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# BOARD OF EXAMINERS FOR LAND SURVEYORS

CASEY C. SHERLOCK  
Secretary

[www.nbels.nebraska.gov](http://www.nbels.nebraska.gov)



555 North Cotner Blvd., LL  
Lincoln, Nebraska 68505-2353  
[nbels@nebraska.gov](mailto:nbels@nebraska.gov)  
402.471.2566

State of Nebraska  
Board of Examiners for Land Surveyors  
555 North Cotner Boulevard – Lower  
Level Lincoln, NE 68505  
Tel: (402) 471-2566

Re: Complaint regarding Land Surveying in Nebraska

Dear Citizen,

This letter is intended to answer some of your questions regarding the complaint you are about to file.

Please be informed that the Nebraska State Board of Examiners for Land Surveyors (Examining Board) cannot set fees for land surveying services, recover fees paid by clients to Professional Land Surveyors for such services or determine the location of boundary lines between adjoining properties. The Examining Board will not provide legal advice or act as your attorney. It is suggested that you first contact the named person or firm to resolve the issue of the complaint.

Your complaint will be reviewed at the next scheduled meeting of the Examining Board comprised of five members; four of which are Licensed Professional Land Surveyors in Nebraska and one private citizen member whose function is to represent the viewpoint of the consumer. The Examining Board was established in 1957, for the purpose of determining the ability of persons coming before it to practice land surveying in Nebraska.

One responsibility of the Examining Board is to review the qualifications of applicants seeking to become Licensed Professional Land Surveyors through an application, years of experience, and examination. Another responsibility is to hear complaints filed against any person or organization practicing land surveying as defined in the Land Surveyors Regulation Act, and to determine if any person or organization has violated the Land Surveyors Regulation Act or any rules and regulations adopted and promulgated under the act.

## **81-8,123.**

### **Professional land surveyor; complaint; investigation; disciplinary actions.**

1. The examining board may, upon its own motion, and shall, upon the sworn complaint in writing of any person, investigate the actions of any professional land surveyor.
  2. The board, after a hearing as provided in section 81-8,124, and upon proof satisfactory to the
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board, may determine by a majority vote that any person or organization has violated the Land Surveyors Regulation Act or any rules and regulations adopted and promulgated under the act.

3. Upon a finding that a person or organization has committed a violation, one or more of the following actions may be taken against such person or organization upon a majority vote of the Board:
  - a. Issuance of censure or reprimand;
  - b. Suspension of judgment;
  - c. Placement of the offender on probation;
  - d. Placement of a limitation or limitations on a licensee and upon the right of the licensee to practice the profession to such extent, scope, or type of practice for such time and under such conditions as are found necessary and proper;
  - e. Imposition of a civil penalty not to exceed ten thousand dollars for each offense. The amount of the penalty shall be based on the severity of the violation;
  - f. Entry of an order of revocation, suspension, or cancellation of the license;
  - g. Issuance of a cease and desist order;
  - h. Imposition of costs as in an ordinary civil action in the district court, which may include reasonable attorney's fees and hearing officer fees incurred by the board and the expenses of any investigation undertaken by the board; or
  - i. Dismissal of the action.

## **81-8,124.**

### **Professional land surveyor; disciplinary action; hearing; notice.**

Before the examining board takes any disciplinary action against any professional land surveyor, it shall give the licensee a hearing on the matter and shall, at least twenty days prior to the date set for the hearing, notify such licensee in writing. Such notice shall contain an exact statement of the charges against the professional land surveyor and the date and place of hearing. The licensee shall be heard in person or by counsel before an examiner appointed by the examining board in reference to such charges. Such notice may be served by delivering it personally to the licensee or by sending it by either registered or certified mail addressed to the licensee's last-known business address as shown by the professional land surveyor's license.

## **81-8,125.**

### **Professional land surveyor; disciplinary action; hearing; attendance of witnesses; record; findings; order; effect.**

The examiner shall have power to compel the attendance of witnesses and to administer oaths and

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shall take testimony and proof concerning the charges stated in the complaint. A complete record shall be made of all testimony taken and evidence received at such hearing, which record shall be filed with the secretary of the examining board. The examiner conducting such hearing shall make in writing complete findings and recommendations to the examining board. Thereafter, the examining board shall, in writing officially signed by all members concurring therein, make its findings, determination, and order in the matter. If the examining board finds that the professional land surveyor has violated the Land Surveyors Regulation Act or any rules and regulations adopted and promulgated under the act, he or she shall be placed on probation or his or her license shall be revoked or suspended. As a condition of probation the examining board may restrict the professional land surveyor's scope of practice or require supervision of the professional land surveyor's practice.

Please complete the enclosed Complaint Form. This office will use the information you provide to prepare the formal complaint. Should you have any questions regarding the preparation of the Complaint Form, please call the office of the Nebraska State Board of Examiners for Land Surveyors at (402) 471- 2566.

The Examining Board will contact you if additional information is needed and notify you in writing of the final outcome of the complaint.

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# COMPLAINT FORM

Email to:  
[nbels.board@nebraska.gov](mailto:nbels.board@nebraska.gov)



PH: 402-471-2566

**1. RESPONDENT (The person against whom the complaint is being made):**

<hr/>	
<i>Name</i>	<i>License Number (if known)</i>
<hr/>	
<i>Company</i>	
<hr/>	
<i>Address</i>	
<hr/>	
<i>Phone</i>	<i>Fax</i>
<hr/>	<hr/>
<i>Email</i>	<i>Other Information</i>
<hr/>	<hr/>

**2. COMPLAINANT (The person making the complaint):**

<hr/>	
<i>Name</i>	
<hr/>	
<i>Address</i>	
<hr/>	
<i>Phone</i>	<i>Fax</i>
<hr/>	<hr/>
<i>Email</i>	<i>Best time to contact you</i>
<hr/>	<hr/>

**3. Project Address (if applicable):**

<hr/>	
<i>Street</i>	
<hr/>	
<i>City</i>	<i>Parcel No. (if known)</i>
<hr/>	<hr/>

4. Do you have copies of a survey or surveys prepared by the Respondent? ☐ Yes ☐ No
5. Did you and the Respondent sign a written contract or letter or agreement? ☐ Yes ☐ No



PH: 402-471-2566

6.

agencies (names, address, phone numbers)? Give dates and details.

*By signing below, I declare that the information contained in this complaint, including any attached pages, is true and correct to the best of my belief.*

\_\_\_\_\_  
Signature\_\_\_\_\_  
Date

This form and all supporting documentation may be emailed to: [nbels.board@nebraska.gov](mailto:nbels.board@nebraska.gov) or mailed to: **State of Nebraska Board of Examiners for Land Surveyors, 555 North Cotner Blvd., Lower Level, Lincoln, NE, 68505**. Include copies of ALL DOCUMENTS, including surveys, letters, contracts, agreements, invoices, receipts, correspondence, photographs, etc. Do not send original documents. Attach extra pages if required – be as complete as possible.

**Board Use Only:** Date rec'd: \_\_\_\_\_ Complaint Number: \_\_\_\_\_