

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

In the matter of Todd Reyling
PROFESSIONAL ENGINEER
License Number 50973

STIPULATION AND ORDER

Board File No. 2019-0062

TO: Todd Reyling, PE
4516 Boardwalk
Smithton, IL 62285

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") is authorized pursuant to Minnesota Statutes section 214.10 (2018) and Minnesota Statutes section 326.111 (2018) to review complaints against architects, professional engineers, land surveyors, landscape architects, geoscientists, and certified interior designers, and to take disciplinary action whenever appropriate.

The Board received information concerning Todd Reyling ("Respondent"). The Board's Complaint Committee ("Committee") reviewed the information. The parties have agreed that these matters may now be resolved by this stipulation and order.

STIPULATION

It is hereby stipulated and agreed by Respondent and the Committee that without trial or adjudication of any issue of fact or law and without any evidence or admission by any party with respect to any such issue:

1. Jurisdiction. Respondent was first issued a Professional Engineer license by the

Board on June 28, 2013. Respondent is subject to the jurisdiction of the Board with respect to the matters referred to in this stipulation.

2. Facts. This stipulation is based upon the following facts:

a. At the time of this stipulation and order, Respondent's Minnesota Professional Engineer license is valid.

b. During a monthly check of the National Council of Examiners for Engineering and Surveying (NCEES) disciplinary database, Board staff discovered that the Illinois Department of Financial and Professional Regulation had placed Respondent's Illinois professional engineer license on non-reporting probation for five years and imposed a civil penalty of \$5,000. The grounds for the discipline included breach of duty to loyalty, using deceptive trade practices, and engaging in dishonorable, unethical, or unprofessional conduct when he created a business in direct competition to his employer, while still being under the employ of that employer, and soliciting work from his employer's clients. Kansas, Ohio, and Kentucky also took disciplinary action against Respondent's engineering licenses, in those respective states, based on the foregoing conduct. Respondent did not report the Illinois, Ohio, or Kentucky disciplinary actions to the Board as required by Minnesota law.

3. Violations. Respondent admits that the facts specified above constitute grounds for disciplinary action against his Minnesota Professional Engineer license pursuant to Minnesota Statutes sections 326.11, subdivision 1 and 326.111, subdivision 4(a) (1)-(3), (6)-(7) (2018); Minnesota Rules 1800.0120, subpart 1D (2017); Minnesota Rules 1805.0200, subparts 1 and 4C-D (2017); Minnesota Rules 1805.0700 (2017); and Minnesota Rules 1805.0900 (2017).

Specifically, it is alleged that Respondent (a) engaged in acts that are deceptive, dishonest, negligent, and that reflect adversely on his ability or fitness to engage in the practice of engineering, (b) has had his right to practice revoked, suspended, cancelled, limited, or not renewed in another jurisdiction; (c) had his license revoked or suspended by another jurisdiction if for cause which in the state of Minnesota would constitute a violation of law or rules, shall be deemed to be a violation of the rules of professional conduct; and (d) failed to report to the Board disciplinary action taken in another jurisdiction within 60 days.

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

a. Suspension. Respondent's professional engineering license is hereby SUSPENDED effective the date of the Board's approval of this stipulation and order through June 30, 2020.

b. Respondent may not apply for reinstatement of his professional engineer license until July 1, 2021.

c. Civil Penalty. Respondent shall pay a civil penalty of \$2,000 by check to the Board within 60 days of the date of the Board's approval of this of this stipulation and order.

5. Waiver of Respondent's Rights. For the purpose of this stipulation, 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, to dispute the appropriateness of discipline in a contested-case proceeding pursuant to Minnesota Statutes Chapter 14 (2018),

and to dispute the civil penalty imposed by this agreement. Respondent agrees that upon the application of the Committee without notice to or an appearance by Respondent, the Board may issue an order containing the enforcement action specified in paragraph 4 herein. Respondent waives the right to any judicial review of the order by appeal, writ of certiorari, or otherwise.

