

STATE BOARD  
FOR PROFESSIONAL ENGINEERS  
ENGINEERS

v.

MATTHEW C. ABATE

Respondent.

\* \* \* \* \*

\* Before the  
\* State Board for Professional  
\* Engineers

\* Agency Case No.: 18-PE-47

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\*

**CONSENT ORDER**

This matter comes before the State Board for Professional Engineers (the “Board”) as the result of the reinstatement application of Matthew C. Abate (“Respondent”) license no. 05-37148. Based on an audit performed of the Respondent’s continuing education hours (“professional development hours or PDHs”), the Board initiated this complaint. As a means of resolving this matter, the Board and the Respondent have agreed to enter into this Consent Order, and agree and stipulate to the following:

1. The Respondent applied for the reinstatement of his professional engineer’s license on July 2, 2017. The license expired on June 17, 2017.
2. As part of the application process, the Respondent certified that he had completed taking the 24 PDHs required for the reinstatement of his license.
3. An audit was conducted by the Board of the Respondent’s PDHs and the Respondent was requested to provide documentation of completion of the hours he certified he had obtained.
4. In response to the audit, the Respondent provided documentation that he had completed 18 of the 24 PDHs prior to submitting his application for reinstatement. The

Respondent obtained the additional 6 PDHs after he submitted the application and after notice of the audit.

5. In order to resolve this matter with the Board, the Respondent agrees to pay a civil penalty in the amount of One Thousand Five Hundred Dollars (\$1500.00) in connection with his failure to have all of the PDHs required by § 14-314 of the Maryland Professional Engineers Act, §§ 14-101 *et seq.*, Business Occupations and Professions Article, Annotated Code of Maryland (“the Act”), and the Board’s regulations contained in the Code of Maryland Regulations (“COMAR”) at 09.23.06.03A, prior to applying for reinstatement of the license. The penalty is to be paid in 5 monthly installments of Three Hundred Dollars (\$300.00) each, beginning with the first installment due at the time this Consent Order is signed by the Respondent.

6. The Respondent waives the right to the issuance of a statement of charges and a formal hearing on charges in connection with the audit and where the Respondent would have the opportunity to present a defense to charges of a violation of the Act.

7. The Respondent agrees to abide by the provisions of the Act, and the continuing education requirements of the Board as set out in the Board’s regulations.

8. The Respondent enters into this Consent Order willingly and voluntarily and having had the opportunity to consult with private counsel regarding the terms.

9. The Respondent and the Board understand that this Consent Order will serve as the final resolution of the matter and that this Consent Order will be a part of the Respondent’s licensing record maintained by the Board.

WHEREFORE, based on these stipulations and agreements, it is hereby this

10<sup>th</sup> day of April, 2018, ORDERED by the State Board for

Professional Engineers:

- I. That the Respondent will abide by the Maryland Professional Engineers Act, § 14-101 *et seq.*, Business Occupations and Professions Article, Annotated Code of Maryland in future practice;
- II. That the Respondent violated the provisions of COMAR 09.23.06.03A;
- III. That the Respondent pay a fine of One Thousand Five Hundred Dollars (\$1,500.00), in 5 monthly installments of Three Hundred Dollars (\$300.00) each, and with the first installment of \$300.00 due upon his execution of this Consent Order;
- IV. That the records of the Board shall reflect that this matter was resolved by the Respondent and the Board by this Consent Order.

Signatures on File

Matthew C. Abate, Respondent

4-6-18

Date

Chairman, State Board for ✓  
Professional Engineers

4/10/18

Date

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