

TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
February 13, 2025, Board Meeting Disciplinary & Administrative Actions

Carlos Villanueva, El Paso, TX; Case Number B-40660

Violation: Mr. Villanueva used, affixed, or caused to be affixed or in any other manner, regardless of the means, attached or in any way depicted an engineering seal or a representation of an engineering seal without the express permission of the currently active licensee.

Act/Rule Violated: 22 Tex. Admin. Code §§137.37(b).

Resolution: Cease and Desist Order and Administrative Penalty of \$500.

Gabriel Hinojosa, P.E. #106057, Corpus Christi, TX; Case Number D-42283

Violation: Mr. Hinojosa failed to meet all of the applicable professional practice requirements of federal, state and local statutes, codes, regulations, rules, ordinances or standards in the performance of engineering services and failed to practice engineering in a careful and diligent manner.

Act/Rule Violated: 22 Tex. Admin Code §§137.63(b)(1) and 137.63(b)(6).

Resolution: One Year Probated Suspension contingent upon remittance of an Administrative Penalty of \$3,000.

Jeff William Gibeaux, P.E. #82644, Williams Bay, WI; Case Number D-42412

Violation: By issuing letters that contained an incomplete Texas engineer's seal and under an expired firm registration, Mr. Gibeaux failed to practice engineering in a careful and diligent manner.

Act/Rule Violated: 22 Tex. Admin Code §137.63(b)(6).

Resolution: Formal Reprimand.

Paul William Smith, R.P.L.S. #6129, Dacono, CO; Case Number D-42616

Violation: Mr. Smith was disciplined by another jurisdiction after he failed to meet the minimum standards for the practice of surveying. The disciplinary action was on a matter that would constitute a violation of the Professional Surveying Practices Act or board rules. Specifically, Mr. Smith failed to assume the responsibility for such research of adequate thoroughness to support the determination of the location of the boundaries of the land being surveyed. Mr. Smith did not properly and promptly notify the Board he had been disciplined by another jurisdiction's regulatory agency.

Act/Rule Violated: 22 Tex. Admin Code §§138.5(c), 138.65(b), and 138.85(3)(B).

Resolution: Reprimand.

Xavier Chapa, R.P.L.S. #2568, Melissa, TX; Case Numbers D-38458, D-38465, D-38505, and D-40400; SOAH Docket No. 460-24-05223

Violation:

For Case D-38458, Mr. Chapa failed to reference an existing physically monumented line for directional control and failed to tie the location of the subject parcel boundaries back to existing deeds or records. Additionally, Mr. Chapa failed to connect the boundaries to identifiable physical monuments related to corners of record dignity. Also, Mr. Chapa performed any acts, allowed any omission, or made any assertions or representations which

may be fraudulent, deceitful, or misleading, or which in any manner whatsoever, tended to create a misleading impression.

For Case D-38465, Mr. Chapa deviated from the established record on the survey without an explanation.

For Case D-38505, Mr. Chapa allowed his professional identification and services to be used in a way that created opportunity for the unauthorized practice of professional surveying by Mr. Chapa's firm. Additionally, Mr. Chapa failed to ensure his firm was Board registered.

For Case D-40400, Mr. Chapa allowed his professional identification and services to be used in a way that created opportunity for the unauthorized practice of professional surveying by Mr. Chapa's firm. Additionally, Mr. Chapa failed to ensure his firm was Board registered. Also, by aiding an unlicensed firm in offering professional surveying services, offering a misleading proposal for services, agreeing to services that were never completed, and promising but not making a refund, Mr. Chapa made fraudulent, deceitful, and misleading representations.

Act/Rule Violated: Two violations of 22 Tex. Admin. Code §661.55(b), two violations of §663.10(6), two violations of §663.10(7), a violation of §663.16(a), a violation of §663.16(b), a violation of §663.16(d), and a violation of §663.19(4).

Resolution: Four Year Probated Suspension contingent upon remittance of an Administrative Penalty of \$13,500.