BEFORE THE ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

Case No. P20-051

CONSENT AGREEMENT and ORDER OF DISCIPLINE

In the Matter of:

Charlie Ray
Non-Registrant

The Green Room Collaborative, LLC
Non-Registered Firm

Respondents

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, Charlie Ray, Non-Registrant, ("Respondent") and The Green Room Collaborative, 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 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 him.

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 P20-051, involving allegations that Respondent engaged in conduct that would subject him 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, he may not revoke his 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 Board does not accept this Consent Agreement, the Board retains its authority to hold a formal administrative hearing pursuant to A.R.S. § 32-128(E). In the event that the Board does not approve this Consent Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor
introduced in any action by any party, except that the parties agree that should the Board reject this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its review and discussion of this document or any records relating thereto.

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

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

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

**FINDINGS OF FACT**

1. The Board is the duly constituted authority for the regulation and control of the Landscape Architect and Landscape Architecture Firm in the State of Arizona.

2. Respondent is not registered with the Board as a Landscape Architect

3. Respondent Firm (The Green Room Collaborative, LLC) is not registered with the Board as a Landscape Architecture Firm.

4. On June 11, 2020, the Board received a complaint alleging that Respondent and Respondent Firm engaged in the practice of landscape architecture without registration with the Board and advertised the practice of landscape architecture on the website, greenroomcollaborative.com.

5. On June 15, 2020, Board records show no indication that either Respondent or Respondent Firm has ever been registered by the Board.

6. On June 15, 2020, Board staff observed Respondent and Respondent Firm's website advertising the practice of landscape architecture (Page: COLLABORATION) "The Green Room Collaborative is committed to collaboration in the creative process with the goals of exploring landscape architecture in holistic, integrated and contextual ways to create spaces that inspire a deep connection to nature."
7. On June 15, 2020, Board staff observed Respondent and Respondent Firm's website advertising the practice of landscape architecture (Page: STUDIO) “The Green Room Collaborative (TGRC) is an international, Scottsdale-based multi-disciplinary landscape architecture practice specializing in highly textural designs aimed at engaging people with the surrounding environment.”

8. On June 15, 2020, Board staff observed Respondent and Respondent Firm’s website advertising the practice of landscape architecture (Page: ABOUT) “The Green Room team consists of highly trained and skilled designers and landscape architects, tradespeople and project managers that carry each project from conceptual design through the installation process and landscape completion. We’re dedicated to building meaningful, beneficial relationships with our clients and their garden spaces.”

9. On June 15, 2020, Board staff observed Respondent and Respondent Firm’s website advertising the practice of landscape architecture (Page: HOMEPAGE) “The Green Room Inc. Landscape Design is a Scottsdale based landscape architecture and design practice established in 2005 by its principal designer, Charlie Ray, ASLA. The Green Room designers create landscapes that are always evolving; ones that become more interesting and complex over time for clients in Scottsdale, Paradise Valley and the greater metropolitan Phoenix area and beyond.”

10. On June 15, 2020, Board staff confirmed through Arizona Corporation Commission, as of June 12, 2019, Charles Ray (Respondent), is principal of The Green Room Collaborative, LLC, Entity No.1997502 (Respondent Firm).

11. On July 8, 2020, Board staff received Respondent’s response to the Board’s Notice of Investigation. In his response, the Respondent confirms Respondent and Respondent Firm do not have Board registration.

**CONCLUSIONS OF LAW**

1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq, including A.R.S. § 32-106.02(A).
2. The conduct alleged in the Findings of Fact constitutes grounds for discipline pursuant to A.R.S. 32-106.02(A) and A.R.S. 32-145(2), in that Respondent advertised or displayed on the website greenroomcollaborative.com, information that may indicate to the public that he is certified, registered or qualified to practice a Board regulated profession without Board registration.

3. The conduct alleged in the Findings of Fact constitutes grounds for discipline pursuant to A.R.S. 32-121 and A.R.S. 32-141, in that Respondent and Respondent Firm offered to practice a Board regulated profession on greenroomcollaborative.com, without firm registration.

**ORDER**

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

1. **CIVIL PENALTY.** Within Sixty (60) days from the effective date of this Consent Agreement, Respondent shall pay a civil penalty of Two Thousand Dollars ($2,000.00) to be submitted to the Board by cashier’s check or money order made payable to the Arizona State Board of Technical Registration, according to the provisions of A.R.S. § 32-106.02(A).

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 Two Hundred Fifty-Three Dollars ($253.00) 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. **OBEY ALL LAWS.** Respondent shall obey all federal, state and local laws, related to the practice of Landscape Architecture in the State of Arizona. The Board shall consider any violation of this paragraph to be a separate violation of the statutes governing the Arizona Board of Technical Registration.

4. **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.

5. **COSTS OF COMPLIANCE.** Respondent shall pay all costs associated with complying with this Consent Agreement.

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

ACCEPTED and ORDERED this 20th day of AUGUST, 2020.

Jason E. Foose, R.L.S., Chairman
Arizona State Board of Technical Registration

Consent Agreement and Order, No. P20-051, accepted this 13th day of July, 2020.

Charlie Ray, Personally and on behalf of The Green Room Collaborative, LLC, Respondents

ORIGINAL filed this _____ day of
______________, 2020, with:

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

COPY of the foregoing mailed via Certified Mail
No. _______________ and
First Class mail this _____ day of ________________, 2020, to:

Charlie Ray
The Green Room Collaborative, LLC
3719 N 75th St #105
Scottsdale, AZ 85251