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24 UNITED STATES DISTRICT COURT  
25 EASTERN DISTRICT OF CALIFORNIA

26 RYAN CROWNHOLM; and CROWN  
27 CAPITAL ADVENTURES, INC., d/b/a  
28 MYSITEPLAN.COM,

Plaintiffs,

v.

29 RICHARD B. MOORE, in his official capacity  
30 as Executive Officer of the California Board for  
31 Professional Engineers, Land Surveyors, and  
32 Geologists, et al.,  
33 Defendants.

No. 2:22-CV-01720-DAD-CKD

**DECLARATION OF RYAN  
CROWNHOLM IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
PRELIMINARY INJUNCTION**

1 I, Ryan Crownholm, declare and state as follows:

2 1. I have knowledge of the facts set forth herein, and if called upon to testify as a  
3 witness thereto, I could and would competently do so under oath.

4 2. I am a citizen of the United States and a resident of Sherman Oaks, California.

5 3. I am a plaintiff in this action.

6 4. I am the sole shareholder, director, and officer of Plaintiff Crown Capital  
7 Adventures, Inc.

8 5. Crown Capital Adventures, Inc., is a Delaware corporation, registered as a foreign  
9 corporation in California, doing business as MySitePlan.com.

10 6. Through Crown Capital Adventures, Inc., I am the sole owner and operator of  
11 MySitePlan.com.

12 7. I am not licensed as a professional engineer, a professional land surveyor, a  
13 professional geologist, or in any other capacity by the Defendant California Board for  
14 Professional Engineers, Land Surveyors, and Geologists (“Board”).

15 8. I served in the Army from 1996 to 1999 and began my college education while  
16 deployed to the conflict in Bosnia.

17 9. Upon my honorable discharge, I continued my education at Diablo Valley College  
18 and then St. Mary’s College in California, from which I received a full academic scholarship and  
19 graduated in 2003 with a Bachelor of Arts in economics and business administration.

20 10. Throughout my adult life, I have been a serial entrepreneur.

21 11. While still in college, I started a successful rubbish removal and hauling company  
22 using my own pickup truck.

23 12. That company’s success led to more entrepreneurial opportunities.

24 13. To take on larger jobs, I obtained a California demolition contractor license.

1           14. Starting in 2007, during the housing market crash, my company began to  
2 specialize in residential demolition, excavation, and swimming pool removal.

3           15. Eventually, I obtained a California “general engineering” contractor license.

4           16. My experience as a licensed contractor gave me experience with site plans.

5           17. California county and municipal building departments often require submission of  
6 a site plan drawing as a precondition to issuing various building permits, including demolition  
7 permits.

8           18. Site plan drawings are not necessarily surveys.

9           19. When a site plan drawing is required to obtain a permit, the site plan drawing need  
10 only show the basic layout of a property and a simple explanation of the changes that will be  
11 made to it.

12           20. This site plan drawing requirement is so simple that homeowners and contractors  
13 are allowed to create and submit it themselves.

14           21. For example, Contra Costa County explains that

15  
16 Almost all projects require plans. These include, but are not limited to, new  
17 structures, demolitions, additions, alterations, interior/exterior remodels, running  
18 new electrical, water or gas lines, repairs, outdoor kitchens, pergolas, pavilions,  
19 decks, carports, garages, docks, pools, foundation repairs, ADUs, and JR ADUs,  
20 solar, energy storage systems, and backup generators.

21 <https://www.contracosta.ca.gov/7863/Applying-for-a-Building-or-Grading-Permi>

22           22. Contra Costa County further explains that

23 Most projects will require Architectural, Structural, Electrical, and often  
24 Mechanical and Plumbing plans. Many details and calculations are also required,  
25 often these include structural and Title 24 energy calculations. Your design  
26 professional is the best resource to help you have a complete submittal.

