

Figure: 22 TAC §661.99(6)

<b>Citation</b>	<b>Violation</b>	<b>Sanction on a First Offense</b>
1071.251(b)	Engaging in the practice of professional land surveying without registration	Injunction/1500
(c)	Offering to practice professional land surveying without registration	Injunction/1500
(d)	Using a title or advertising a title or description that tends to convey the impression that a non registered/licensed person is a professional land surveyor	Injunction/1500
1071.261(b)	Failure to display the certificate or license at a person's place of business or practice	Reprimand/100
1071.263(a)	The practice of professional surveying while license has been placed on Inactive Status.	Revocation/1500
1071.351(c)	Failure to secure an authorized seal (661.46)	Reprimand/100
(d)	Application of name, seal or certification to surveying work that is not prepared by registrant/licensee or full time employee supervised by registrant/licensee	Revocation/1500
(e)	Allowing a non registrant/licensee to exert control over surveying work	Revocation/1500
1071.352(a)	Offering surveying services by a non-registered entity or with no RPLS employed full-time where the services are offered	Injunction/1500 Reprimand/1500
(b)	Failure of group practice to properly identify the registrant responsible for the practice	Injunction/1500 Reprimand/1500
1071.353	Failure to file notice of assumed name	Reprimand/100
1071.359(a)	Failure to sign and notate "Licensed State Land Surveyor" (LSLS) on all LSLS official field notes	Reprimand/100
1071.359(b)	Failure to conform LSLS field notes and plats to specifications contained in Section 21 of the Natural Resources Code.	Reprimand/100
1071.360 (1), (2)	Failure of the LSLS to notify person who has undisclosed public land enclosed and/or forward a report of undisclosed public land and the acreage to the commissioner.	Reprimand/100

1071.361(a)	Failure to allow LSLS access to County Surveyor's records	Reprimand/1500
(c)	Failure to comply with any regulations prescribed by the county surveyor or the commissioners court for protecting and preserving the records	Reprimand/1500
1071.401(a)(1)	Fraud or deceit in obtaining a certificate or license	Revocation/1500
(a)(2)	Gross negligence, incompetence, or misconduct in the practice of surveying	Revocation/1500
(a)(3)	Violation of the Act or Board Rule	Revocation/1500
1071.401(b)	LSLS directly or indirectly interested in the purchase or acquisition of title to public land	Revocation/1500
1071.504(b)(1)	Engaging or offering land surveying services without being registered/licensed	Injunction/1500
(b)(2)	Presents or attempts to use another person's certificate, license or seal	Revocation/1500 Injunction/1500
(b)(3)	Giving false or forged evidence to obtain or assist another in obtaining a registration/license	Revocation/1500
(b)(4)	Violation of the Act or Board Rule	Reprimand/1500
661.45(f)	Actions to compromise the examination.	Disqualification/1500
661.46(a)	Failure to secure a seal of the type specified by the Board.	Reprimand/100
(b)	Failure to sign and affix their seal to the oath and submit to the Board	Reprimand/100
661.52(b)	Engaging in the practice of professional land surveying while registrant/license is in Inactive Status.	Suspension/Revocation/1500
(c)	Using seal during Inactive Status.	Suspension/Revocation/1500
661.55(a)	Failure of Firm to apply for and receive a Firm Registration Certificate with the Board.	Injunction/1500
(b)	Failure by Registrant/Licensee to ensure Firm employing them complies with filing requirements.	Reprimand/1500
(c)	Failure of Registrant/Licensee employed by a Firm to notify the Board in writing within (5) business days prior to or after leaving employment.	Reprimand/1500
(g)	Failure of registered Firm to sign oath and submit it to the Board.	Suspension/Revocation/ Reprimand/1500

661.57(1)	Failure of Firm to include Certificate of Registration firm number on offer to perform surveying services to the public.	Reprimand/1500
(2)	Failure of Firm to designate a surveyor of record for main office and for each branch office.	Reprimand/1500
(4)	Firm offering or performing surveying services without a current certificate of Firm registration.	Injunction/Reprimand/1500
(9)	Failure of Firm to cooperate in Board investigations by being unwilling to make files and pertinent records available to the registrant/licensee.	Reprimand/1500
(10)	Failure of Firm providing contract field crews to employ a full time R.P.L.S.	Reprimand/1500
661.60 (a)	Failure to respond to Board inquiries/orders	Reprimand/1500
661.62 (f) or 661.68	Failure to attend hearing if requested.	Default Judgment
661.97	Failure of a registrant/licensee or Firm who receives a disciplinary action relative to the practice of land surveying in another jurisdiction to report such final disciplinary action to the Texas Board within 30 days.	Reprimand/1500
663.1	Failure of registrant/licensee to conduct practice with highest degree of moral and ethical standards.	Reprimand/1500
663.1(2)	Failure to notify the Board of any change of mailing address as it occurs	Reprimand/100
(3)	Failure to notify consumers of the name, mailing address, and phone number of the Board	Reprimand/100
663.3 (1)	Failure to accurately and truthfully represent ones capabilities and qualifications	Reprimand/100
(2)	Performing services for which he/she is not qualified	Reprimand/100
(3)	Evading statutory responsibility to client or employer	Reprimand/100
663.4 (1)	Performing surveying services if there exists	Reprimand/1500

