

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

In the Matter of:
Beth Katz
Non-Registrant
Katz Design Group, LLC
Non-Registrant Firm
Respondents

Case No.: P18-017

**CONSENT AGREEMENT
and
ORDER OF 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, Beth Katz, Non-Registrant, ("Respondent"), Katz Design Group, LLC, Non-Registrant Firm, ("Respondent Firm"), 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.

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

1 irrevocable.

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

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

8 6. Respondent understands this Consent Agreement deals with Board case
9 number P18-017, involving allegations that Respondent engaged in conduct that would
10 subject him to discipline under the Board's statutes and rules. The investigation into
11 these allegations against Respondent shall be concluded upon the Board's adoption of
12 this Consent Agreement.

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

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

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

27 10. This Consent Agreement is subject to the approval of the Board and is
28 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 not registered with the Board as an Architect.

20 3. Respondent Firm, Katz Design Group, LLC, is not registered with the Board.

21 4. On September 11, 2017, the Board received a complaint alleging that
22 Respondent and Respondent Firm advertised the practice of architecture on the
23 Respondents Firm's website without Board registration.

24 5. On September 25, 2017, Board staff reviewed the Respondent's website,
25 www.Katzdesigngroup.com, and observed the advertisement of completed commercial
26 projects by Katz Design Group, LLC, and which identified Respondent as an Interior
27 Architect.

28 6. On October 2, 2017, the Board received plans for the Alta Mira Properties

1 Exterior Remodel project located in Scottsdale, AZ. The plans displayed Respondent
2 Firm, Katz Design Group, Commercial Interior Architecture & Design) in the title block,
3 and were sealed by a Registered Architect.

4 7. On October 13, 2015, the Board received Respondent's written response to the
5 allegations. In her response, Respondent stated that her website has been modified to
6 bring it in compliance with the Board's statutes, and removed any reference that
7 Respondent is an Architect or Respondent Firm is an Architectural Firm.

8 **CONCLUSIONS OF LAW**

9 1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq,
10 including A.R.S. § 32-106.02(A).

11 2. The conduct alleged in the Findings of Fact, constitutes grounds for
12 discipline pursuant to A.R.S. § 32-145(2), in that Respondent advertised or displayed a
13 device to indicate she is qualified to practice a Board regulated profession without Board
14 registration.

15 3. The conduct alleged in the Findings of Fact, constitutes grounds for discipline
16 pursuant to A.R.S. § 32-141, in that Respondent Firm practiced or offered to practice a
17 Board regulated profession without Board registration.

18 **ORDER**

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

21 1. **ASSURANCE OF DISCONTINUANCE.** Respondent shall not practice,
22 offer to practice, or by any implication hold herself out as qualified to practice
23 Architecture as defined by A.R.S. § 32-101(B)(7), until such time as the Respondent is
24 registered by the Board and is in full compliance with the Board's Statutes and Rules.
25 Respondent Firm, shall not engage in the practice, offer to practice or by any implication
26 hold itself out as qualified to practice architecture as defined by A.R.S. § 32-101(B)(7),
27 and shall not display any card, sign or other device that may indicate to the public that it
28 is a registered professional architectural firm or is qualified to practice as such in the

1 State of Arizona until such time as the Respondent Firm has been granted registration by
2 the Board or is in full compliance with the Board's Statutes and Rules.

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

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

8 4. NONCOMPLIANCE. If Respondent violates this Order in any way or fails
9 to fulfill the requirements of this Order, the Board may seek a Petition for Injunction in
10 accordance with the provisions set forth in A.R.S. § 32-106.01.

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13 ACCEPTED and ORDERED this 24 day of January, 2018.

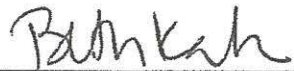
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Alejandro Angel, P.E., Chairman
Arizona State Board of
Technical Registration

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Consent Agreement and Order, No. P18-017, accepted this 24 day of
JANUARY, 2018.

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Beth Katz, Personally and on behalf of
Katz Designs Group, LLC, Respondents

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ORIGINAL filed this 25th day of
JANUARY, 2018, with:

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

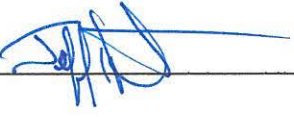
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COPY of the foregoing mailed via Certified Mail
No. 9214 8901 9434 4600 0300 74 and
First Class mail this 25th day of JANUARY, 2018, to:

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JAN 24 2018
B.T.R.

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Beth Katz
Katz Design Group, LLC
4336 E. Mountain View Rd.
Phoenix, AZ 85028

By:  _____