27 <https://www.contracosta.ca.gov/7863/Applying-for-a-Building-or-Grading-Permi>

28           23. But not all projects require plans prepared by a “design professional.” Some plans,  
Contra Costa County explains, can be prepared by an “unlicensed person.”

1 [https://www.contracosta.ca.gov/DocumentCenter/View/45674/WHEN-IS-A-LICENSED-](https://www.contracosta.ca.gov/DocumentCenter/View/45674/WHEN-IS-A-LICENSED-PROFESSIONAL-REQUIRED?bidId=)  
2 [PROFESSIONAL-REQUIRED?bidId=](https://www.contracosta.ca.gov/DocumentCenter/View/45674/WHEN-IS-A-LICENSED-PROFESSIONAL-REQUIRED?bidId=).

3 24. Moreover, not all site plans must be prepared by a “design professional.” Some  
4 projects require only simple “site plans” that anyone may prepare.

5 25. For example, Contra Costa County tells unlicensed people how to draw a site plan,  
6 explains what information to include in a site plan, and provides an exemplar for unlicensed  
7 people to use. This information is available at  
8 [https://www.contracosta.ca.gov/DocumentCenter/View/44308/How-to-Draw-a-Site-](https://www.contracosta.ca.gov/DocumentCenter/View/44308/How-to-Draw-a-Site-Plan?bidId=)  
9 [Plan?bidId=](https://www.contracosta.ca.gov/DocumentCenter/View/44308/How-to-Draw-a-Site-Plan?bidId=). A true and correct copy of that exemplar is attached as **Exhibit A**.

10 26. Other local governments provide similar guidance, including the counties of  
11 Monterey, [https://www.co.monterey.ca.us/government/departments-a-h/housing-community-](https://www.co.monterey.ca.us/government/departments-a-h/housing-community-development/development-services/building-services/preparing-a-site-plan)  
12 [development/development-services/building-services/preparing-a-site-plan](https://www.co.monterey.ca.us/government/departments-a-h/housing-community-development/development-services/building-services/preparing-a-site-plan), and Napa,  
13 <https://www.countyofnapa.org/DocumentCenter/View/7162/Sample-Site-Plan-PDF>, and the  
14 cities of Citrus Heights, <https://www.citrusheights.net/1094/How-to-Prepare-a-Site-Plan>, Chino  
15 Hills, [https://www.chinohills.org/DocumentCenter/View/1563/How-to-Prepare-A-Residential-](https://www.chinohills.org/DocumentCenter/View/1563/How-to-Prepare-A-Residential-Plot-Plan?bidId=)  
16 [Plot-Plan?bidId=](https://www.chinohills.org/DocumentCenter/View/1563/How-to-Prepare-A-Residential-Plot-Plan?bidId=)), Danville, [https://www.danville.ca.gov/DocumentCenter/View/5351/How-to-](https://www.danville.ca.gov/DocumentCenter/View/5351/How-to-Plot-Plan-PDF)  
17 [Plot-Plan-PDF](https://www.danville.ca.gov/DocumentCenter/View/5351/How-to-Plot-Plan-PDF)), Murrieta [https://www.murrietaca.gov/DocumentCenter/View/137/Site-Plot-](https://www.murrietaca.gov/DocumentCenter/View/137/Site-Plot-Plan-IB-105?bidId=)  
18 [Plan-IB-105?bidId=](https://www.murrietaca.gov/DocumentCenter/View/137/Site-Plot-Plan-IB-105?bidId=), Pleasant Hill, <https://www.pleasanthillca.org/246/Plot-Plan-Instructions>,  
19 San Gabriel, [https://www.sangabrielcity.com/DocumentCenter/View/217/How-to-Prepare-a-](https://www.sangabrielcity.com/DocumentCenter/View/217/How-to-Prepare-a-Site-Plan---A-Homeowners-Guide)  
20 [Site-Plan---A-Homeowners-Guide](https://www.sangabrielcity.com/DocumentCenter/View/217/How-to-Prepare-a-Site-Plan---A-Homeowners-Guide), and Visalia [https://www.visalia.city/civicax/filebank/](https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=14080)  
21 [blobdload.aspx?BlobID=14080](https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=14080).