	any financial or other interest that may be in conflict with the obligation to render a faithful discharge of such services	
663.4 (4)	Failure to withdraw from employment at any time during such employment or engagement when it becomes apparent that it is not possible to faithfully discharge the duty and performance of services owed the client or employer	Reprimand/1500
(5)	Accepting remuneration from any party other than his/her client or employer for a particular project nor have any other direct or indirect financial interest in other services or phase of service to be provided for such project	Reprimand/1500
(6)	Failure to keep inviolate the confidences of his/her client or employer	Reprimand/1500
663.5	Failure to perform work with integrity, truthfulness and accuracy. Misleading the public.	Suspension/Revocation/ Reprimand/1500
(1)	Allowing a person who is not registered or licensed to exert control over professional work.	Reprimand/1500
(2)	Indulging in publicity that is false, misleading or deceptive.	Reprimand/100
(3)	Misrepresenting the amount or extent of prior education or experience to any employer, client, or the Board.	Reprimand/100
(4)	Representing themselves as being engaged in a partnership or association when no partnership or association exists.	Suspension/Revocation/ Reprimand/1500
(5)	Recommend to a client services of another for the purpose of collecting a fee for himself, without the knowledge and consent of client.	Reprimand/100
663.6 (1)	Failure to make known to the board any unauthorized practice of which the registrant has personal knowledge.	Reprimand/1500

(2)	Failure to divulge any information, of which the registrant has personal knowledge, related to any unauthorized practice to the Board upon request.	Reprimand/100
(3)	Delegate responsibility to, or aid or abet, an unauthorized person to practice or offer to practice.	Reprimand/1500
663.8 (1)	Failure to abide by and conform to the registration and licensing laws of the state.	Reprimand/1500
(2)	Failure to abide by and conform to the provisions of the state code and all local codes and ordinances.	Reprimand/1500
(3)	Violate, aid and abet another in violating a rule of conduct or engage in any conduct adversely affecting his/her fitness to practice.	Suspension/Revocation/ Reprimand/1500
(4)	Signing or impressing ones seal or stamp upon documents not prepared by him/her or knowingly permit ones seal or stamp to be used by any other person.	Suspension/Revocation/ Reprimand/1500
(5)	Submitting a request or a competitive bid to perform professional surveying services for a governmental entity or political subdivision of the State of Texas unless specifically authorized by state law.	Reprimand/100
663.9 (a)	Offering or promising to pay any commission, contribution, gift, favor, gratuity, or reward as an inducement to secure any specific work without full disclosure to all interested parties.	Reprimand/100
(b)	Making, publishing or cause to be made or published any representation or statement concerning ones professional qualifications or those of his/her partners or associates that is misleading.	Reprimand/100
(c)	Failure to have personal knowledge of documents, plats, maps or reports that bear the surveyor's seal or signature.	Reprimand/1500

(d)	Failure of the surveyor and/or Firm to maintain in a retrievable format all records and files pertaining to the preparation of a land survey document for a minimum of ten (10) years from the date of the document.	Reprimand/1500
663.10 (1)	Violating any provision of the Act or Rules.	Reprimand/1500
(2)	Circumventing or attempting to circumvent any provision of the Act or Rules.	Reprimand/1500
(3)	Participate in any plan, scheme or arrangement attempting to or having as its purpose the evasion of any provision of the Act or Rules.	Reprimand/1500
(4)	Failure to exercise reasonable care or diligence to prevent his/her partners, associates or employees from engaging in conduct which, if done by him/her, would violate any of the provisions of the Act or Rules.	Reprimand/1500
(5)	Engaging in any conduct that discredits or attempts to discredit the profession of surveying.	Reprimand/1500
(6)	Permit or allow one's professional identification, seal, form, business name or service to be used or made use of to make it possible to create the opportunity for the unauthorized practice of professional surveying by any person, or firm in this state.	Suspension/Revocation/ Reprimand/1500
(7)	Allowing an omission or making an assertion or representation that is fraudulent, deceitful or misleading or tends to create a misleading impression	Reprimand/1500
(8)	Aid or abet any unlicensed person in connection with the authorized practice of professional surveying or any firm or corporation in the practice of professional surveying unless carried on in accordance with the Act.	Suspension/Revocation/ Reprimand/1500

