

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

<p>3 In the Matter of: 4 Christopher Huynh 5 Non-Registrant</p>	<p>)))))</p>	<p>Case No.: P24-096</p> <p>CONSENT AGREEMENT and ORDER OF DISCIPLINE</p>
<p>7 Respondent</p>		

8
9 In the interest of a prompt and judicious resolution of the above-captioned matter
10 before the Arizona State Board of Technical Registration (“Board”) and consistent with
11 the public interest, statutory requirements, and the responsibilities of the Board, and
12 pursuant to A.R.S. § 32-101 et seq., and A.A.C. R4-30-120(G), the undersigned party,
13 Christopher Huynh, Non-Registrant, (“Respondent”) and the Board enter into the
14 following Recitals, Findings of Fact, Conclusions of Law and Order (“Consent
15 Agreement”) as a final disposition of this matter.

16 **RECITALS**

- 17 1. Respondent has read and understands this Consent Agreement and has had or
18 waived the opportunity to discuss this Consent Agreement with an attorney.
- 19 2. Respondent understands that he has a right to a public administrative hearing
20 at which he could present evidence and cross-examine witnesses. By entering into this
21 Consent Agreement, Respondent knowingly, voluntarily, and irrevocably waives his right
22 to such an administrative hearing, as well as rights of rehearing, review, reconsideration,
23 appeal, judicial review or any other administrative and/or judicial action concerning the
24 matters set forth herein.
- 25 3. Respondent affirmatively agrees that this Consent Agreement shall be
26 irrevocable.
- 27 4. Respondent understands that this Consent Agreement or any part of the
28 agreement may be considered in any future disciplinary action by the Board against him.

1 5. The Consent Agreement, any record prepared in this matter, all investigative
2 materials prepared or received by the Board, and all related exhibits and materials may be
3 retained in the Board's files pertaining to this matter.

4 6. Respondent understands this Consent Agreement deals with Board case
5 number P24-096, involving allegations that Respondent engaged in conduct that would
6 subject him to discipline under the Board's statutes and rules. The investigation into
7 these allegations against Respondent shall be concluded upon the Board's adoption of
8 this Consent Agreement.

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

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

17 9. Respondent acknowledges and agrees that, upon signing this Consent
18 Agreement and returning this document to Board staff, he may not revoke acceptance of
19 the Consent Agreement or make any modifications to the document regardless of whether
20 the Consent Agreement has been signed on behalf of the Board. Any modification to this
21 original document is ineffective and void unless mutually agreed by the parties in writing.

22 10. This Consent Agreement is subject to the approval of the Board and is
23 effective only when accepted by the Board and signed on behalf of the Board. If the
24 Board does not accept this Consent Agreement, the Board retains its authority to hold a
25 formal administrative hearing pursuant to A.R.S. § 32-128(E). In the event that the
26 Board does not approve this Consent Agreement, it is withdrawn and shall be of no
27 evidentiary value and shall not be relied upon nor introduced in any action by any party,
28 except that the parties agree that should the Board reject this Consent Agreement and this

1 case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced
2 by its review and discussion of this document or any related records.

3 11. If a court of competent jurisdiction rules that any part of this Consent
4 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement
5 shall remain in full force and effect.

6 12. Respondent understands that any violation of this Consent Agreement may
7 result in disciplinary action, including suspension or revocation of a registration under
8 A.R.S. § 32-150.

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

11 **FINDINGS OF FACT**

12 1. The Board is the duly constituted authority for the regulation and control of
13 the profession of Architecture, and Professional Engineering.

14 2. Respondent is not currently registered with the Board as a Registered
15 Architect or a Professional Engineer, nor was he registered with the Board as a
16 Registered Architect or a Professional Engineer at any time relevant to the allegations
17 underlying this Consent Agreement.

18 3. On March 20, 2024, the Board received a complaint alleging:

19 a. On or about December 18, 2023, Felton Group was hired for the Abel
20 Ranch Project in Goodyear, AZ by Mertiage Homes;

21 b. Respondent altered sealed PDF architectural construction documents,
22 through modification of floor plans, elevations line work, dimensions, plate
23 height, building section dimensions, modifying the title block and other
24 community information as well as adding a garage service door;

25 c. Respondent altered sealed PDF structural construction documents and
26 structural calculations, including title blocks, foundation schedules,
27 foundation design, plate height information on the framing plans and
28 structural calculations; and

1 d. Respondent made these alterations to sealed architectural and structural
2 construction documents and sealed structural calculations with the intent to
3 submit them to the City of Goodyear.

