



BEFORE THE ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

In the Matter of: Debra Weisberg Registered Architect Registration No. 24112 Weisberg Design Associates Inc. DBA DesignLink Architecture & Planning Firm Registration No. 10221 (Expired) Current Registration No. 25222 Respondents

Case No.: P24-044 CONSENT AGREEMENT and ORDER OF DISCIPLINE

In the interest of a prompt and judicious resolution of the above-captioned matter before the Arizona State Board of Technical Registration ("Board") and consistent with the public interest, statutory requirements, and the responsibilities of the Board, and pursuant to A.R.S. § 32-101 et seq., and A.A.C. R4-30-120(G), the undersigned party, Debra Weisberg ("Respondent"), holder of Registration No. 24112, and Weisberg Design Associates Inc. DBA DesignLink Architecture and Planning, ("Respondent Firm") holder of Registration No. 10221 (Expired), Current Registration No.25222, and the Board enter into the following Recitals, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") as a final disposition of this matter.

RECITALS

- 1. Respondent has read and understands this Consent Agreement and has had the opportunity to discuss this Consent Agreement with an attorney, or has waived the opportunity to discuss this Consent Agreement with an attorney. 2. Respondent understands that she has a right to a public administrative hearing concerning this case and acknowledges that at such formal hearing she could present evidence and cross-examine witnesses. By entering into this Consent Agreement,

1 Respondent knowingly, voluntarily, and irrevocably waives her right to such an  
2 administrative hearing, as well as rights of rehearing, review, reconsideration, appeal,  
3 judicial review or any other administrative and/or judicial action concerning the matters  
4 set forth herein.

5         3. Respondent affirmatively agrees that this Consent Agreement shall be  
6 irrevocable.

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

9         5. Respondent understands this document, any record prepared in this matter,  
10 all investigative materials prepared or received by the Board, and all related exhibits and  
11 materials are public records upon acceptance by the Board of this Consent Agreement  
12 and may be retained in the Board's files pertaining to this matter.

13         6. Respondent understands this Consent Agreement deals with Board case  
14 number P24-044 involving allegations that Respondent engaged in conduct that would  
15 subject her to discipline under the Board's statutes and rules. The investigation into these  
16 allegations against Respondent shall be concluded upon the Board's adoption of this  
17 Consent Agreement.

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

22         8. Respondent understands that acceptance of this Consent Agreement does not  
23 preclude any other agency, subdivision, or officer of this State from instituting any other  
24 civil or criminal proceedings with respect to the conduct that is the subject of this  
25 Consent Agreement.

26         9. Respondent acknowledges and agrees that, upon signing this Consent  
27 Agreement and returning this document to Board staff, she may not revoke his  
28 acceptance of the Consent Agreement or make any modifications to the document

1 regardless of whether the Consent Agreement has been signed on behalf of the Board.  
2 Any modification to this original document is ineffective and void unless mutually agreed  
3 by the parties in writing.

4 10. Respondent understands this Consent Agreement is subject to the approval of  
5 the Board and is effective only when accepted by the Board and signed on behalf of the  
6 Board. If the Board does not accept this Consent Agreement, the Board retains its  
7 authority to hold a formal administrative hearing pursuant to A.R.S. § 32-128(E). In the  
8 event that the Board does not approve this Consent Agreement, it shall be withdrawn and  
9 of no evidentiary value and shall not be relied upon nor introduced in any action by any  
10 party, except that the parties agree that should the Board reject this Consent Agreement  
11 and this case proceeds to hearing, Respondent shall assert no claim that the Board was  
12 prejudiced by its review and discussion of this document or any records relating thereto.

13 11. Respondent understands if a court of competent jurisdiction rules that any  
14 part of this Consent Agreement is void or otherwise unenforceable, the remainder of the  
15 Consent Agreement shall remain in full force and effect.

16 12. Respondent understands that any violation of this Consent Agreement may  
17 result in disciplinary action, including suspension or revocation of the registration under  
18 A.R.S. § 32-150.

19 13. Respondent agrees that the Board will adopt the following Findings of Fact,  
20 Conclusions of Law and Order.

21 **FINDINGS OF FACT**

22 1. The Board is the duly constituted authority for the regulation and control of  
23 the practice of Professional Architecture in the State of Arizona.

24 2. Respondent is the holder of Arizona Professional Architect Registration No.  
25 24112, issued by the Board on March 29, 1990.

26 3. At all times relevant to the allegations of this Consent Agreement, Arizona  
27 Professional Architect Registration No. 24112 was active.

