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RON DeSANTIS, GOVERNOR
 STATE OF FLORIDA

HALSEY BESHEARS, SECRETARY
 DEPT. OF BUSINESS AND PROFESSIONAL REGULATION

March 26, 2019

Boyd Corbin
 12 NE 26 Street
 Wilton Manors, Florida 33305

RE: CHRISTINE W. FANCHI, P.E.
 Case Number: 2018027304

Dear Mr. Corbin:

This letter is sent to inform you of the action taken in regard to the complaint filed by you against Christine Fanchi, P.E.

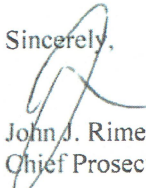
This case was investigated by the Florida Engineers Management Corporation ("FEMC"), reviewed by FEMC's legal staff, and then presented to the Probable Cause Panel of the Board of Professional Engineers ("Panel") in accordance with Section 455.225, Florida Statutes.

After reviewing the entire investigative file and considering the recommendations of FEMC, the Panel directed that an Administrative Complaint be filed against Christine Fanchi, P.E. by the FBPE, and the same has been filed with the Department of Business and Professional Regulations. Enclosed please find a copy of the Administrative Complaint.

You will be notified of the progress of the case. We may contact you in the future if your testimony is needed at a Formal Hearing.

If you have any questions, please do not hesitate to contact me at (850) 521-0500.

Sincerely,


 John J. Rimes, III
 Chief Prosecuting Attorney

Enclosure

Board Members

KENNETH TODD, P.E. CHAIR (Civil) 1/30/12-10/31/19	VIVIAN BOZA (Public) 7/22/13-10/31/19	PANKAJ (PJ) SHAH, P.E. (Civil) 5/25/17-10/31/20	VACANCY (Engineering)
BABU VARGHESE, P.E., S.I. VICE CHAIR (Civil) 2/20/15-10/31/20	SCOTT DRURY, P.E. (Mechanical) 2/21/18-10/31/21	WALID SOBH, P.E. (Civil) 5/1/18-10/31/18	VACANCY (Public)
DYLAN ALBERGO, P.E. (Civil) 2/21/18-10/31/21	C. KEVIN FLEMING, P.E. (Electrical) 3/27/15-10/31/18	VACANCY (Education)	ZANA RAYBON Executive Director

FILED
Florida Engineers
Management Corporation
3/25/2019 Clerk: Rebecca Valentine

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FILED
Department of Business and Professional Regulation
Deputy Agency Clerk
CLERK **Evette Lawson-Proctor**
Date **3/25/2019**
File #

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

Petitioner,

v.

FEMC Case No. 2018027304

CHRISTINE W. FANCHI, P.E.,

Respondent,

ADMINISTRATIVE COMPLAINT

COMES NOW the Florida Engineers Management Corporation (FEMC) on behalf of Petitioner, Florida Board of Professional Engineers, hereinafter referred to as "Petitioner," and files this Administrative Complaint against CHRISTINE W. FANCHI, P.E., hereinafter referred to as "Respondent." This Administrative Complaint is issued pursuant to Sections 120.60 and 471.038, Florida Statutes. Any proceeding concerning this complaint shall be conducted pursuant to Section 120.57, Florida Statutes. In support of this complaint, Petitioner alleges the following:

1. Petitioner, Florida Board of Professional Engineers, is charged with regulating the practice of engineering pursuant to Chapter 455, Florida Statutes. This complaint is filed by the Florida Engineers Management Corporation (FEMC) on behalf of Petitioner. FEMC is charged with providing administrative, investigative, and prosecutorial services to the Florida Board of Professional Engineers pursuant to Section 471.038, Florida Statutes (1997).

2. Respondent is, and has been at all times material hereto, a licensed professional engineer in the State of Florida, having been issued license number PE 80088. Respondent's last known address is 632 NE 13th Avenue, Ft. Lauderdale, Florida 33304.

3. In September 2016 Respondent issued an engineering report entitled Lane Elimination Application SR 811: NE 4th Avenue/Wilton Drive (Report). The Report addressed present and future traffic volume on the cited roadways. The Report analyzed present and future traffic volume covering the period 2015-2035.

4. The Report is a final engineering document that was filed for public report which was sealed by Respondent but not signed and dated.

5. The Report is materially deficient as follows:

A. The 2035 volumes, based on study methodology, should approximate 10.4 percent higher than the adjusted 2015 volumes based on the study methodology growth rate of 0.5% per year. However, a review of the Report reveals that all of the 2035 volumes set out in the Report fall in the range of 2.3-2.4 percent higher than the adjusted 2015 volumes. This is a material calculation error on the part of Respondent which impacts all future intersection volumes in the roadways covered by the Report. The impact of this error is that traffic delays at all intersections in 2035 covered by the Report will be materially greater than those set out in the Report.

