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10 **BOARD OF TECHNICAL REGISTRATION**  
11 **THE STATE OF ARIZONA**

13 In the Matter of: ) OAH Docket No. 19F- P17-026-BTR  
14 Christopher Caver, ) Case No.: P17-026  
15 Registered Architect # 50438 )  
16 Architectural Solutions, P.L.C. ) **COMPLAINT**  
Unregistered Firm, ) **AND**  
17 Respondents. ) **NOTICE OF HEARING**

18  
19 **I. NOTICE OF PUBLIC HEARING**

20 YOU ARE NOTIFIED that pursuant to Arizona Revised Statutes ("A.R.S.") § 32-128(E),  
21 and A.R.S. § 41-1092.03, that a public hearing before an administrative law judge will be held on  
22 behalf of the Arizona Board of Technical Registration (the "Board") at the Office of  
23 Administrative Hearings ("OAH") to determine whether grounds exist to impose disciplinary  
24 action against Christopher Caver ("Caver" or "Respondent") and Architectural Solutions, P.L.C.  
25 ("Respondent Firm"), ( collectively, "Respondents"). **OAH is located, and the hearing will**  
26 **take place, at 1740 West Adams Street, Lower Level, in Phoenix, Arizona, 85007, (contact**  
27 **telephone number: 602-542-9826); on November 12, 2019, beginning at 1:00 p.m., and**  
28 continuing on successive days until concluding, concerning the matters set forth in this

1 Complaint and Notice of Hearing, at which time and place, evidence, testimony and argument in  
2 support of the charges set forth in the Complaint will be presented.

3 If you desire to make a defense to the charges at the hearing, you must file an answer to  
4 this Complaint pursuant to A.R.S. § 32-128(F) within thirty (30) days of its service. **Failure to**  
5 **respond to the Complaint and Notice of Hearing within the allotted time may constitute an**  
6 **admission that you have violated Board statutes and rules as stated in this document, and**  
7 **discipline may be imposed against you.** If you file an answer, you may also appear at the  
8 hearing in person and may be represented by legal counsel (admitted to practice in Arizona) and  
9 may at that time cross-examine the witnesses against you and present testimony of witnesses,  
10 evidence, and legal argument on your own behalf. If you file an answer but fail to appear for the  
11 hearing, the hearing may proceed in your absence and discipline may be imposed against you. If  
12 you would like to waive the hearing on the Complaint and do not contest the facts alleged, you  
13 may file an answer consisting of a declaration that the material allegations of the Complaint are  
14 admitted.

15 Pursuant to A.R.S. §§ 32-128(A) and (H), and 32-106.02(B), if it is determined that you  
16 have violated a Board statute or rule, discipline against you can include a civil penalty of up to  
17 \$2,000 per violation, revocation, suspension or probation, practice restrictions, and mandatory  
18 peer review; and you may also be charged for the costs of its investigation, including the Board's  
19 attorney fees.

20 Pursuant to A.R.S. § 41-1092.06(A), you have the right to request an informal settlement  
21 conference to attempt to negotiate a settlement of your case. Such request must be filed in  
22 writing no later than twenty (20) days before the scheduled hearing. Such request may be filed  
23 by mail or email with the attorney for the Board who is listed herein, or by regular mail to Kurt  
24 Winter, Arizona State Board of Technical Registration, 1110 W. Washington, Ste. 240, Phoenix,  
25 AZ 85007. The conference will be held within fifteen (15) days after the Board receives your  
26 request. Please note that you waive any right to object to the participation of the Board's  
27 representative in the final administrative decision of the matter if it is not settled at the  
28 conference.

1 **II. JURISDICTION AND PARTIES**

- 2 1. The Board issues this Complaint and Notice of Hearing pursuant to A.R.S. § 32-128(E).  
3 2. The Board is the duly constituted authority for the regulation and control of the practice  
4 of architecture, etc., and the firms under which registrants practice pursuant to A.R.S. § 32-101,  
5 *et seq.*  
6 3. Caver holds active architect registration number 50438, which has a current expiration  
7 date of December 31, 2021, but which was expired at the time relevant to this complaint.  
8 Respondent Firm has never held a firm registration for the practice of architecture in Arizona.