28 4. Respondent is Principal for Respondent Firm, which was registered with the

1 Board under Firm No. 10221 from April 16, 2002 until it expired on January 6, 2023.

2 5. On or about November 13, 2023, the Board received a complaint alleging  
3 that Respondent was hired to design a custom residence in Scottsdale, Arizona. It was  
4 alleged that Respondent designed the floorplan with an access door from a bedroom to a  
5 single car garage/storage that has a garage door, which was rejected by Maricopa County  
6 officials. It was further alleged that Respondent removed the door and resubmitted the  
7 plans without approval from the client and later terminated the contract. It was also  
8 further alleged that Respondent made several errors in their invoices and contract.

9 6. On or about January 10, 2024, Respondent Firm was registered under Firm  
10 No. 25222, expiring on January 9, 2025.

11 7. On or about May 13, 2024, an Enforcement Advisory Committee was  
12 convened to review the allegations. At the conclusion of the EAC meeting, the  
13 Committee determined:

14 A. Respondent failed to apply the appropriate technical knowledge and  
15 skill through the following aspect of the plans:

16 I. Respondent sealed and submitted plans that included a door  
17 from what could be considered a garage to a livable space. This design, if built, could  
18 constitute a safety concern due to potential fume or fire risks to those inhabiting the  
19 livable space.

20 B. Respondent failed to comply with state, municipal, and county laws,  
21 codes, ordinances, and regulations pertaining to the registrant's area of practice through  
22 the following:

23 I. Respondent violated the International Building Code (IBC)  
24 2018, Chapter 3, which was adopted by Maricopa County and corresponds with doors to  
25 bedrooms and specifically prohibits garage doors opening directly into an area used for  
26 sleeping purposes.

27 **CONCLUSIONS OF LAW**

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

1           2.     The conduct alleged in the Findings of Fact constitutes grounds for discipline  
2 pursuant to A.R.S. § 32-128(C)(4) as it relates to A.A.C. R4-30-301(6) and R4-30-  
3 301(4), in that Respondent may have failed to apply the appropriate technical knowledge  
4 and skill in the practice of a Board regulated profession and that Respondent may have  
5 not have complied with state, municipal and county laws, codes, ordinances, and  
6 regulations pertaining to the registrant’s area of practice.

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

10   **ORDER**

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

13           1.     LETTER OF REPRIMAND. Respondent is hereby issued a Letter of  
14 Reprimand.

15           2.     ADMINISTRATIVE PENALTY. Within sixty (60) days from the  
16 effective date of this Consent Agreement, Respondent shall pay an administrative penalty  
17 of Nine Hundred Dollars (\$900.00) by certified check or money order made payable to  
18 the State of Arizona Board of Technical Registration.

19           3.     COST OF INVESTIGATION. Within sixty (60) days from the effective  
20 date of this Consent Agreement, Respondent shall pay the cost of investigation of this  
21 case to the Board in the amount of One Hundred and Seventy-Six Dollars (\$176.00) by  
22 certified check or money order made payable to the State of Arizona Board of Technical  
23 Registration, according to the provisions of A.R.S. § 32-128(H).

24           4.     OBEY ALL LAWS. Respondent shall obey all federal, state, and local  
25 laws as well as all rules governing the practice of Architecture in the State of Arizona.  
26 The Board shall consider any violation of this paragraph to be a separate violation of the  
27 rules and statues governing the Arizona Board of Technical Registration. The Board may  
28 also consider Respondent’s non-compliance with this Order as a separate violation of

1 A.R.S. § 32-150.


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

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

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

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

15 ACCEPTED and ORDERED this 23<sup>rd</sup> day of July, 2024.

16  
17   
18 Michael Kolejka, R.A., Chairman  
19 Arizona State Board of  
20 Technical Registration

21 Consent Agreement and Order, No. P24-044 accepted this 25 day of  
22 June, 2024.

23   
24 Debra Weisberg, Respondent

25 ORIGINAL filed this 23<sup>rd</sup> day of  
26 July, 2024, with:

27 Arizona State Board of Technical Registration  
28 1110 W. Washington, Suite 240  
Phoenix, AZ 85007

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**COPY** of the foregoing mailed via Certified Mail  
No. 9214 8901 9434 4600 0979 47 and  
First Class mail this 23<sup>rd</sup> day of July, 2024, to:

Debra Weisberg  
Weisberg Design Associates Inc.  
14415 North 73<sup>rd</sup> Street, #109  
Scottsdale, AZ 85260

By: Kathryn Crawford