

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

In the Matter of

**STIPULATION AND  
CONSENT ORDER**

Vladimir Sivriver  
Land Surveyor No. 25105 and  
Professional Engineer No. 25105

Board File No. 2023-0052

**STIPULATION**

Vladimir Sivriver (“Respondent”) and the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design’s Complaint Committee stipulate that, subject to Board’s review and discretionary approval, the Board may issue a consent order that imposes the following sanctions:

- A. Respondent’s Land Surveyor license, No. 25105, is CENSURED and REPRIMANDED pursuant to Minn. Stat. § 326.111 (2022).
- B. Respondent’s Professional Engineer license, No. 25105, is CENSURED and REPRIMANDED pursuant to Minn. Stat. § 326.111 (2022).
- C. Respondent shall pay to the Board a civil penalty of Four Thousand Dollars (\$4,000). Of this amount, \$2,000 is stayed on condition that Respondent commit no further violations of any law, rule, or order within the Board’s jurisdiction for three years after of the Board’s approval of this Stipulation and Consent Order. Respondent shall submit the imposed civil penalty of \$2,000 by check to the Board within sixty (60) days of the Board’s approval of this Stipulation and Consent Order.

D. In the event Respondent has committed no violations within three years, the stayed portion of the civil penalty shall be automatically vacated. If the Committee determines that Respondent has committed a violation within that time period, the Committee may by order lift the stay and impose the penalty, in addition to taking any other disciplinary action. Respondent may request a hearing to contest the factual basis for lifting the stay, but may not dispute the amount of the penalty.

E. Respondent shall complete 4 professional development hours related to professional ethics, and provide proof of completion of the hours to the Board, within 60 days of the Board's approval of this stipulation and Consent Order. These professional development hours are not to count toward the continuing education hours required by statute and rule for license renewal.

F. Respondent shall comply with all statutes and rules within the Board's jurisdiction. See Minn. Stat. §§ 326.02–.15 (2022) and Minn. R. chs. 1800 & 1805 (2023).

G. Respondent shall report in writing within ten days any and all violations of this stipulation and consent order to the Board's Executive Director.

Respondent and the Committee enter into this stipulation based on the following findings of fact, conclusions of law, and other stipulated provisions:

#### **Findings of Fact**

1. The Board issued Respondent a Professional Engineer license in Minnesota on January 27, 1997.

2. The Board issued Respondent a Land Surveying license in Minnesota on June 29, 2000.

3. Respondent was hired to perform a survey for his clients for a construction project on October 15, 2021. The contract was for the survey with an optional site plan and erosion control plan "if needed." The client was not charged for site plan or erosion control plan.

4. After the survey was completed and Respondent was paid on November 3, 2021, Respondent contacted the clients and told them that they needed a site plan and an erosion control plan to receive a construction permit from their city.

5. The clients researched the requirements for obtaining a construction permit and learned that they did not need a site plan or an erosion control plan to obtain one. Therefore, the clients declined to hire the Respondent to complete these additional services.

6. Respondent continued to contact the clients about having a site plan and an erosion control plan completed. The clients continued to decline the additional work.

7. The client's construction permit was approved by the city, and they informed the Respondent that they were not in need of any services due to the permit being approved.

8. After he was informed by the clients about his services not being needed, Respondent emailed the clients a new contract with the completed site plan and erosion control plan. This new contract included the prices of the site plan and erosion control plan; however, the clients refused to sign the new contract.

9. One of the clients emailed the Respondent on November 12, 2021, stating: "Yesterday I was an earwitness to your communication with <name of the other client>. She put you on speaker phone, and I heard you making threats against her and our property. As a

precautionary measure, we have contacted appropriate authorities about unauthorized trespassing on our property and are officially notifying you in writing of the same here...This is why we decided to end our business relationship with you and your company and did not proceed with any further authorization for work...During our last phone conversation, we did not give you the "go-ahead" to complete the erosion plan and the site plan. The conversation was about contracting you for those services IF THEY ARE NEEDED by the city, which THEY ARE NOT. Moreover, we never gave you the permission to survey additional trees and, as stated in your proposal, you cannot do erosion and site plans without surveying additional trees. You further indicated that you would not be available to survey additional trees for another week, but then, suddenly, produced the proposal, the documents, and the invoice, all on the same day. Therefore, your 40-hour argument falls flat on its face."

10. Respondent placed a lien against his client's property on June 16, 2022. On the lien paperwork, Respondent stated that the work was performed or furnished from October 12, 2021, to March 1, 2022. However, the clients had ceased all business interaction with him in November 2021.

