

# Enforcement of Minimum Survey Standards

June 16, 2015

**John F. Greenhalge**

Executive Director

State Board of Registration for Professional  
Engineers and Surveyors

# Where to Find Information?

- Board website- [www.peps.ohio.gov](http://www.peps.ohio.gov)
- Board newsletter
- Board Facebook page
- Twitter
- Press releases
- Technical and Professional associations

# Minimum Standards for Surveys

- Minimum Standards for Boundary Surveys [OAC 4733-37]- established May 1980
- Minimum Standards for Mortgage Location Surveys [OAC 4733-38]- established Feb/May 1990

# OAC 4733-35-01

“The engineer or surveyor, who holds a certificate of registration from the state board of registration for professional engineers and surveyors, is charged with having knowledge of the existence of the reasonable rules and regulations and shall be familiar with their several provisions and to understand them.”

# Minimum Standards for Boundary Surveys

- Preamble [4733-37-01]
- Research & Investigation [4733-37-02]
- Monumentation [4733-37-03]
- Measurement Specifications [4733-37-04]
- Plat of Survey [4733-37-05]
- Descriptions [4733-37-06]
- Subdivisions [4733-37-07]

# Minimum Standards for Boundary Surveys

- Minimum Standards are not suggested practices or guidance.
- Following the *Minimum Standards for Boundary Surveys* is a requirement of Ohio law when performing a survey.
- Failure to comply with the *Minimum Standards for Boundary Surveys* could result in disciplinary action.

# Recent Issues

# “Line Surveys”

- Monuments are simply being flagged without the benefit of any record and/or measurement analysis.
- How can the surveyor know if the pin that is found is at a corner without verifying with some measurements?
- The surveyor should be providing the research, measurements, and analysis to support a full survey in accordance with the Minimum Standards.

# ALTA/ACSM Land Title Surveys

- Confusion due to the requirements in the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys Table A, published by the American Land Title Associations and the American Congress on Surveying and Mapping on February 23, 2011, which states that placing monuments at all major corners of the boundary of the property is optional.
- ***Important***- the ALTA/ACSM requirements are not state law and therefore do not dictate the accepted standards of practice in Ohio

# ALTA/ACSM Land Title Surveys

- In Ohio, ALTA/ACSM Land Title Surveys are considered to be boundary surveys and must be prepared in accordance with Ohio Administrative Code 4733-37 Minimum Standards for Boundary Surveys.
- Boundary monuments and reference monuments must be set in accordance with OAC 4733-37-03.

# Reporting Violations

*What do I do if I suspect a violation of Ohio's Registration Act?*

- If the engineer or surveyor has knowledge or reason to believe that another person or firm is violating RC 4733 or the rules of professional conduct, *he or she shall present this information to the Board in writing* [OAC 4733-35-07 (C)].

# Reporting Violations

- Complaint must be in writing
- Name and contact information for subject of complaint
- Include copies of documents (plans, plats, reports, etc)
- Detailed description of acts or omissions that violate RC 4733
- Physical evidence and contact information for witnesses
- Certified copies of court records
- Should be filed as soon as possible after the act or omission occurred

# Investigation Process

## Goals:

- Objectively and without prejudice gather information and evidence.
- Present an unbiased report to the Board in order to determine if a violation has occurred.
- Stop the violations
- Take action against offending individual or firm

# Examples

# Questions?

- Contact Information:

State Board of Registration for Professional  
Engineers and Surveyors

614-466-3651

[www.peps.ohio.gov](http://www.peps.ohio.gov)