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BEFORE THE ARIZONA STATE
BOARD OF TECHNICAL REGISTRATION



<p>In the Matter of:</p> <p>Claire Clark Registered Architect Registration No. 50724</p> <p>Arizona Natural Design PLLC Arizona Registration No, 16296 Expired 6/13/19</p> <p style="text-align: right;">Respondent</p>	<p style="text-align: center;">Case No. P21-024</p> <p style="text-align: center;">CONSENT AGREEMENT and ORDER OF DISCIPLINE</p>
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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, Claire Clark ("Respondent") holder of Registration R.A. No. 50724, and the Principal of Arizona Natural Design PLLC ("Respondent Firm") holder of firm Registration No. 16296 (Expired 6/13/19) 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 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

1 administrative and/or judicial action concerning the matters set forth herein.

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

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

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

9 6. Respondent understands this Consent Agreement deals with Board case number
10 P21-024 involving allegations that Respondent engaged in conduct that would subject her to
11 discipline under the Board's statutes and rules. The investigation into these allegations against
12 Respondent shall be concluded upon the Board's adoption of 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, and does
15 not constitute any waiver, express or implied, of the Board's statutory authority or jurisdiction
16 regarding any other pending or future investigation, action or proceeding.

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

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

25 10. This Consent Agreement is subject to the approval of the Board and is effective
26 only when accepted by the Board and signed on behalf of the Board. If the Board does not accept
27 this Consent Agreement, the Board retains its authority to hold a formal administrative hearing
28 pursuant to A.R.S. § 32-128(E). In the event that the Board does not approve this Consent

1 Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor
2 introduced in any action by any party, except that the parties agree that should the Board reject
3 this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that
4 the Board was prejudiced by its review and discussion of this document or any records relating
5 thereto.

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

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

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

13 **FINDINGS OF FACT**

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

16 2. Respondent is the holder of Arizona Registered Architect No. 50724 and is firm
17 principal and in responsible charge of Respondent Firm.

18 3. Respondent Firm is the holder of Firm Registration No. 16296, which expired on
19 June 13, 2019.

20 4. During a routine internal audit, Board staff discovered the Firm Registration of
21 Respondent Firm had expired on June 13, 2019.

22 5. Respondent wrote in an email to staff that she inadvertently let the firm
23 registration lapse. Respondent believes she did not receive a notice from the Board that the firm
24 registration was up for renewal.

25 6. After receiving notice from the Board of Respondent Firm's expiration of
26 registration, Respondent Firm was renewed it on September 9, 2020, and assigned firm
27 registration No. 22811.
28

CONCLUSIONS OF LAW

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

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

ORDER

7
8 Based on the foregoing Findings of Fact and Conclusions of Law, the Board issues the
9 following Order:

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

11 2. ADMINISTRATIVE PENALTY. Within Thirty (30) days from the effective date
12 of this Consent Agreement, Respondent shall pay an administrative penalty of Two Hundred
13 Fifty Dollars (\$250.00) by certified check or money order made payable to the Arizona State
14 Board of Technical Registration.

15 3. COST OF INVESTIGATION. Within Thirty (30) days from the effective date of
16 this Consent Agreement, Respondent shall pay the cost of investigation of this case to the Board
17 in the amount of Two Hundred Twenty Dollars (\$220.00) by certified check or money order made
18 payable to the State of Arizona Board of Technical Registration, according to the provisions of
19 A.R.S. § 32-128(H).

20 4. OBEY ALL LAWS. Respondents shall obey all federal, state and local laws,
21 related to the practice of Architecture in the State of Arizona. The Board shall consider any
22 violation of this paragraph to be a separate violation of the statutes governing the Arizona Board
23 of Technical Registration. The Board may also consider Respondent's non-compliance with this
24 Order as a separate violation of A.R.S. § 32-150.

25 5. RENEWAL OF REGISTRATION. Respondent and Respondent Firm shall timely
26 renew their Arizona Registration as an Architect and Architectural Firm, and timely pay all
27 required registration fees.

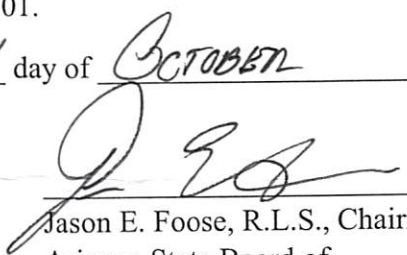
28 6. EFFECTIVE DATE. The effective date of this Consent Agreement is the date the

1 Respondent and Board sign the Consent Agreement. If the dates are different, the effective date is
2 the later of the two dates.

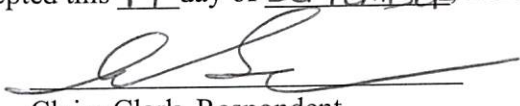
3 7. COSTS OF COMPLIANCE. Respondent shall pay all costs associated with
4 complying with this Consent Agreement.

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

8 ACCEPTED and ORDERED this 27th day of OCTOBER, 2020.

9
10 
11 Jason E. Foose, R.L.S., Chairman
12 Arizona State Board of
13 Technical Registration

14 Consent Agreement and Order, No. P21-024 accepted this 14 day of SEPTEMBER 2020.

15 
16 Claire Clark, Respondent

17 ORIGINAL filed this 27 day of
18 OCTOBER, 2020, with:

19 Arizona State Board of Technical Registration
20 1110 W. Washington, Suite 240
21 Phoenix, AZ 85007

22 COPY of the foregoing mailed via Certified Mail
23 No. 9214 8901 9434 4600 0746 10 and
24 First Class mail this 27 day of OCTOBER, 2020, to:

25 Claire Clark
26 Arizona Natural Design PLLC
27 985 S. Apache Knolls Trl
28 Dewey, AZ 86327

By: 