22 27. Site plans are routinely submitted to various California county and municipal  
23 building permit issuers by non-surveyors, including contractors and homeowners with no  
24 surveyor training.

1           28.     Site plans prepared by non-surveyors, including contractors and homeowners with  
2 no surveyor training, are routinely accepted by various California county and municipal building  
3 permit issuers.

4           29.     These various California county and municipal building permit issuers know that  
5 these site plans are not prepared by licensed surveyors and accept them because the permit  
6 issuers do not need legal surveys for their purposes. They just need a general picture of the site.

7           30.     When I worked as a contractor, I spent hours hand drawing basic site plans to  
8 obtain demolition permits.

9           31.     Building permit issuers always accepted my hand-drawn site plans because they  
10 did not need a legal survey that required a licensed surveyor. They just needed a general picture  
11 of the site.

12           32.     Originally, I did my site plan drawings by literally tracing by hand data and images  
13 from GIS data or even Google Maps, a method taught to me by county and municipal building  
14 permit issuer staff.

15           33.     For example, the City of San Gabriel Community Development Department  
16 advises homeowners to prepare a site plan by using GIS maps maintained by the Los Angeles  
17 County Assessor to determine the “property boundaries,” “dimensions” and “size” of their lot,  
18 and then adding the locations and measurements of “all structures and other physical features” of  
19 the site. A true and correct copy of the City of San Gabriel’s guidance document entitled “A  
20 Homeowner’s Guide to Site Plan Preparation for Small Projects” is attached as **Exhibit B**.

21           34.     Eventually, I learned how to use publicly available information from GIS to create  
22 electronic site plan drawings in a Computer-aided Design (CAD) program.

23           35.     Based on government-provided GIS and other publicly available imagery, I could  
24 electronically draft a site plan—including rough measurements—without ever visiting a  
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1 property. I would then send the draft to a client to take measurements to confirm.

2 36. My site plan drawings can be used for general informational or planning purposes.

3 37. My site plan drawings can also be submitted by my clients or me to a county or  
4 municipal building permit issuer to obtain building permits.

5 38. My site plan drawings were always accepted by county or municipal building  
6 permit issuers.

7 39. In fact, building permit issuers appreciated my site plan drawings because they  
8 were easier to use than the typically hand-drawn plans they received for such permits.

9 40. Other contractors eventually started asking me for site plan drawings.

10 41. No one ever thought my site plan drawings were surveys.

11 42. Eventually, I used my experience to start [MySitePlan.com](https://www.mysiteplan.com) in 2013.

12 43. [MySitePlan.com](https://www.mysiteplan.com) is headed by a disclaimer reading “THIS IS NOT A LEGAL  
13 SURVEY, NOR IS IT INTENDED TO BE OR REPLACE ONE.”

14 44. The website further warns users that “**Before ordering:** Please verify with your  
15 building department that they **DO NOT** require that the plan to be prepared by surveyor,  
16 architect or engineer. **This is not a Legal Survey, nor is it intended to be or replace a Legal**  
17 **Survey.** We are a Drafting Company and do not stamp, sign or seal plans. Our plans are non-  
18 certified.” <https://www.mysiteplan.com/collections/frontpage>.

19 45. The webpage further explains:

20 **What Is a Non-Certified Site Plan?**

21 A non-certified site plan is one that can be created by a homeowner, unlicensed  
22 individual, or a company like My Site Plan.

23 We use GIS (Geographical Information System) lot lines, satellite imagery, and  
24 client provided information to create the first draft which is sent to the client to  
25 verify dimensions. If you need any dimensions adjusted just mark them onto the  
26 draft and send back to us. We take care of those free of charge. We make no  
27 representation regarding the accuracy of our sources.  
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As long as a certified plan isn't required for your project, we stand by our work with a money-back guarantee.