663.15	Failure to report areas to the least significant number compatible with the precision of closure	Reprimand/100
663.15	Failure to use equipment and methods of practice capable of attaining the tolerances specified	Reprimand/1500
663.16 (1)	Failure to respect junior and senior rights for boundary retracement.	Reprimand/1500
(2)	Failure to follow the footsteps of the original surveyor.	Reprimand/1500
(3)(A)	Failure to rely upon appropriate deeds and/or other documents including those for adjoining parcels, for the location of the boundaries of the subject parcel(s).	Reprimand/1500
(3)(B)	Failure to assume the responsibility for such research of adequate thoroughness to support the determination of the location of intended boundaries of the land parcel surveyed.	Reprimand/1500
(3)(C)	Failure to connect all boundaries to identifiable physical monuments related to corners of record dignity. In the absence of such monumentation, failure to report the surveyor's opinion of the boundary location by other appropriate physical evidence.	Reprimand/1500
(4)	Failure to follow the intent of the boundary location as evidenced by the record.	Reprimand/1500
(5)	Failure to respect the proper application of the rules of dignity (priority) of calls, and applicable statutory and case law of Texas.	Reprimand/1500
663.17 (a)	Failure to set monuments at sufficient depths to retain a stable and distinctive location or be of sufficient size to withstand the deteriorating forces of nature or be of such material that in the surveyor's judgment will best achieve this goal.	Reprimand/1500
(b)	Failure to set, or leave as found, an adequate quantity of monuments of a stable	Reprimand/1500

	and reasonably permanent nature to represent or reference the property or boundary corners. Failure to show and describe survey markers with sufficient evidence of the location of such markers on the surveyors' drawing, written description or report.	
(c)	Failure to tie corners of record to the boundary of the affected tract in metes and bounds descriptions prepared to be used in easements.	Reprimand/1500
(d)	Failure to mark, in a way that is traceable to the responsible registrant or associated employer, all monuments set; when practical.	Reprimand/1500
663.18 (a)	Failure to personally apply surveyor's seal to all documents representing professional surveying	Reprimand/1500
(b)	Failure of registrant/licensee to ensure that document complies with all standards certified to.	Reprimand/1500
(c)	When preparing preliminary documents, failure to identify the purpose of the document, the surveyor of record and the surveyor's registration number, and the release date. Failure to note the following statement in the signature space: "Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document."	Reprimand/1500
663.19 (a)	Failure to delineate the relationship between record monuments and the location of boundaries surveyed. Failure to show such relationship on the survey plat, if a plat is prepared, and/or separate report and failure to recite such in the description with the appropriate record referenced thereon and therein.	Reprimand/1500
(b)	Failure to provide a definite and unambiguous identification of the location of boundaries and describe all monuments found or placed for descriptions prepared for	Reprimand/1500



	defining boundaries.	
(c)	Failure to reference courses by notation upon the survey drawing to an identifiable and monumented line or an established geodetic system for directional control.	Reprimand/1500
(d)	Failure to note the firm name, Firm Registration Number, surveyor's name, address, and phone number who is responsible for the land survey, his/her official seal, his/her original signature and date surveyed on the plat.	Reprimand/1500
(e)	Failure to note and describe, upon the survey drawing, which boundary monuments were found or placed by the surveyor and failure to note other monuments of record dignity relied upon to establish the corners of the property surveyed.	Reprimand/1500
(f)	Failure to cite a reference on the drawing and the prepared description to the record instrument that defines the location of adjoining boundaries, if appropriate.	Reprimand/1500
(g)	If any report consists of more than one part, failure to note the existence of the other part or parts	Reprimand/1500
(h)	If a written narrative is prepared in lieu of a drawing/sketch to report the results of a survey, and there is a failure to contain sufficient information to demonstrate the survey was conducted in compliance with the Act and rules of the Board.	Reprimand/1500
663.11(a)(1)	Failure of the registrant to notify the Board in writing within 90 days of any felony or misdemeanor conviction	Reprimand/1500
Â (a) (2)	Failure of an applicant to state if he/she has ever been convicted of a felony or misdemeanor	Application Rejected Revocation
(a) (3)	Failure of the registrant/applicant to provide a summary of the conviction in sufficient detail to allow the Board to determine if it is applicable to the practice of land surveying	Application Rejected Revocation

663.20 (1)	Failure to apply and adhere to the rules of the Texas Board of Professional Land Surveying when establishing or delineating the perimeter boundary of the proposed subdivision.	Reprimand/1500
(2)	Failure to abide by, and conform to the provisions of the state code and any local codes and ordinances as to any other platting requirements.	Reprimand/1500
663.21 (1)	Falsifying the purpose of a metes and bounds description when preparing a description for a Political Subdivision	Reprimand/1500
Â (2)	Preparing a description for a Political Subdivision that is ambiguous and non-locatable on the ground by ordinary surveying procedures	Reprimand/1500
(3)	Failure to ensure record monuments or physical monuments called for in the description prepared for a Political Subdivision	Reprimand/1500
(4)	Failure to perform an on the ground survey for any course and distance recited in the description when such is not referenced in a recited record	Reprimand/1500
(5)	Failure to place the required notation on descriptions prepared for Political Subdivisions, â€œ This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.â€	Reprimand/1500
664.6	Failure to maintain records to be used to support continuing education claimed in the event of an audit.	Reprimand/1500