4 4. On May 24, 2024, Respondent acknowledged that on or about October 30,
5 2023, he modified and altered plans and documents previously signed and sealed by
6 Andrew Wheeler, Registered Architect #74034 and Michael Brooks, Registered
7 Professional Engineer (Civil) #67809. Respondent also stated in an email message,
8 *“Obviously, it was very poor judgement on my part and quite frankly I'm as embarrassed*
9 *as I am anything else... Understanding that, I accept full responsibility and again will not*
10 *be contesting the complaint.”*

11 5. On July 16, 2024, Respondent acknowledged:

- 12 a. Modifying the existing plans utilizing a computer CAD program in
13 use by Meritage homes;
14
15 b. Modifying and altering plans and documents previously signed and sealed
16 by Andrew Wheeler, Registered Architect #74034 and Michael Brooks,
17 Registered Professional Engineer (Civil) #67809, including altering the
18 floor plans, elevations, line work, dimensions, plate height, and building
19 section dimensions, modifying the title block and community information,
20 and adding a garage service door as well as altering structural construction
21 documents and structural calculations from Rancho Mirage including title
22 blocks, foundation schedules, foundation design, framing plan plate height
23 information, and structural calculations; and
24
25 c. Attempting to submit these same plans or documents to the City of
26 Goodyear for approval.

27 **CONCLUSIONS OF LAW**

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

1 including A.R.S. § 32-106.02(A).

2 2. The conduct alleged in the Findings of Fact, constitutes grounds for
3 discipline pursuant to A.R.S. 32-121 and A.R.S. 32-145(1) in that Respondent may have
4 practiced or offered or by any implication held himself out as qualified to practice a
5 Board regulated profession without Board registration.

6 3. The conduct alleged in the Findings of Fact, constitutes grounds for discipline
7 pursuant to A.R.S. 32-145(4) in that Respondent may have used the registration of
8 another.

9 ORDER

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

12 1. **CIVIL PENALTY.** Within Twelve (12) Months from the effective date of
13 this Consent Agreement, Respondent shall pay a civil penalty of Four Thousand Dollars
14 (\$4,000) by certified check or money order made payable to the State of Arizona Board
15 of Technical Registration.

16 2. **COST OF INVESTIGATION.** Within Twelve (12) Months from the
17 effective date of this Consent Agreement, Respondent shall pay the cost of investigation
18 of this case to the Board in the amount of Three Hundred Thirty Dollars (\$330.00) by
19 certified check or money order made payable to the State of Arizona Board of Technical
20 Registration.

21 3. **OBEY ALL LAWS.** Respondent shall obey all federal, state and local laws,
22 related to the practice of Architecture and the practice of Engineering in the State of
23 Arizona. The Board shall consider each violation of this paragraph to be a separate
24 violation of the statutes governing the Arizona Board of Technical Registration.

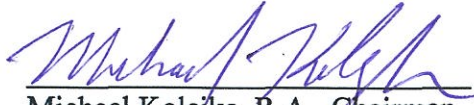
25 4. **EFFECTIVE DATE.** The effective date of this Consent Agreement is the
26 date the Respondent and Board sign the Consent Agreement. If the dates are different, the
27 effective date is the later of the two dates.

28 5. **COSTS OF COMPLIANCE.** Respondent shall pay all costs associated with

1 complying with this Consent Agreement.

2 6. NONCOMPLIANCE. If Respondent fails to fulfill any requirement of this
3 Order, the Board may seek any available legal remedy including filing a Petition for
4 Injunction in the appropriate court pursuant to A.R.S. § 32-106.01.

5
6 ACCEPTED and ORDERED this 29th day of October, 2024.

7
8 
9 Michael Kolejka, R.A., Chairman
10 Arizona State Board of
11 Technical Registration

12 Consent Agreement and Order, No. P24-096 accepted this 10th day of
13 October, 2024.

14 
15 Christopher Huynh, Respondent

16 ORIGINAL filed this 1 day of

17 NOVEMBER, 2024, with:

18 Arizona State Board of Technical Registration
19 1110 W. Washington, Suite 240
20 Phoenix, AZ 85007

21 COPY of the foregoing mailed via Certified Mail
22 No. 9214890194344600099491 and

23 First Class mail this 1 day of NOVEMBER, 2024, to:

24 Christopher Huynh
25 18655 North Claret Drive, Suite 400
26 Scottsdale AZ, 85255

27
28 By: 