**What Is a Certified Site Plan?**

A certified site plan is a site plan that is prepared by and stamped by an architect, engineer, or surveyor and requires a high level of accuracy. This will require a visit to your site.

Often, permit authorities will require a certified site plan for building additions or lot subdivisions where having dead-on measurements is a must. Every city is different, so it is always best to call to verify requirements before ordering a plan.

<https://www.mysiteplan.com/pages/certified-site-plans>

46. Occasionally, someone requests certified plans from MySitePlan.com. My agents and I tell those requestors to seek a locally licensed surveyor, engineer, or architect.

47. An example of the most popular version of a site plan drawing from MySitePlan.com is available at <https://www.mysiteplan.com/collections/frontpage/products/plot-plan-showing-structures-tree-and-vegetation?variant=386904444>. A true and correct copy of this example from MySitePlan.com's website is also attached as **Exhibit C**.

48. MySitePlan.com has created more than 42,000 site plan drawings in its nine years of operation.

49. MySitePlan.com does drawings in any English-speaking jurisdiction that has GIS data publicly available. This includes Canada, Australia, and nearly all U.S. States—including California.

50. MySitePlan.com contracts with non-licensed individuals to prepare these site plan drawings based on publicly available satellite imagery and GIS data.

51. Every drawing prepared by MySitePlan.com includes MySitePlan.com's name.

52. No drawing done by MySitePlan.com carries any signature or seal; all our site plans are non-certified.

1           53. The drawings done by MySitePlan.com are literally that: drawings. They are  
2 pictures that do not purport to be authoritative or surveys, much less authoritative surveys.

3           54. No building department has ever complained to me about MySitePlan.com site  
4 plan drawings or indicated that they were misled into thinking that our site plan drawings are  
5 surveys.  
6

7           55. I have never done a survey and never claimed to do surveys or be a surveyor.

8           56. MySitePlan.com has never done a survey and has never claimed to do surveys or  
9 be a surveying firm.

10          57. I do not engage in any activities related to authoritatively determining or  
11 representing locations.

12          58. MySitePlan.com does not engage in any activities related to authoritatively  
13 determining or representing locations.  
14

15          59. Neither I nor MySitePlan.com represent that MySitePlan.com's site plan  
16 drawings are surveys, certified, or authoritative; rather; MySitePlan.com's website clearly  
17 states that the site plan drawings are not surveys, are not certified, and are not a substitute  
18 for a survey.

19          60. I use GIS and data to generate only non-authoritative site plans for planning,  
20 infrastructure management, general information, and similar uses.  
21

22          61. MySitePlan.com uses GIS and data to generate only non-authoritative site plans  
23 for planning, infrastructure management, general information, and similar uses.

24          62. Many of MySitePlan.com's clients use the company's site plan drawings for  
25 submission to local government building departments when a legal survey is not required.

26          63. Others use MySitePlan.com's drawings only for general informational uses. Some  
27 of the general information uses for which clients use MySitePlan.com's site plan drawings  
28

1 include:

- 2 • Landscapers use our site plan drawings for plotting bushes, trees, patios, and sprinkler  
3 layouts.
- 4 • Solar companies use our site plan drawings to show the location of solar panels on roofs  
5 and on other property locations.
- 6 • Commercial properties use our site plan drawings for plotting parking spaces.
- 7 • Farmers markets use our site plan drawings for organizing vendors.
- 8 • Wedding venues use our site plan drawings to aid their event planning.
- 9 • Apartment complexes use our site plan drawings as maps for showing the locations of  
10 buildings and units.
- 11 • Hotels and motels have used our site plan drawings as maps to show guests to their room.
- 12 • Property speculators have used our plans to show a property’s “potential” to investors.
- 13 • Homeowners have used our site plan drawings to aid in obtaining quotes from contractors  
14 on proposed projects.
- 15 • Property owners have used our site plan drawings to obtain vacation or short-term rental  
16 permits so they may list their property on sites like AirBNB.
- 17 • Restaurants used our site plan drawings to help lay out dining tables and chairs on streets  
18 and parking lots when they needed to shift toward serving patrons outdoors during the  
19 height of the Covid-19 pandemic.

