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

In the Matter of:

**Brad J. Gruver
Professional Engineer (Civil)
Registration No. 22869**

Respondent

Case No.: P24-076

**CONSENT AGREEMENT
and
ORDER OF DISCIPLINE**

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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, Brad J. Gruver ("Respondent"), holder of Registration No. 22869, 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.

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RECITALS

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

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

5 6. Respondent understands this Consent Agreement deals with Board case
6 number P24-076 involving allegations that Respondent engaged in conduct that would
7 subject him to discipline under the Board's statutes and rules. The investigation into
8 these allegations against Respondent shall be concluded upon the Board's adoption of
9 this Consent Agreement.

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

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

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

24 10. Respondent understands this Consent Agreement is subject to the approval of
25 the Board and is effective only when accepted by the Board and signed on behalf of the
26 Board. If the Board does not accept this Consent Agreement, the Board retains its
27 authority to hold a formal administrative hearing pursuant to A.R.S. § 32-128(E). In the
28 event that the Board does not approve this Consent Agreement, it shall be withdrawn and

1 of no evidentiary value and shall not be relied upon nor introduced in any action by any
2 party, except that the parties agree that should the Board reject this Consent Agreement
3 and this case proceeds to hearing, Respondent shall assert no claim that the Board was
4 prejudiced by its review and discussion of this document or any records relating thereto.

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

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

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

13 **FINDINGS OF FACT**

14 14. The Board is the duly constituted authority for the regulation and control of
15 the practice of Professional Engineering in the State of Arizona.

16 15. Respondent is the holder of Arizona Professional Engineer (Civil)
17 Registration No. 22869, issued by the Board on February 23, 1989.

18 16. At all times relevant to the allegations of this Consent Agreement, Arizona
19 Professional Engineer (Civil) Registration No. 22869 was active.

20 17. On or about March 22, 2022, the Respondent entered into a Consent
21 Agreement and Order of Discipline in Board Case No. P22-033.

22 18. On or about December 3, 2023, Respondent submitted a renewal application
23 for Professional Engineer (Civil) Registration No. 22869 in which he answered "No" to
24 the question asking if he had been investigated and/or disciplined by any regulatory
25 agency since his last renewal. Respondent did, however, report the disciplinary action on
26 his Registered Land Survey renewal application (#27240) submitted on June 25, 2023.

27 **CONCLUSIONS OF LAW**

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

1 20. 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(1) and A.R.S. § 32-
3 145(5), in that Respondent may have submitted false statements and failed to disclose
4 material facts request in connection with an application for registration.

5 **ORDER**

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

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

9 2. OBEY ALL LAWS. Respondent shall obey all federal, state, and local laws as
10 well as all rules governing the practice of Engineering in the State of Arizona. The Board
11 shall consider any violation of this paragraph to be a separate violation of the rules and
12 statues governing the Arizona Board of Technical Registration. The Board may also
13 consider Respondent's non-compliance with this Order as a separate violation of A.R.S. §
14 32-150.

15 3. RENEWAL OF REGISTRATION. Respondent shall timely renew his Arizona
16 registration as an Engineer, and timely pay all required registration fees.

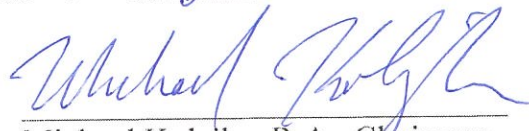
17 4. EFFECTIVE DATE. The effective date of this Consent Agreement is the date the
18 Respondent and Board sign the Consent Agreement. If the dates are different, the
19 effective date is the later of the two dates.

20 5. COSTS OF COMPLIANCE. Respondent shall pay all costs associated with
21 complying with this Consent Agreement.

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

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1 ACCEPTED and ORDERED this 3rd day of December, 2024.

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4 Michael Kolejka, R.A., Chairman
5 Arizona State Board of
6 Technical Registration

7 Consent Agreement and Order, No. P24-076 accepted this 20 day of
8 November, 2024.

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10 Brad J. Gruver, Respondent

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16 ORIGINAL filed this 4th day of
17 December, 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. 9214 8901 9434 4600 0999 58 and
23 First Class mail this 4th day of December, 2024, to:

24 Brad J. Gruver
25 16738 N. 109th Street
26 Scottsdale, AZ 85255

27 By: Kaitlyn Crawford
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