

BEFORE THE ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

In the Matter of: Andrew J. Boubel, Member/Manager, (Architect Registration No. 35853), Desert Ridge Design, LLC, dba DRD Architects (Registration No. 1989) Respondent

Case No.: P17-010 CONSENT AGREEMENT and ORDER OF NON-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, Andrew J. Boubel (Architect #35853) as Statutory Agent, Member/Manager of Desert Ridge Design, LLC, dba DRD Architects (Registration No. 19893) ("Respondent") and the Board enters 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 retains the procedural and substantive Due Process and Equal Protection rights under the U.S. and Arizona Constitutions.
3. Respondent affirmatively agrees that there is a right to a public administrative hearing concerning this case and at such formal hearing, Respondent has an opportunity to present evidence and cross-examine witnesses.
4. Upon both parties signing this Consent Agreement, Respondent then knowingly and voluntarily waives the right to the administrative hearing concerning the matters set forth herein.

1 5. Respondent affirmatively agrees that upon both parties signing this Consent
2 Agreement, this Consent Agreement shall be irrevocable.

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

7 7. Respondent understands this Consent Agreement deals with Board case
8 number P17-010 involving allegations that Respondent engaged in conduct subjected to a
9 non-disciplinary action under the Board's statutes and rules. Upon both parties signature
10 of this Consent Agreement, the investigation into all allegations against Respondent shall
11 be concluded.

12 8. Respondent acknowledges and agrees that upon both parties signing this
13 Consent Agreement, this Consent Agreement becomes irrevocable and that any
14 modification to this original document is ineffective and void unless mutually agreed
15 upon by the parties in a signed writing.

16 9. Upon signature by both parties, this Consent Agreement is subject to Board
17 approval and is effective upon both parties when this Consent Agreement is signed on
18 behalf of the Board. If the Board does not accept or sign this Consent Agreement, the
19 Board retains its authority to hold a formal administrative hearing pursuant to A.R.S. §
20 32-128(E). In the event that the Board does not approve this Consent Agreement, this
21 Consent Agreement is withdrawn.

22 10. If a court of competent jurisdiction rules that any part of this Consent
23 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement
24 shall remain in full force and effect.

25 11. Respondent understands that any violation of this Consent Agreement may
26 result in a disciplinary action under A.R.S. § 32-150.

1 in the practice of a Board regulated profession without firm registration with the Board,
2 by advertising the practice of architecture on Craigslist and a business website and upon
3 communication with Respondent Desert Ridge Design, LLC dba DRD Architects on July
4 25, 2016, Respondent registered with the Board and received Registration No. 19893
5 constituting grounds for a non-disciplinary action, a Letter of Concern to Respondent
6 pursuant to A.R.S. 32-121 and A.R.S. 32-141.

7 **ORDER**

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

10 1. LETTER OF CONCERN. Respondent is hereby issued a non-disciplinary
11 Letter of Concern as an expression for Respondent to be aware of the responsibility as a
12 registrant to know and abide by the Board's Practice Act, including the firm registration
13 requirement. Respondent Desert Ridge Design, LLC dba DRD Architects on July 25,
14 2016, registered with the Board and received Registration No. 19893.

15 2. ADMINISTRATIVE PENALTY. On October 27, 2016 Respondent paid and
16 submitted the administrative penalty of Two Hundred and Fifty Dollars (\$250.00) to the
17 Board via a cashier's check made payable to the Arizona State Board of Technical
18 Registration according to the provisions of A.R.S. § 32-106.02(A).

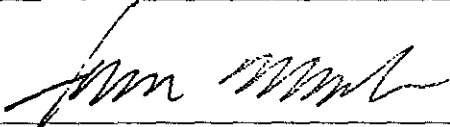
19 3. COST OF INVESTIGATION. On October 27, 2016 Respondent paid and
20 submitted the cost of investigation of this case in the amount of Two Hundred and
21 Seventy Dollars (\$270.00) to the Board via a cashier's check made payable to the
22 Arizona State Board of Technical Registration according to the provisions of A.R.S. §
23 32-128(H).

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


27 5. COSTS OF COMPLIANCE. Respondent has paid all costs associated with
28 this Consent Agreement.

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

5
6 ACCEPTED and ORDERED this 2ND day of NOVEMBER, 2016.

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8 
9 Jason K. Madison, Chairman of the Board
Arizona State Board of Technical Registration

10
11 Consent Agreement and Order, No. P17-010 accepted this 27 day of
12 OCTOBER, 2016.

13
14 
15 Andrew J. Boubel, Statutory Agent, Member
16 and Manager of Desert Ridge Design, LLC, dba
DRD Architects, Registrant #1989, Respondent


17
18 ORIGINAL filed this 2ND day of NOVEMBER, 2016, with:

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

21
22 COPY of the foregoing mailed via Certified Mail No. 7016 0752 0000 2510 ⁸⁶⁶⁶ and

23 First Class mail this 3 day of NOVEMBER, 2016, to:

24 Desert Ridge Design, LLC
25 Dba DRD Architects
26 4008 E. Creosote Dr.
Cave Creek, AZ 85331

27 By: 
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