

STATE OF ALABAMA BOARD OF LICENSURE  
FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

IN THE MATTER OF: )

Gerry Hooper )  
Pinnacle Home Inspections )  
2301 Jefferson Avenue SW )  
Decater, AL 35603 )

Respondent )  
\_\_\_\_\_)



Case No. 2015-12-C  
Case No. 2015-17-C  
Case No. 2015-23-C  
Case No. 2015-24-C

CONSENT ORDER

Gerry Hooper, an individual (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to approval of the Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as the "Board") as follows:

STIPULATED FACTS

Respondent stipulates he has never received an Alabama professional engineer license issued by the Board. ✓

Respondent stipulates he maintained an internet website that identified him as a licensed structural engineer, and further identified that he held licenses described as "Structural AL #88710" and "Professional Engineer USA #22246." • HARTSALE City Union

Respondent stipulates he identified himself as a professional engineer via business cards and reports.

Respondent stipulates he provided a list of one hundred and sixty-four (164) projects to the Board in which he identified himself as a professional engineer. ✓

Respondent stipulates a Board Technical Advisor reviewed fourteen of the one hundred and sixty-four (164) identified projects and provided a report that states the reports are examples

of the practice of engineering because the documents state the services performed and opinions offered are those of an Alabama licensed professional engineer.

### **STIPULATED CONCLUSIONS OF LAW**

Respondent admits he is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11 and the jurisdiction of the Board.

Respondent stipulates his conduct as set forth in the foregoing "Stipulated Facts" constitutes violations of Title 34 Chapter 11 Code of Alabama 1975 § 34-11-15(a), § 34-11-16(a)1.

Respondent stipulates his conduct as set forth in the "Stipulated Facts" is a violation of those statues set forth above, and he is subject to disciplinary action under Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11.

### **STIPULATED DISPOSITION**

Respondent understands this Consent Order and subsequent Final Order will be a public record and will be published on the Board's website and in its newsletter.

Respondent agrees he will not in the future violate the provisions of Title 34, Chapter 11, of the Code of Alabama.

Respondent agrees he will **cease and desist** identifying himself in any media as a professional engineer. 

Respondent agrees to submit payment of a six thousand six hundred and eighty-eight dollar and seventy-five cents (\$6,688.75) civil penalty to the Board via a certified check made payable to the state of Alabama General Fund with this signed Consent Order.

Respondent agrees to submit payment of eight hundred, eleven dollars and twenty-five cents (\$811.25) to the Board via a certificated check or money order made payable to the PE/PLS Fund with this signed Consent Order.

Respondent understands this Consent Order is subject to the approval of the Board and has no force and effect until the Final Order based upon it is rendered by the Board.

Respondent understands in order to make a decision relative to approving this Consent Order discussions must take place between Board Members, Board Staff and Board Counsel. Respondent understands that this discussion will take place at a regularly scheduled meeting of the Board.

Respondent understands that should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation in or resolution of these proceedings. Likewise, if this Consent Order is not accepted, the Board shall not take into consideration the contents of this Order as evidence of an admission.

Respondent understands he has the right to seek the advice of legal counsel. Respondent also understands he has the right to a formal fact finding hearing before the Board, to compel the testimony of witnesses, to cross-examine witnesses against him, and to obtain judicial review of the Board's decision in said formal hearing, but expressly waives these rights with the execution of this Consent Order.

Respondent expressly waives all other rights to challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law, imposition of administrative action contained herein, and the Final Order of the Board incorporating the Consent Order. Respondent, for the purpose of avoiding further administrative action with respect to this cause executes this Consent Order.

SIGNED this the 26 day of August, 2015

  
Gerry Hooper  
Pinnacle Home Inspections

APPROVED:

  
Benjamin H. Albritton  
Assistant Attorney General

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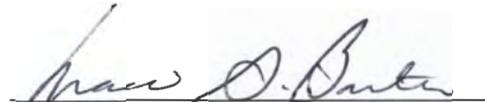
Case No. 2015-12-C  
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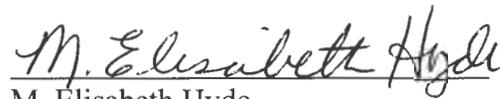
**FINAL ORDER**

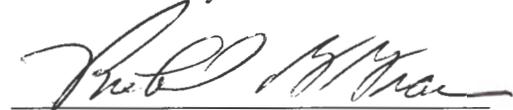
The Alabama Board of Licensure for Professional Engineers and Land Surveyors having considered the consent order signed by Gerry Hooper in which he stipulated he violated the Code of Alabama 1975, § 34-11-15(a), and § 34-11-16(a)(1), hereby adopts the Consent Order and issues this Final Order.

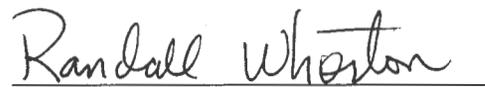
The Consent Order and Final Order take immediate effect upon the signing of this Final Order and the Respondent is **ORDERED** to abide by the Consent Order and Final Order as approved by the Alabama Board of Licensure for Professional Engineers and Land Surveyors.

**ENTERED** this the 24th day of September, 2015

  
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Marc S. Barter

  
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M. Elisabeth Hyde

  
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Richard G. Grace

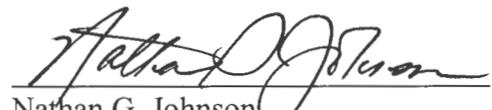
  
\_\_\_\_\_  
Randall D. Whorton

**RECUSED**

\_\_\_\_\_  
A. Frazier Christy

**DID NOT ATTEND**

\_\_\_\_\_  
Charles P. Willis

  
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Nathan G. Johnson