



BEFORE THE ARIZONA STATE
BOARD OF TECHNICAL REGISTRATION

In the Matter of:)
)
Bob Savidge)
Registered Land Surveyor)
Registration No. 21786)
)
Respondent)

Case No.: P18-052

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, Bob Savidge (“Respondent”), holder of Registration No. 21786, 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 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 P18-052 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 Land Surveying in the State of Arizona.

18 2. Respondent is the holder of Arizona Registered Land Surveyor Registration
19 No. 21786.

20 3. On February 8, 2018, the Board received a complaint alleging Respondent
21 performed a boundary survey at 584 6th Ave Apache Junction, AZ that may have failed to
22 meet Arizona Boundary Survey Minimum Standards (“ABSMS”).

23 4. On May 11, 2018, an Enforcement Advisory Committee was convened at the
24 Board office to review the complaint against the Respondent. After interviewing the
25 Allegor and considering the evidence presented in this case, the Committee substantiated
26 the allegations brought forward by the Allegor, and additional violations identified
27 through the assessment process, against the Respondent as follows:

28 a. Respondent failed to perform due diligence in his research of records related

1 to an abandoned easement while conducting land surveying activities at 584 6th Ave
2 Apache Junction, AZ.

3 b. Respondent failed to indicate in his results of survey that corners were set as
4 required in ABSMS 8.E,

5 c. Respondent failed to make reference on the survey to BLM field notes or
6 plats or previous recorded surveys that might provide corners on the survey as required in
7 ABSMS 3,

8 d. Respondent failed to indicate on the survey that research was done related to
9 1/16th of 1/64th corners as required in ABSMS 4,

10 e. Respondent's plat did not provide sufficient mathematical information so a
11 subsequent surveyor can determine if proper procedures were used to break down the SW
12 quarter of the section as required in ABSMS 11,

13 f. Respondent failed to apply his signature as required in ABSMS 11.B,

14 g. Respondent failed to show evidence that his plat was recorded within the
15 required time as required in ABSMS 13.

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(13), in that
20 Respondent may have failed to conduct a land boundary survey in accordance with the
21 Arizona Boundary Survey Minimum Standards.

22 3. The conduct alleged in the Findings of Fact constitutes grounds for discipline
23 pursuant to A.R.S. § 32-128(C)(4) as it relates to A.A.C. R4-30-301(6), in that
24 Respondent may have failed to apply the appropriate technical knowledge and skill in the
25 practice of a Board regulated profession.

26 ORDER

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

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

3 2. STAYED SUSPENSION AND PROBATION. Respondent's registration as
4 Registered Land Surveyor, No. 21786, shall be suspended for six (6) months; however,
5 the suspension is stayed for as long as Respondent remains in compliance with this
6 Order. During the stay of suspension, Respondent's registration as a Registered Land
7 Surveyor is placed on probation for six (6) months. If Respondent is non-compliant with
8 any terms of this Order during the six (6) month stayed suspension and probation period,
9 the stay of the suspension shall be lifted and Respondent's registration as a Registered
10 Land Surveyor shall be automatically suspended without a formal hearing, and remain
11 suspended until Respondent is compliant with all terms of this Order. If Respondent
12 completes all terms of this Order prior to end of the six (6) month stayed suspension and
13 probation period, Respondent may be eligible for early termination of probation.

14 3. ADMINISTRATIVE PENALTY. Within six (6) months from the effective
15 date of this Consent Agreement, Respondent shall pay an administrative penalty of Nine
16 Hundred Dollars (\$900.00) by certified check or money order made payable to the State
17 of Arizona Board of Technical Registration. Monthly payments of One Hundred Fifty
18 Dollars (\$150.00) shall be made to the State Board of Technical Registration at the first
19 of each month.

20 4. COST OF INVESTIGATION. Within Ninety (90) days from the effective
21 date of this Consent Agreement, Respondent shall pay the cost of investigation of this
22 case to the Board in the amount of Four Hundred Fifteen Dollars (\$415.00) by certified
23 check or money order made payable to the State of Arizona Board of Technical
24 Registration, according to the provisions of A.R.S. § 32-128(H).

25 5. OBEY ALL LAWS. During the probationary period, Respondent shall obey
26 all federal, state and local laws, as well as, all rules governing the practice of Surveying
27 in the State of Arizona. The Board shall consider any violation of this paragraph to be a
28 separate violation of the rules and statues governing the Arizona Board of Technical

1 Registration. The Board may also consider Respondent's non-compliance with this
2 Order as a separate violation of A.R.S. § 32-150.

3 6. 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.

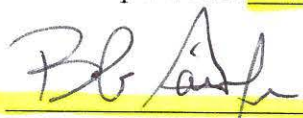
6 7. COSTS OF COMPLIANCE. Respondent shall pay all costs associated with
7 complying with this Consent Agreement.

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

13
14 ACCEPTED and ORDERED this 1st day of JUNE, 2018.

15
16 
17 _____
18 Alejandro Angel, P.E., Chairman
19 Arizona State Board of
20 Technical Registration

21 Consent Agreement and Order, No. P18-052 accepted this 1st day of
22 JUNE, 2018.

23 
24 _____
25 Bob Savidge, Respondent

26
27 ORIGINAL filed this 29 day of
28 JUNE, 2018, with:

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COPY of the foregoing mailed via Certified Mail
No. 9214. 8901 9434 4600 0385 37 and
First Class mail this 29 day of JUNE, 2018, to:

Bob Savidge
Apache Trail Survey Co.
8040 E. 1st Ave
Apache Junction, AZ 85208

By: Bob Savidge