

**BEFORE THE STATE OF MARYLAND BOARD FOR PROFESSIONAL ENGINEERS**

**BOARD FOR PROFESSIONAL  
ENGINEERS**

v.

**ABDUL HAI SHEIKH**  
*Respondent*

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\* **Agency Case No.: 03-PE-21**  
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**SETTLEMENT AGREEMENT AND CONSENT ORDER**

This matter comes before the Maryland Board for Professional Engineers (“Board”) as the result of a Complaint filed by Wayne Moore, P.E. against Abdul Hai Sheikh, P.E. (“Respondent”) for alleged violations of the Maryland Professional Engineers Act (“Act”), codified at Md. Code Ann. Business Occupations and Professions Article (“BUS. OCC. & PROF.”) §§ 14-101 to 602, and related regulations, codified at Code of Maryland Regulations (“COMAR”) 09.23.01.01 to 09.23.06.15. As a result of the Complaint and its investigation, the Board has determined that administrative charges against the Respondent are appropriate. However, the Board and the Respondent (collectively “Parties”) have agreed to enter into this Settlement Agreement and Consent Order (“Consent Order”) to resolve the Complaint, so agree and stipulate as follows:

1. At all relevant times the Board had, and continues to have, jurisdiction over the subject matter of this Complaint and the Respondent, who holds a license issued by the Board to practice engineering (“license”) under number 05-44326.
2. The Complainant, Wayne Moore, P.E., has held a Maryland license without interruption since 2016 and engages in the business of providing engineering services.
3. On or about August 19, 2020, Mr. Moore filed a complaint with the Board against the Respondent alleging in part that the Respondent completed, corrected, revised, or added to engineering work performed by Mr. Moore and Moore and Associates Engineering & Consulting, Inc. (“M&A”) without notifying Mr. Moore or M&A.
4. Per COMAR 09.23.03.09(C), a licensee may complete, correct, revise, or add to the work performed by another licensee when engaged to do so by a client, if the following requirements are met:
  - (1) The client furnishes the documentation of the work submitted to the client by the first licensee;

- (2) The first licensee, if still engaged in a business of providing engineering services, is notified in writing by the second licensee of the engagement referred to in this section immediately upon acceptance of the engagement; and
  - (3) The second licensee signs, seals, and is responsible for the completions, corrections, revisions, or additions that the second licensee made.
5. The Complaint and subsequent Board investigation revealed that on or about May 19, 2020, the Respondent signed and sealed engineering plans for a project located at 5310 Hanover Pike, Manchester, MD 21102 bearing M&A's title block on multiple pages.
6. The Respondent was not affiliated with Mr. Moore or M&A and did not notify either about the project or his utilization of drawings bearing M&A's title block.
7. Those drawings were submitted to Carroll County Government offices for permitting.
8. During the investigation, the Respondent indicated to the Board that he did not see the name, signature, seal, and address of any professional engineer on the drawings, so there was no way for him to know that the drawings were prepared by a professional engineer or to notify that professional engineer.
9. Yet, the Board's investigation revealed that a routine Google search for "Moore and Associates Engineering & Consulting, Inc." located: (1) M&A's website; (2) M&A's Facebook page; and (3) M&A's LinkedIn page.
10. Each website contained contact information for M&A and extensive information about it.
11. With minimal effort, the Respondent could have identified and notified the professional engineer who prepared the drawings through an internet search and follow-up communication.
12. Based upon the above, the Respondent agrees and admits to having violated COMAR 09.23.03.09(C).
13. Pursuant to BUS. OCC. & PROF. § 14-317(a)(1)(vi), and subject to the hearing provisions of §14-319, the Board may reprimand a licensee, suspend a license, or revoke a license if "the applicant or licensee violates any regulation adopted by the Board;"
14. The Respondent hereby agrees and admits that by violating COMAR 09.23.03.09(C) he has violated BUS. OCC. & PROF. § 14-317(a)(1)(vi), and consents to the Board entering a reflective Order.
15. Further, pursuant to BUS. OCC. & PROF. § 14-317(a)(2)(i), "[i]nstead of or in addition to reprimanding a licensee or suspending or revoking a license under this subsection, the Board may impose a penalty not exceeding \$5,000 for each violation."