9 **III. FACTUAL ALLEGATIONS**

- 10 4. On or about September 3, 2015, Caver provided a proposal to provide architectural  
11 services to a client, Ron Lou of AC East Mesa, L.L.C. ("Lou"), to obtain the necessary building  
12 permit to renovate the Angry Crab Shack restaurant (the "Restaurant") located at 8253 E.  
13 Guadalupe Rd., Mesa, AZ. Caver's architect registration expired on December 31, 2015.  
14 5. Lou verbally accepted Caver's proposal, Caver created architectural plans pursuant to  
15 their agreement, and, on or about February 24, 2016, after his architect registration had expired  
16 and before it was renewed, Caver applied for the construction permit and submitted unsigned and  
17 unsealed architectural plans for the Restaurant to the City of Mesa for review and approval. The  
18 plans listed Respondent Firm, Architectural Solutions, P.L.C., in the title block.  
19 6. On March 3, 2016, the City issued plan review comments that identified numerous  
20 deficiencies, including the fact that the plans required the seal and signature of an Arizona-  
21 registered architect.  
22 7. On or about April 19, 2016, after his architect registration had expired and before it was  
23 renewed, Caver resubmitted the plans to the City which failed to address most of the City's  
24 concerns and were, again, unsigned and unsealed.  
25 8. Caver failed to complete the work for which he was paid \$7100.00, and he failed to  
26 advise Lou that his registration had expired.

1 9. Lou filed a civil lawsuit against Caver and filed a complaint against him with the Board  
2 in August, 2016. Lou provided the Board with a copy of Caver's proposal and copies of the plans  
3 Caver drafted for the restaurant project.

4 10. In his October, 2016, response to the Board's notice of this complaint, Caver admitted the  
5 following allegations:

6 a. Caver entered into an agreement with Lou to perform architectural services for the  
7 Restaurant;

8 b. On February 24 and April 19, 2016, he submitted to the City of Mesa for review and  
9 approval the architectural plans that he drafted, but failed to sign or seal.

10 c. Caver knew his architectural registration had expired on December 31, 2015.

11 11. At a September 26, 2017, meeting, the Board reviewed the results of this investigation.  
12 The Board determined that the evidence revealed that Respondent violated the Board's Practice  
13 Act and voted to offer him a consent agreement to resolve this case informally. Respondent  
14 failed to sign the offered consent agreement.

#### 15 IV. ALLEGATIONS OF VIOLATIONS

16 12. The conduct alleged above constitutes grounds for discipline pursuant to A.R.S. §§ 32-  
17 125(B) and 32-128(C)(4), as it relates to Arizona Administrative Code ("A.A.C.") R4-30-  
18 304(D)(1), in that Respondent failed to sign, date, and seal plans he prepared and submitted to  
19 the City of Mesa, AZ for review in February and in April, 2016.

20 13. The conduct alleged above constitutes grounds for discipline pursuant to A.R.S. § 32-  
21 128(C)(2), in that Respondent demonstrated gross negligence, incompetence or other misconduct  
22 while engaged in the practice of architecture by failing to complete a project after receiving  
23 payment from the client and failing to disclose to the client that his professional registration as an  
24 architect had expired while working on the project at issue.

25 14. The conduct alleged above constitutes grounds for discipline pursuant to A.R.S. § 32-121  
26 and A.R.S. § 32-145(1), in that Respondent practiced a Board regulated profession, specifically  
27 architecture, without current registration when he designed and/or submitted plans for the  
28 Restaurant renovation project during the months of February and April, 2016.

1 **15.** The conduct alleged above constitutes grounds for discipline pursuant to A.R.S. § 32-  
2 128(C)(4) as it relates to A.A.C. R4-30-301(4) and (20), in that Caver, acting as the statutory  
3 agent for Respondent Firm, engaged in the practice of architecture on the Restaurant project  
4 between February and April, 2016, through a firm that was never registered with the Board.

5 **16.** The conduct alleged above constitutes grounds for discipline pursuant to A.R.S. § 32-  
6 106.02, in that Respondent Firm is not registered with the Board to conduct an architectural  
7 practice, which is a board regulated profession in Arizona, as required pursuant to A.R.S. §§ 32-  
8 101, 32-121, 32-122.01, and 32-141; and A.A.C. R4-30-201 and R4-30-214.

9 RESPECTFULLY SUBMITTED on this 1 day of October, 2019.

10  
11 By: 

MELISSA CORNELIUS

Executive Director

Arizona Board of Technical Registration

1 ORIGINAL of the foregoing filed  
2 this 1 day of October, 2019, with:

3 The Arizona State Board of Technical Registration  
4 1110 West Washington, Suite 240  
5 Phoenix, Arizona 85007

6 COPY of the foregoing served upon Respondent via U.S. Certified and Regular Mail and E-mail  
7 this 1 day of October, 2019, to:

8 Christopher Caver  
9 Architectural Solutions, PLC  
10 1211 N. Central Ct.  
11 Chandler, AZ 85224

12 Christopher Caver  
13 rufcav@netscape.net

14 Christopher Caver  
15 rufcav@aim.com

16 COPY of the foregoing served this 1 day of October, 2019, to:

17 Deanie Reh  
18 Assistant Attorney General  
19 2005 N. Central Ave.  
20 Phoenix, Arizona 85004-1592  
21 deanie.reh@azag.gov  
22 Attorney for the Board

23 By: Kurt Winter