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BEFORE THE ARIZONA STATE
BOARD OF TECHNICAL REGISTRATION

In the Matter of:

Patrick Hallman
Architect
Registration No. 50692

Respondent

Case No.: P16-018

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, Patrick Hallman ("Respondent"), holder of Registration No. 50692, 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 the opportunity to discuss this Consent Agreement with an attorney, or has waived the opportunity to discuss this Consent Agreement with an attorney.

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2. Respondent understands that he has a right to a public administrative hearing concerning this case. He further 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.

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

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

3 5. The Consent Agreement, any record prepared in this matter, all investigative
4 materials prepared or received by the Board and all related exhibits and materials, are
5 public records (as defined in A.R.S. § 41-158.18) upon acceptance by the Board of this
6 Consent Agreement and may be retained in the Board's files pertaining to this matter.

7 6. Respondent understands this Consent Agreement deals with Board case
8 number P16-018 involving allegations that Respondent engaged in conduct that would
9 subject him to discipline under the Board's statutes and rules. The investigation into
10 these allegations against Respondent shall be concluded upon the Board's adoption of
11 this Consent Agreement.

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

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

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

26 10. This Consent Agreement is subject to the approval of the Board and is
27 effective only when accepted by the Board and signed on behalf of the Board. If the
28 Board does not accept this Consent Agreement, the Board retains its authority to hold a

1 formal administrative hearing pursuant to A.R.S. § 32-128(E). In the event that the
2 Board does not approve this Consent Agreement, it is withdrawn and shall be of no
3 evidentiary value and shall not be relied upon nor introduced in any action by any party,
4 except that the parties agree that should the Board reject this Consent Agreement and this
5 case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced
6 by its review and discussion of this document or any records relating thereto.

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

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

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

15 FINDINGS OF FACT

16 1. The Board is the duly constituted authority for the regulation and control of
17 the practice of Architecture in the State of Arizona.

18 2. Respondent is the holder of Architect Registration No. 50692.

19 3. On July 9, 2015, the Board received a complaint, alleging that the
20 Respondent aided and abetted a Non-Registrant by signing and sealing professional
21 documents that had been submitted to the Town of Gilbert by a Non-Registrant, Mark
22 Bowker, under the Non-Registrant's firm, Pixolux Laboratory. Based upon this
23 complaint, the Board initiated an investigation.

24 4. On November 11, 2015, Respondent and Non-Registrant came to the Board's
25 office and provided the Pecos and Market project plans, which displayed the
26 Respondent's seal with the Non Registrant's firm's name, Pixolux Laboratory, in the title
27 block. During the interview, the Respondent admitted he unknowingly violated Board
28 statutes by sealing plans prepared by a Non-Registrant to the Town of Gilbert for the

1 Pecos and Market project, agreeing to immediately discontinue any conduct that would
2 violate the Board's statutes moving forward.

3 5. On December 7, 2015, Board Staff received a written response from the
4 Respondent acknowledging his violations of the Board's statutes. Respondent indicated
5 that he has changed his practice such that he is now in compliance with the Board's
6 Practice Act.

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
10 discipline, pursuant to A.R.S. § 32-32-128(C)(3), in that Respondent participated in
11 aiding and abetting a Non-Registrant and Non-Registrant Firm by signing and sealing a
12 professional document prepared by a Non-Registrant.

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 One Hundred Twenty (120) days
19 from the effective date of this Consent Agreement, Respondent shall pay an
20 administrative penalty of One Thousand Dollars (\$1,000.00) by certified check or money
21 order made payable to the State of Arizona Board of Technical Registration.
22 3. COST OF INVESTIGATION. Within Sixty (60) days from the effective date
23 of this Consent Agreement, Respondent shall pay the cost of investigation of this case to
24 the Board in the amount of Three Hundred Twenty-One Dollars (\$321.00) 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. EFFECTIVE DATE. The effective date of this Consent Agreement is the
28 date the Respondent and Board sign the Consent Agreement. If the dates are different, the

1 effective date is the later of the two dates.

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

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

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10 ACCEPTED and ORDERED this 16^{JBTH} day of June, 2016.

11 E. Leroy Brady
12 E. Leroy Brady, Chairman
13 Arizona State Board of
14 Technical Registration

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16 Consent Agreement and Order, No. P16-018 accepted this 16 day of
June, 2016.

17 Patrick Hallman
18 Patrick Hallman, Respondent

19 ORIGINAL filed this 23
16 day of
20 June, 2016, with:

21 Arizona State Board of Technical Registration
22 1110 W. Washington, Suite 240
23 Phoenix, AZ 85007

24 COPY of the foregoing mailed via Certified Mail
25 No. 7015 3010 0000 3864 775 7 and
26 First Class mail this 30 day of JUNE, 2016, to:
27 Patrick Hallman
3615 N 16th St, #3
Phoenix, AZ 85016

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By:

Patrick Hill

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