16. As a sanction, the Respondent agrees to pay a ONE THOUSAND DOLLAR (\$1,000) civil monetary penalty to the Board by certified check or money order made payable to the "Maryland Board for Professional Engineers" within thirty (30) days of signing this Consent Order.
17. The Respondent agrees and acknowledges that failure to pay the civil monetary penalty as agreed herein shall result in the immediate and automatic suspension of the Respondent's license without a hearing, and that the suspension shall continue until the Respondent has provided evidence satisfactory to the Board that evidences full compliance with this Consent Order's terms.
18. The Respondent agrees and acknowledges that this Consent Order shall constitute a Final Order of the Board and shall be enforceable as such.
19. By entering this Consent Order, the Respondent in relation to this matter waives the right to have charges reduced to writing, to an administrative hearing before the Board or its designee on any charges, to the making of Findings of Fact and Conclusions of Law, to all other proceedings before the Board or its designee on this matter, and to all rights to appeal from this Consent Order to any court of competent jurisdiction.
20. The Parties agree that a waiver of any of the rights or duties provided herein must be explicit and in writing, and that any waiver constitutes a one-time waiver on a case-by-case basis and not a waiver of this entire Consent Order or the subject provision(s).
21. Because each Party has had the opportunity to participate in this Consent Order's drafting, no provision of this Consent Order shall be interpreted for or against any Party hereto by reason that said Party, or their legal representative, drafted all or any part hereof.
22. The Parties agree that this Consent Order represents the final expression of their intent and agreement relating to the subject matter of this Consent Order. The Parties further agree that this Consent Order contains all the terms the Parties agreed to on the subject matter of this Consent Order and intend for this Consent Order to replace all the Parties' previous discussions, understandings, and agreements relating to the subject matter.
23. The Respondent hereby agrees and acknowledges that the Respondent enters this Consent Order knowingly, voluntarily, and intelligently having read this Consent Order in full and after either having consulted with or after having had the opportunity to consult with private counsel.
24. The Parties agree and acknowledge that this Consent Order shall serve as the final resolution of Complaint No. 03-PE-21, serve as the Final Order in this matter, be a part of the Respondent's record that is maintained by the Board, and that the Board's records and publications shall reflect the Consent Order's terms.

**BASED ON THESE STIPULATIONS AND AGREEMENTS, IT IS THIS 4 DAY OF July, 2022, BY THE STATE BOARD FOR PROFESSIONAL ENGINEERS HEREBY:**

- I. **ORDERED** that the Respondent violated BUS. OCC. & PROF. §14-317(a)(1)(vi) by violating COMAR 09.23.03.09(C); and it is further
- II. **ORDERED** that the Respondent shall pay a ONE THOUSAND DOLLAR (\$1,000) civil monetary penalty to the Board by certified check or money order made payable to the "Maryland Board for Professional Engineers" within thirty (30) days of signing this Consent Order; and it is further
- III. **ORDERED** that failure to pay the civil monetary penalty as agreed herein shall result in the immediate and automatic suspension of the Respondent's license without a hearing, and that suspension shall continue until the Respondent has provided evidence satisfactory to the Board that evidences full compliance with this Consent Order's terms; and it is further
- IV. **ORDERED** that unless otherwise specified in this Consent Order, each provision herein shall remain in effect and enforceable as herein agreed unless the Board in writing stays, modifies, terminates, or suspends it; and it is further
- V. **ORDERED** that this document shall constitute a Final Order of the Board, and the Board may consider this Consent Order and the facts set forth herein in connection with, and in deciding, any subsequent action or proceeding before the Board, and that this Consent Order may, if relevant, be admitted into evidence in any matter before the Board, its designee, and/or any court; and it is further
- VI. **ORDERED** that the Board's records and publications shall reflect that the Respondent and the Board resolved this matter through this Consent Order.

**MARYLAND BOARD FOR  
PROFESSIONAL ENGINEERS**

By:

Signature on File

David G. Mongan, P.E., Chair

**AGREED:**

07/04/2022  
Date

Signature on File

Abdul Hai Sheikh, P.E., Respondent