20 64. Despite the purely non-authoritative nature of MySitePlan.com’s site plan  
21 drawings, the Board believes I need to be licensed as a surveyor to create non-authoritative site  
22 plan drawings and offer them for sale to willing customers.

23 65. On December 28, 2021, Richard B. Moore, a Professional Land Surveyor, acting  
24 as the Executive Officer Board, issued a Citation Order to MySitePlan.com and me. A true and  
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1 correct copy of the Board’s Citation Order is attached as **Exhibit D**.

2 66. The Board’s Citation Order was served on MySitePlan.com and me by email that  
3 same day.

4 67. The Board’s Citation Order ordered MySitePlan.com and me “to cease and desist  
5 from violating Business and Professions Code section(s) 8792(a) and (i).”

6 68. The Board’s Citation Order also ordered MySitePlan.com and me to pay an  
7 “administrative fine in the amount of \$1,000.”

8 69. Business and Professions Code sections 8792(a) and (i) make it a misdemeanor to  
9 “practice[], or offer[] to practice, land surveying in this state without legal authorization” or  
10 exemption or to “manage[] or conduct[] as manager, proprietor, or agent, any place of business  
11 from which land surveying work is solicited, performed, or practiced” without legal authorization.  
12

13 70. As “Cause for Citation” the Board stated:

14  
15 An investigation, including a review by at least one licensee of the Board who is  
16 competent in the branch of professional land surveying most relevant to the  
17 subject matter, determined that you have violated the Professional Land  
18 Surveyor’s Act (Business and Professions Code section 8700 et seq.) related to  
19 your business known as My Site Plan. Specifically, you have offered and  
20 practiced land surveying, without legal authorization, as evidenced by a review of  
21 your business website by Board staff between March 2021 and December 2021.  
22 Preparing site plans which depict the location of property lines, fixed works, and  
23 the geographical relationship thereto falls within the definition of land surveying,  
24 pursuant to Business and Professions Code section(s) 8726(a) and (g). Offering to  
25 prepare subdivision maps and site plans which show the location of property  
26 lines, fixed works, and the geographical relationship thereto falls within the  
27 definition of land surveying pursuant to Business and Professions Code section  
28 8726(i). In offering and practicing land surveying, you have violated Business and  
Professions Code section 8792(a). In managing a business from which land  
surveying is offered and practiced, without legal authorization, you have violated  
Business and Professions Code section 8792(i).

71. The Board’s Citation Order correctly notes that I am not licensed as a  
“professional engineer, a professional land surveyor, a professional geologist, or in any  
other capacity” by the Board.

1           72.     The Board has not claimed that I have falsely held myself out as a licensed  
2 surveyor or other Board-licensed professional.

3           73.     The Board has not claimed that MySitePlan.com has falsely held out that  
4 it is a licensed surveyor or other Board-licensed professional.

5           74.     The Board has not claimed that MySitePlan.com's drawings  
6 authoritatively determine the location of property lines, fixed works, or the geographical  
7 relationship thereto, or purport to do so.

8           75.     Based on the Board's Citation Order and the statutory provisions cited  
9 therein, the Board's enforcement action was premised merely on my doing and offering  
10 to do site plan drawings because they depict or show "the location of property lines, fixed  
11 works, and the geographical relationship thereto".

12           76.     Under California law, as interpreted and enforced by the Board,  
13 MySitePlan.com and I may not use preexisting public GIS data and other information to  
14 create and disseminate non-authoritative site plans to our customers for planning,  
15 infrastructure management, general information and submission to California county and  
16 municipal building permit issuing department purposes.