11. Respondent provided false dates on the lien paperwork that he submitted and was outside the required 120-day period to submit a lien on the property since the work that he was contracted and paid for was finished in November 2021.

12. Respondent took the clients to court for breach of contract over their refusal to pay for the additional services that he completed. Respondent stated that the clients verbally authorized the additional work, which the clients denied and had previously reiterated in their November 12, 2021 email to the Respondent.

13. The Courts found that there was no breach of contract due to no contract being established for the site plan and erosion control plan. The Courts dismissed the Respondent's complaint with prejudice.

14. Respondent violated the rules of professional conduct in his interactions with the clients and in providing false dates on the lien paperwork that he submitted.

#### **Conclusion of Law**

1. The Board has authority to license and regulate Land Surveyors and Professional Engineers and to take disciplinary action as appropriate. Minn. Stat. ch. 326.111 (2022).

2. Respondent violated Minn. R. 1805.0200, subps. 1(A), (B), and 4(A), (B), (C), and (D), and 1805.0900 (2023).

3. Respondent is subject to discipline pursuant to Minn. Stat. §§ 326.111 subd. 4(a)(1), (2), and (3) (2022).

4. This stipulation and consent order is in the public interest.

#### **Other Stipulated Provisions**

1. This stipulation and consent order must be approved by the Board to become effective.

2. Respondent agrees that the Committee may move the Board *ex parte*, with or without advance notice to the Respondent, to approve this stipulation and consent order. Respondent understands that the Board may either approve the stipulation and consent order

or not approve it. This stipulation and the files, records, and proceedings associated with this matter may be reviewed by the Board in its consideration of the Committee's motion.

3. If approved by the Board, this stipulation and consent order shall be classified as public data. Minn. Stat. § 13.41, subd. 5 (2022). The Board will post a copy of this order on its website. The Board will also send a summary to the national discipline data bank pertaining to the practice of Land Surveying and Professional Engineering.

4. If the Board does not approve this stipulation and consent order, then the matter remains unresolved and the Committee may either seek to negotiate a revised stipulation and consent order with Respondent to present to the Board or issue an order commencing a contested-case hearing before an Administrative Law Judge at the Office of Administrative Hearings. *See* Minn. Stat. §§ 14.57–.62, 214.10, subd. 2 (2022) (describing administrative hearing process).

5. Respondent agrees that if this case comes before the Board again after it reviews and discusses this stipulation and consent order, Respondent waives any claim that the Board was prejudiced by its review and discussion of this stipulation and consent order and any records relating to it.

6. Respondent acknowledges that they were advised by the Committee of their right to a contested-case hearing in this matter before an Administrative Law Judge, to file exceptions and make argument to the Board after the hearing, and to seek judicial review from any adverse decision rendered by the Board. Respondent hereby expressly waives those rights. Respondent was further advised by the committee of their right to be represented by counsel and that they knowingly waive that right.

7. Respondent has read, understands, and agrees to this stipulation and has voluntarily signed it. It is expressly understood that this stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise. If approved by the Board, a copy of the final stipulation and consent order shall be served personally or by first class mail on Respondent. The Board's order shall be effective when it is signed by the Chair of the Board or the Chair's designee.

8. Pursuant to Minn. Stat. § 16D.13 (2022), any civil penalty imposed by this stipulation and consent order shall begin to accrue simple interest in accordance with that section thirty days after the civil penalty is due. Pursuant to Minn. Stat. § 16D.17 (2022), thirty days after any civil penalty imposed by this stipulation and consent order is due, the Board may file and enforce any unpaid portion of the civil penalty as a judgment against Respondent in district court without further notice or additional proceedings.

Vlad Sivriver  
Vladimir Sivriver, LS and PE

STATE OF Minnesota

COUNTY OF Hennepin

This instrument was acknowledged before me on April 03, 2024 by Vladimir Sivriver.

(stamp)



M. Belisle  
(Signature of notary officer)

My commission expires: January 31, 2027

COMPLAINT COMMITTEE



ERIC FRISKE, JD  
Chair


Dated: May 3, 2024

CONSENT ORDER

Upon consideration of this stipulation and consent order, and based upon all the files, records, and proceedings herein, all terms of the stipulation and consent order are approved. Accordingly, the Board hereby ADOPTS the stipulation and issues the ORDER described above.

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

Dated: 5/8, 2024

  
~~ER~~ MELISA RODRIGUEZ, PE  
Board Chair

DANIEL J. KELSEY, PE  
VICE CHAIR