

1  
2  
3  
4  
5  
6  
7  
8  
9

BEFORE THE ARIZONA STATE  
BOARD OF TECHNICAL REGISTRATION

In the Matter of:

Case No.: P17-028

Natasha Hartrick  
Architect  
Registration No. 54414

Natasha Marie Hartrick Designs,  
PLLC  
Firm Registration No. 20017

CONSENT AGREEMENT  
and  
ORDER OF DISCIPLINE

Respondents

10  
11  
12  
13  
14  
15  
16  
17

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, Natasha Hartrick holder of Registration No. 54414, ("Respondent") and Natasha Marie Hartrick Designs, PLLC holder of Firm Registration No. 20017, ("Respondent") 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.

18  
19

RECITALS

20  
21

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.

22  
23  
24  
25  
26  
27  
28

2. Respondent understands that she has a right to a public administrative hearing concerning this case. She further acknowledges that at such formal hearing she could present evidence and cross-examine witnesses. By entering into this Consent Agreement, Respondent knowingly, voluntarily, and irrevocably waives her 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 her.

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

6. Respondent understands this Consent Agreement deals with Board case number P17-028 involving allegations that Respondent engaged in conduct that would subject her to discipline under the Board's statutes and rules. The investigation into these allegations against Respondent shall be concluded upon the Board's adoption of this Consent Agreement.

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

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

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

10. This Consent Agreement is subject to the approval of the Board and is effective only when accepted by the Board and signed on behalf of the Board. If the

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

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

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

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

16 **FINDINGS OF FACT**

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

19 2. Respondent is the holder of Arizona Architect Registration No. 54414.

20 3. Respondent firm was not registered with the Board until October 12, 2016.

21 4. On or about June 16, 2016, Respondent entered into a contract with a client  
22 to complete a remodel of the interior of the client's residence located at 1002 W. Butler  
23 Dr. Phoenix, AZ. The client paid Respondent \$600.00 as a down payment with the  
24 remaining balance to be paid at regular milestones during the project.

25 5. On July 7, 2016, the client attempted to contact Respondent for an update on  
26 her progress but did not receive a response from Respondent.

27 6. On July 12, 2016, Respondent contacted the client and informed him that she  
28 would provide a status update in a few days.

1           7. On July 15, 2016, after receiving no communication from Respondent, the  
2 client called Respondent and left several voice messages.

3           8. On July 16, 2016, Respondent contacted the client and informed him that she  
4 was dealing with a medical issue and would contact him soon with an update on the  
5 project.

6           9. Over the next 30 days the client attempted to contact Respondent via  
7 telephone calls and emails, all without success. The client, after having no  
8 communication with Respondent, decided to activate the cancel clause in the contract and  
9 emailed Respondent asking for her work product to that date so they could continue the  
10 project with another Architect. Respondent mistakenly thought that she had provided her  
11 work product to the client via an email, but came to realize that she never sent the email  
12 to the client, and therefore failed to respond the client and failed to provide any work  
13 associated with the client's project.

14          10. On or about July 20, 2016, the client hired another Architect to restart the  
15 project which caused the client to incur additional cost.

16                                   **CONCLUSIONS OF LAW**

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

18           2. The conduct alleged in the Findings of Fact constitutes grounds for discipline  
19 pursuant to A.R.S. § 32-128(C)(4) as it relates to A.A.C. R4-30-301(4), in that  
20 Respondent failed to register Respondent firm prior to practicing a Board regulated  
21 profession.

22           3. The conduct alleged in the Findings of fact constitutes grounds for discipline  
23 pursuant to A.R.S. 32-128(C)(2), in that Respondent's negligence in failing to  
24 communicate with the client caused the client to cancel the contract and bear the  
25 additional cost of hiring a new architect to start and finish the client's project.

26           4. The conduct alleged in the Findings of Fact constitutes grounds for discipline  
27 pursuant to A.R.S. § 32-121 and A.R.S. § 32-141, in that Respondent firm practiced a  
28 Board regulated profession without registration.

ORDER

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

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

2. COST OF INVESTIGATION. Within thirty (30) days from the effective date of this Consent Agreement, Respondent shall pay the cost of investigation of this case to the Board in the amount of Three Hundred and Six Dollars (\$306.00) by certified check or money order made payable to the State of Arizona Board of Technical Registration, according to the provisions of A.R.S. § 32-128(H).

3. RESTITUTION TO CLIENT. Within thirty (30) days from the effective date of this Consent Agreement Respondent shall pay the client, Ryan Patterson, the amount of Six Hundred Dollars (\$600.00) by check or money order. If Respondent fails to pay the client, Ryan Patterson, within thirty (30) days from the effective date of this Consent Agreement and Order, Respondent's registration shall be suspended until such time as payment is made in full. Within ten (10) days of the payment to the client, Ryan Patterson, Respondent shall provide the Board with written proof that payment has been made.

4. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, as well as, all rules governing the practice of Architecture in the State of Arizona. The Board shall consider any violation of this paragraph to be a separate violation of the rules and statues governing the Arizona Board of Technical Registration.

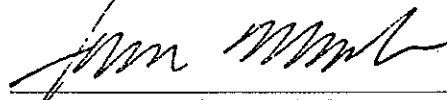
5. RENEWAL OF REGISTRATION. Respondent shall timely renew her Arizona registration as an Architect and firm registration and timely pay all required registration fees.

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

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


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

8 ACCEPTED and ORDERED this 16<sup>th</sup> day of NOVEMBER, 2016.

9  
10 

11 Jason K. Madison, Chairman  
12 Arizona State Board of  
13 Technical Registration

14 Consent Agreement and Order, No. P17-028 accepted this 8 day of X  
15 November, 2016.

16  x  
17 Natasha Hartrick, and on behalf of  
18 Natasha Marie Hartrick Designs, PLLC  
19 Respondents

20 ORIGINAL filed this 8 day of  
21 NOVEMBER, 2016, with:

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

25 COPY of the foregoing mailed via Certified Mail  
26 No. 9214 6901 9434 4600 6019 37 and  
27 First Class mail this 17 day of NOVEMBER, 2016, to:

28 Natasha Hartrick  
8623 East Holly St.  
Scottsdale, AZ 85257

By: D Kraemer