Agreement and Cease and Desist Order shall be served personally or by first class mail on Respondent. The Settlement Agreement shall be effective and deemed issued when it is signed by the Chair of the Board.

RESPONDENT

Dated: July 17, 2014

Scott Lee Lasky

SUBSCRIBED and sworn to before me on
this the 17 day of July, 2014.

(Notary Public)

My Commission Expires

R.M. DEFRANCESCO
Commission # EE 034216
Expires October 22, 2014
Bonded Thru Troy Fain Insurance 800-385-7019

COMPLAINT COMMITTEE

DATED: Aug 7, 2014

~~Bruce Johnson, PG~~ DAVID W. KRECH, P.E.
Committee Chair

ORDER

Upon consideration of the foregoing Settlement Agreement and Cease and Desist Order and based upon all the files, records, and proceedings herein, all terms of the Settlement Agreement and Cease and Desist Order are approved and adopted and hereby issued as an Order of this Board this the 7th day of August, 2014.

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

By:
Board Chair

AFFIDAVIT OF SERVICE BY MAIL

RE: In the Matter of the Engineering Activities of Scott Lee Lasky, Board File No. 2013-0104

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 8th day of AUGUST, 2014, she served the attached **Settlement Agreement and Cease and Desist Order**, 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:

Mr. Scott Lee Lasky
3331 North East 32nd Street
Fort Lauderdale, Florida 33308

CERTIFIED MAIL
Return Receipt Requested
7012 0470 0000 4959 0639

Lynette DuFresne
Lynette DuFresne

Subscribed and sworn to before me on this the 8th day of August, 2014.

Victoria E Oehrlein
(Notary Public)

Victoria Elizabeth Oehrlein
NOTARY PUBLIC
MINNESOTA
My Commission Expires Jan. 31, 2015