17           77.     Under California law, as interpreted and enforced by the Board, licensed  
18 surveyors may create and disseminate non-authoritative site plans from preexisting public  
19 GIS data, but MySitePlan.com and I may not create and disseminate non-authoritative  
20 site plans from preexisting public GIS data.

21           78.     On September 21, 2022, I signed a notice agreeing not to appeal the  
22 Board's citation. I accepted the terms of the Board's enforcement and paid the Board a  
23 \$1,000 fine.

24           79.     Because of the Board's application of California's Professional Land  
25  
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1 Surveyors' Act to MySitePlan.com and me, MySitePlan.com and I are unable to continue  
2 operating in California—as we have done for many years and as we operate in other  
3 states and around the world—unless I obtain a surveyor license or the Board is enjoined  
4 from enforcing the surveying law against MySitePlan.com and me.

5  
6 80. Because of the Board's application of California's practice of surveying  
7 law to MySitePlan.com and me, MySitePlan.com and I are unable to continue using  
8 publicly available GIS and other information to create and disseminate new information  
9 in the form of non-authoritative site plan drawings within California unless I obtain a  
10 surveyor license or the Board is enjoined from enforcing the surveying law against  
11 MySitePlan.com and me.

12  
13 81. MySitePlan.com's sale of non-authoritative site plan drawings in  
14 California constitutes approximately sixteen percent of MySitePlan.com's existing total  
15 business.

16 82. I started MySitePlan.com in California and I have spent years—and  
17 invested a lot of money—carefully cultivating a base of repeat California customers  
18 satisfied with MySitePlan.com's site plan drawings.

19  
20 83. Because of the Board's application of California's surveying law to  
21 MySitePlan.com and me, MySitePlan.com and I are threatened with permanently losing  
22 approximately sixteen percent of our existing total business unless I obtain a surveyor  
23 license or the Board is enjoined from enforcing the surveying law against  
24 MySitePlan.com and me.

25  
26 84. Because of the Board's application of California's surveying law to  
27 MySitePlan.com and me, MySitePlan.com and I are threatened with permanently losing a  
28 base of repeat customers who are satisfied with MySitePlan.com's drawings and which I

1 have spent years cultivating.

2 85. Because of the Board's application of California's surveying law to  
3 MySitePlan.com and me, I have already been forced to refund 33 orders amounting to  
4 \$5190, to turn down dozens of additional inquiries, and to turn off my California  
5 advertisements. I estimate these steps cost me at approximately \$1000/day in revenue.  
6

7 86. To become a licensed land surveyor in California, I would need to stop  
8 working at my own business, obtain at least six years of additional education and  
9 experience (gained under a licensed land surveyor), pass at least four exams, and earn  
10 references from four existing licensees.

11 87. These years of education, experience, and exams are overly burdensome  
12 and unrelated to MySitePlan.com's non-authoritative, non-survey site plan drawings.  
13

14 88. County and municipal building permit issuing entities in California  
15 regularly and repeatedly accept non-authoritative site plan drawings from contractors and  
16 homeowners who, like me, do not have the years of education, experience, and exams  
17 necessary to obtain a surveyor's license.

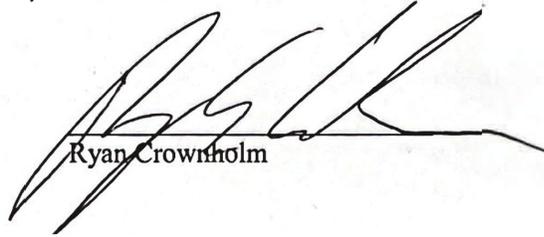
18 89. My business through MySitePlan.com, creating non-authoritative site  
19 plans for submission to California county and municipal building permit issuing  
20 departments and for other informational, non-authoritative uses, is substantially different  
21 from the business of surveyors, who prepare drawings and materials related to  
22 determining authoritative location.  
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I declare under penalty of perjury that the foregoing is true and correct.

Executed this 17th day of October, 2022.



Ryan Crownholm