

1 **BEFORE THE ARIZONA STATE**
2 **BOARD OF TECHNICAL REGISTRATION**

3 **In the Matter of:**

Case No.: P23-055

4 **James Elson**
5 **Registered Architect**
6 **Registration No. 11005**

CONSENT AGREEMENT
and
ORDER OF DISCIPLINE

7 **James Elson, Architect**
8 **Firm No. 24905**

9 **Respondents**

10 In the interest of a prompt and judicious resolution of the above-captioned matter
11 before the Arizona State Board of Technical Registration (“Board”) and consistent with
12 the public interest, statutory requirements, and the responsibilities of the Board, and
13 pursuant to A.R.S. § 32-101 et seq., and A.A.C. R4-30-120(G), the undersigned party,
14 James Elson (“Respondent”), holder of Registration No. 11005, and James Elson,
15 Architect, Firm No. 24905, and the Board enter into the following Recitals, Findings of
16 Fact, Conclusions of Law and Order (“Consent Agreement”) as a final disposition of this
17 matter.

18 **RECITALS**

19 1. Respondent has read and understands this Consent Agreement and has had
20 the opportunity to discuss this Consent Agreement with an attorney, or has waived the
21 opportunity to discuss this Consent Agreement with an attorney.

22 2. Respondent understands that he has a right to a public administrative hearing
23 concerning this case. He further acknowledges that at such formal hearing he could
24 present evidence and cross-examine witnesses. By entering into this Consent Agreement,
25 Respondent knowingly, voluntarily, and irrevocably waives his right to such an
26 administrative hearing, as well as rights of rehearing, review, reconsideration, appeal,
27 judicial review or any other administrative and/or judicial action concerning the matters
28 set forth herein.

1 3. Respondent affirmatively agrees that this Consent Agreement shall be
2 irrevocable.

3 4. Respondent understands that this Consent Agreement or any part of the
4 agreement may be considered in any future disciplinary action by the Board against him.

5 5. The Consent Agreement, any record prepared in this matter, all investigative
6 materials prepared or received by the Board and all related exhibits and materials, are
7 public records upon acceptance by the Board of this Consent Agreement and may be
8 retained in the Board's files pertaining to this matter.

9 6. Respondent understands this Consent Agreement deals with Board case
10 number P23-055 involving allegations that Respondent engaged in conduct that would
11 subject him to discipline under the Board's statutes and rules. The investigation into
12 these allegations against Respondent shall be concluded upon the Board's adoption of
13 this Consent Agreement.

14 7. Respondent understands that this Consent Agreement does not constitute a
15 dismissal or resolution of any other matters currently pending before the Board, if any,
16 and does not constitute any waiver, express or implied, of the Board's statutory authority
17 or jurisdiction regarding any other pending or future investigation, action or proceeding.

18 8. Respondent also understands that acceptance of this Consent Agreement does
19 not preclude any other agency, subdivision, or officer of this State from instituting any
20 other civil or criminal proceedings with respect to the conduct that is the subject of this
21 Consent Agreement.

22 9. Respondent acknowledges and agrees that, upon signing this Consent
23 Agreement and returning this document to the Board's Executive Director, he may not
24 revoke his acceptance of the Consent Agreement or make any modifications to the
25 document regardless of whether the Consent Agreement has been signed on behalf of the
26 Board. Any modification to this original document is ineffective and void unless
27 mutually agreed by the parties in writing.

28

1 and Respondent Firm may have practiced or offered to practice a Board regulated
2 profession without firm registration.

3 5. On or about July 13, 2023, Respondent Firm was registered the Board, under
4 Firm Registration No. 24905.

5 6. Between May 24, 2019 and July 13, 2023, Respondent and Respondent Firm
6 engaged in Architectural work without valid firm registration with the Board.

7 **CONCLUSIONS OF LAW**

8 1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq.

9 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
10 pursuant to A.R.S. § 32-121 and A.R.S. § 32-141, in that Respondent and Respondent
11 Firm may have practiced or offered to practice a Board-regulated profession without firm
12 registration.

13 **ORDER**

14 Based on the foregoing Findings of Fact and Conclusions of Law, the Board issues
15 the following Order:

16 1. **LETTER OF REPRIMAND.** Respondent is hereby issued a Letter of
17 Reprimand.

18 2. **ADMINISTRATIVE PENALTY.** Within thirty (30) days from the
19 effective date of this Consent Agreement, Respondent shall pay an administrative penalty
20 of Five Hundred and Fifty Dollars (\$550.00) by certified check or money order made
21 payable to the State of Arizona Board of Technical Registration.

22 3. **COST OF INVESTIGATION.** Within thirty (30) days from the effective
23 date of this Consent Agreement, Respondent shall pay the cost of investigation of this
24 case to the Board in the amount of Two Hundred and Five Dollars (\$205.00) by certified
25 check or money order made payable to the State of Arizona Board of Technical
26 Registration, according to the provisions of A.R.S. § 32-128(H).

27 4. **OBEY ALL LAWS.** Respondent shall obey all federal, state and local
28 laws, as well as, all rules governing the practice of Architecture in the State of Arizona.

1 The Board shall consider any violation of this paragraph to be a separate violation of the
2 rules and statues governing the Arizona Board of Technical Registration. The Board may
3 also consider Respondent's non-compliance with this Order as a separate violation of
4 A.R.S. § 32-150.

5 5. RENEWAL OF REGISTRATION. Respondent and Respondent Firm shall
6 timely renew their Arizona registration as an Architect and an Architectural Firm, and
7 timely pay all required registration fees.

8 6. EFFECTIVE DATE. The effective date of this Consent Agreement is the
9 date the Respondent and Board sign the Consent Agreement. If the dates are different, the
10 effective date is the later of the two dates.

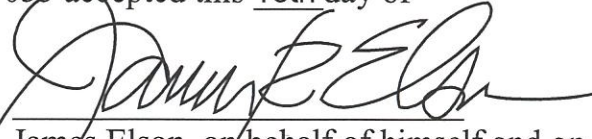
11 7. COSTS OF COMPLIANCE. Respondent shall pay all costs associated
12 with complying with this Consent Agreement.

13 8. NONCOMPLIANCE. If Respondent violates this Order in any way or fails
14 to fulfill the requirements of this Order, the Board, after giving notice and the opportunity
15 to be heard, may revoke, suspend or take other disciplinary actions against the
16 registration. The issue at such a hearing will be limited solely to whether this Order has
17 been violated.

18 ACCEPTED and ORDERED this 22 day of August, 2023.

19
20 
21 Jack Gilmore, L.A., Chairman
22 Arizona State Board of
23 Technical Registration

24 Consent Agreement and Order, No. P23-055 accepted this 16th day of
25 August, 2023.

26 
27 James Elson, on behalf of himself and on
28 behalf of James Elson Architect,
Respondents

1 ORIGINAL filed this 23rd day of
2 August, 2023, with:

3 Arizona State Board of Technical Registration
4 1110 W. Washington, Suite 240
5 Phoenix, AZ 85007

6 COPY of the foregoing mailed via Certified Mail
7 No. 9214 8901 9434 4600 0937 34 and
8 First Class mail this 23rd day of AUGUST, 2023, to:

9 James Elson
10 James Elson Architect
11 16420 North 92nd Street
12 Scottsdale, AZ 85260

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14 By: Kaitlyn Crawford
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