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**BEFORE THE ARIZONA STATE
BOARD OF TECHNICAL REGISTRATION
IN THE OFFICE OF ADMINISTRATIVE HEARINGS**

In the Matter of:

Docket No. 20F-P19-013-BTR-RES

Gerald Clark
Architect
Registration No. 32055;

**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER**

And

CLARK ARCHITECTS, INC.,
Unregistered firm

Respondents.

This matter came before Administrative Law Judges (ALJ) Jenna Clark on March 31, 2020, and Tammy L. Eigenheer, on October 1, 2020, in the Office of Administrative Hearings. On October 20, 2020, ALJ Eigenheer issued a recommended decision to revoke Gerald Clark's (Respondent) registration as an architect, pay the costs and fees incurred by the Board during the investigation and prosecution of this matter, and require Respondent firm to pay a sum of \$2000 as a civil penalty pursuant to A.R.S. § 32-106.02(B).

On October 27, 2020, the Board met and considered whether to accept, reject, or modify the ALJ's Decision pursuant to A.R.S. 41-1092.08(B). Assistant Attorney General Mona Baskin was present to provide the Board with independent legal advice. Respondents did not appear at the meeting and were not represented by an attorney. Assistant Attorney General Scott Donald appeared on behalf of the State.

Having considered the State's argument, the Board voted to accept the ALJ's Findings of Fact and Conclusions of Law, and Issues the following Order:

FINDINGS OF FACT

1. The Board adopts Findings of Fact, paragraphs 1 through 15, of the Administrative Law Judge's Recommended Decision attached hereto and incorporated herein by this reference.

1 **CONCLUSIONS OF LAW**

2 2. The Board adopts Conclusions of Law, paragraphs 1 through 16, of the
3 Administrative Law Judge's Recommended Decision attached hereto and incorporated herein by
4 this reference.

5 **ORDER**

6 Based on the Board's adoption of the Findings of Fact and Conclusions of Law, the
7 Board adopts the ALJ's recommended Order as provided below, attached hereto, and
8 incorporated herein by this reference.

9 Respondent's Professional Architect Registration No. 32055 issued by the Board is hereby
10 revoked as of the effective date of this order and Respondent shall pay the costs and fees incurred
11 by the Board during the investigation, \$637.00, and prosecution of this matter, \$2,107.

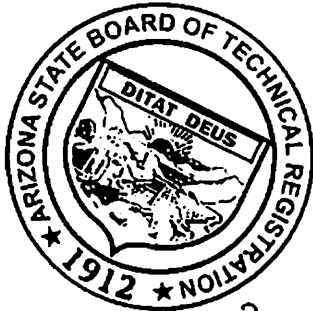
12 Respondent Firm shall pay the sum of \$2000.00 as a civil penalty pursuant to A.R.S. § 32-
13 106.02(B).

14 **Right to Petition for Rehearing or Review**

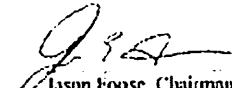
15 Respondents are hereby notified that they have the right to file a motion for rehearing or
16 review. Pursuant to A.R.S. § 41-1092.09(B) and A.A.C. R4-30-126(A) the motion for rehearing
17 or review must be filed with the Board's Executive Director within thirty (30) days after service
18 of this Order. Service of this Order is defined as five (5) calendar days after mailing. A.A.C. R4-
19 30-126(A).

20 The motion for rehearing or review must set forth legally sufficient reasons for granting a
21 rehearing or review. A.A.C. R4-30-126(C). If a petition for rehearing or review is not filed, the
22 Board's Order becomes effective thirty-five (35) days after it is mailed to Respondents.
23 Respondents are further advised that the filing of a motion for rehearing or review is required to
24 preserve any rights of appeal to Superior Court.

1 DATED this 2 day of November, 2020.



2 Arizona State Board of
3 Technical Registration

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6 
Jason Foose, Chairman

7 ORIGINAL filed this 2 day of November, 2020, with:

8 Arizona State Board of Technical Registration
9 1110 W. Washington, Ste. 240
10 Phoenix, AZ 85007

11 COPY mailed via Certified Mail No.

12 9214 8901 9434 4600 0748 87

13 9214 8901 9434 4600 0748 04

14 9214 8901 9434 4600 0000 0749 06

15 9214 8901 9434 4600 0000 0749 17

16 First Class mail this 2 day of November, 2020, to:

17 GERALD CLARK
18 1695 Mesquite Ave. #208
19 Lake Havasu City, AZ 86403
garyhokanson@gmail.com

20 GERALD CLARK
21 1905 Palo Verde South
22 Lake Havasu, AZ 86403

23 CLARK ARCHITECTS INC
24 GERALD CLARK
25 1695 Mesquite Ave. #208
Lake Havasu City, AZ 86403
jerry@clarkarchitectsinc.com

26 CLARK ARCHITECTS INC
27 GERALD CLARK
28 20403 N. Lake Pleasant Rd., # 117-273
Peoria, AZ 85382

1 COPY of the foregoing e-mailed this 2 day of November, 2020, to:

2 Scott Donald
3 Scott.donald@azag.gov

4 Mona Baskin
5 Mona.Baskin@azag.gov

6
7 COPY of the foregoing submitted through the OAH Portal 2 day of November 2020, to:

8 Tammy L. Eigenheer
9 Office of Administrative Hearing
10 1740 W Adams St, Phoenix, AZ 85007

11 By: Kurt Winter

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