

Dear (Complainant),

Recently you filed a complaint or request for inquiry with our office alleging possible violations in the practice of a professional land surveyor. The following information is provided so you better understand the role and responsibilities of the Board, the professional land surveyor and what services the Board can provide.

Board Jurisdiction

The Board is charged in law to administer the licensing of professional land surveyors. This responsibility also includes the expectation to investigate alleged violations of their professional conduct. In doing the investigations the Board is NOT authorized, nor does it have lawful jurisdiction, to make a judicial decision over disputed contract terms or property line locations. Lawful jurisdiction and resolution of both those items rests solely with the courts.

Surveyor's Scope of Practice

Under Idaho Code Title 54, Chapter 12, a licensed professional land surveyor establishes or reestablishes the land boundaries; however, the courts may adjudicate the ownership to be different from the surveyed lines. The execution of a properly researched and evaluated survey results in monumenting corners on the ground that represent the surveyor's opinion of the boundary location based on his measurements and interpretations. In situations where boundary interpretations are more complex, another surveyor could reach a different conclusion. These differences can exist even when both surveyors perform an equally thorough analysis and use technically correct procedures.

Board Investigation

If the Board authorizes an investigation of a complaint or request for inquiry, it should be seen as confirmation that they will review the allegation more thoroughly. Opening an investigation does not mean that a conclusion has been reached or that the allegations are correct or that violation(s) have occurred. The investigation is used to collect materials and information so a determination can be made by the Board as to whether further administrative actions are appropriate.

Board Actions

If an investigation results in a determination that the professional land surveyor's work did not meet the expected standard of practice, the Board may order various penalties. Most severe are actions against the license such as revocation, suspension or variations involving those conditions. The Board may also order the licensee pay a fine or enter into some form of remedial activity to improve their practice. The Board cannot order a licensee to pay refunds to a client or restitution for damages that may be alleged to have occurred. Whatever discipline is imposed, it is developed being mindful of finding a fair solution given the circumstances presented.