B. The effect of the prospective traffic volume error in the Report is most material to the operation of the intersection at 4th Avenue and 13th Street. When correct traffic volume data is utilized, the traffic delay at the 4th Avenue and 13th Street intersection is expected to reach a Level of Service "F" –a Level which represents intersection failure. Failure of the intersection means that the traffic at the intersection will experience increased traffic delays. Such increased delays can reasonably be expected to impact traffic safety insofar as when motorists experience lengthy delays the motorists often take greater chances and violate signal clearance resulting in an increase in the number of accidents. In addition, the failure of this major intersection

would increase the likelihood for deleterious impacts in surrounding neighborhood as motorists seek ways to avoid the intersection at 4th Avenue and 13th Street.

6. Section 471.033(1)(g), Florida Statutes, provides that an engineer is subject to discipline for engaging in negligence in the practice of engineering. Rule 61G15-19.001(4), Fla. Admin. Code, provides that negligence constitutes “failure by a professional engineer to utilize due care in performing in an engineering capacity or failing to have due regard for acceptable standards of engineering principles.”

7. Section 471.025(1), Florida Statutes, requires that “[a]ll final drawings, specifications, plans, reports, or documents prepared or issued by the [P. E.] and being filed for public record... shall be signed by the licensee, dated, and sealed with said seal.” Rule 61G15-23.002(1), Fla. Admin. Code, provides that “[a] professional engineer shall sign his name and affix his seal to all ... documents prepared or issued by said registrant and being filed for public record.” Rule 61G15-30.002 provides that “[a]n engineering document is “filed for public record” when said document is presented with the engineer of record's knowledge and consent to any federal, state, county, district, authority, municipal or other governmental agency in connection with the transaction of official business with said agency.”

8. Section 471.033(1)(a), Florida Statutes, provides: “[t]he following acts constitute grounds for which the disciplinary actions in [Section 471.033(3)] may be taken: [v]iolating any provision of s. 455.227(1), s. 471.025, or s. 471.031, or any other provision of this chapter or rule of the board or department.”

COUNT I

9. Petitioner realleges and incorporates Paragraphs One (1) through Four (4), Seven (7) and Eight (8) as if fully set forth in this Count One.

10. For the reasons set forth in Paragraphs Three (3), Four (4) Seven (7) and Eight (8), Respondent's failure to sign and date the Report does not comply with the requirements of Section 471.025(1) and Rule 61G15-23.002(1).

11. Based upon the foregoing, Respondent has violated Sections 471.025(1) and 471.033(1)(a) and Rule 61G15-23.002(1).

COUNT II

12. Petitioner realleges and incorporates Paragraphs One (1) through Six (6) as if fully set forth in this Count Two.

13. Respondent sealed and issued the Report with material deficiencies including; but not limited to, those set forth in Paragraph Five (5). As a result of those deficiencies, Respondent violated the provisions of Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), F. A. C., by sealing and signing an engineering document that was issued and filed for public record when such document was materially deficient in that Respondent: (1) did not exercise due care in the preparation of the Report and (2) the Report was not issued in compliance with acceptable engineering principles.

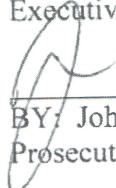
14. Based upon the foregoing, Respondent has violated Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), F. A. C.

WHEREFORE, the Petitioner respectfully requests the Board of Professional Engineers to enter an order imposing one or more of the following penalties: permanent revocation or suspension of the Respondent's license, restriction of the Respondent's practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, the assessment of costs related to the investigation and prosecution of this case, other than costs

associated with an attorney's time, as provided for in Section 455.227(3), Florida Statutes, and/or any other relief that the Board deems appropriate.

SIGNED this 25 day of March, 2019.

Zana Raybon
Executive Director


BY: John J. Rimes, III
Prosecuting Attorney

COUNSEL FOR FEMC:

John J. Rimes, III
Prosecuting Attorney
Florida Engineers Management Corporation
2639 North Monroe Street, Suite B-112
Tallahassee, Florida 32303
Florida Bar No. 212008
JR/rv
PCP DATE: March 13, 2019
PCP Members: MATTHEWS, DRURY & ALBERGO

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was furnished to Christine W. Fanchi, P.E. at 632 NE 13th Avenue, Ft. Lauderdale, Florida 33304, by certified mail and First Class U. S. Mail, on the 26 of March, 2019.


Rebecca Valentine, Paralegal