6. Collection. Pursuant to Minnesota Statutes section 16D.17 (2018), after 90 days of the Board's approval of this stipulation and order, the Board may file and enforce any unpaid portion of the civil penalty imposed by this order as a judgment against the Respondent in district court without further notice or additional proceedings.

7. Board Rejection of Stipulation and Order. In the event the Board in its discretion does not approve this stipulation and order or a lesser remedy than specified herein, this stipulation and order shall be null and void and shall not be used for any purpose by either party hereto. If this stipulation is not approved and a contested-case proceeding is initiated pursuant to Minnesota Statutes Chapter 14 (2018), Respondent agrees not to object to the Board's initiation of the proceedings and hearing the case on the basis that the Board has become disqualified due to its review and consideration of this stipulation and the record.

8. 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 stipulation and order and which is not directly related to the specific facts and circumstances set forth herein.

9. Record. The stipulation, related investigative reports, and other documents shall constitute the entire record of the proceedings herein upon which the order is based. The

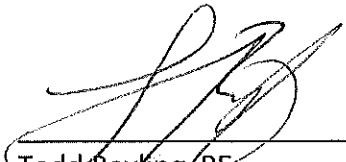
investigative reports, other documents, or summaries thereof may be filed with the Board with this stipulation.

10. Data Classification. Under the Minnesota Government Data Practices Act, this stipulation and order is classified as public data upon its issuance by the Board, Minnesota Statutes section 13.41, subdivision 5 (2018). 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 (2018). They shall not, to the extent they are not already public documents, become public merely because they are referenced herein. A summary of this 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 engineering.

11. Entire Agreement. Respondent has read, understood, and agreed to this stipulation and is freely and voluntarily signing it. The stipulation contains the entire agreement between the parties hereto relating to the allegations referenced herein. Respondent is not relying on any other agreement or representations of any kind, verbal or otherwise.

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

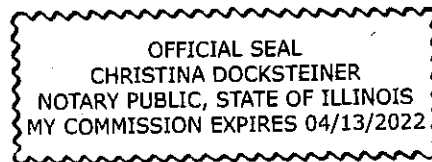
13. Service. If approved by the Board, a copy of this stipulation and order shall be served personally or by first class mail on Respondent. The order shall be effective and deemed issued when it is signed by the chair of the Board.



Todd Reyling, PE


RESPONDENT

Dated: 9-09, 2019



SUBSCRIBED and sworn to before me on

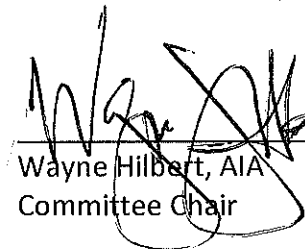
this, the 9th day of September, 2019.



(Notary Public)

My Commission Expires:

4/13/2022



Wayne Hilbert, AIA
Committee Chair

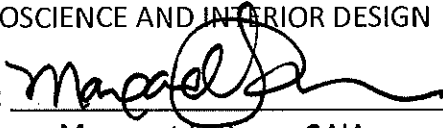
COMPLAINT COMMITTEE

Dated: 9.24.19, 20

ORDER

Upon consideration of the foregoing stipulation and order and based upon all the files, records, and proceedings herein, all terms of the stipulation and order are approved and adopted and hereby issued as an order of this Board this the 24th day of September, 2019.

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

By: 

Margaret S. Parsons, AIA
Board Chair

AFFIDAVIT OF SERVICE BY MAIL

**RE: In the matter of Todd Reyling
PROFESSIONAL ENGINEER
License Number 50973**

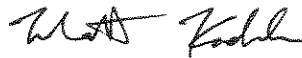
STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Matt Kaehler, being first duly sworn, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on this the 24th day of September, 2019, he served the attached **stipulation and 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:

Todd Reyling
4516 Boardwalk
Smithton, IL 62285

**CERTIFIED MAIL
Return Receipt Requested
7017 3040 0000 1241 2240**



Matt Kaehler

Subscribed and sworn to before me on
this the 24th day of September, 2019.

Victoria E Oehrlein
(Notary Public)

