

1 judicial review or any other administrative and/or judicial action concerning the matters
2 set forth herein.

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

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

7 5. The Consent Agreement, any record prepared in this matter, all investigative
8 materials prepared or received by the Board and all related exhibits and materials, are
9 public records upon acceptance by the Board of this Consent Agreement and may be
10 retained in the Board's files pertaining to this matter.

11 6. Respondent understands this Consent Agreement deals with Board case
12 number P22-063 involving allegations that Respondent engaged in conduct that would
13 subject him to discipline under the Board's statutes and rules. The investigation into
14 these allegations against Respondent shall be concluded upon the Board's adoption of
15 this Consent Agreement.

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

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

24 9. Respondent acknowledges and agrees that, upon signing this Consent
25 Agreement and returning this document to the Board's Executive Director, he may not
26 revoke his acceptance of the Consent Agreement or make any modifications to the
27 document regardless of whether the Consent Agreement has been signed on behalf of the
28

1 Board. Any modification to this original document is ineffective and void unless
2 mutually agreed by the parties in writing.

3 10. This Consent Agreement is subject to the approval of the Board and is
4 effective only when accepted by the Board and signed on behalf of the Board. If the
5 Board does not accept this Consent Agreement, the Board retains its authority to hold a
6 formal administrative hearing pursuant to A.R.S. § 32-128(E). In the event that the
7 Board does not approve this Consent Agreement, it is withdrawn and shall be of no
8 evidentiary value and shall not be relied upon nor introduced in any action by any party,
9 except that the parties agree that should the Board reject this Consent Agreement and this
10 case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced
11 by its review and discussion of this document or any records relating thereto.

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

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

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

20 **FINDINGS OF FACT**

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

23 2. Respondent is the holder of Registered Architect Registration No. 37020.

24 3. Respondent Firm is the holder of Registration No. 22501, which expired on
25 March 19, 2021.

26 4. Board records indicate that Respondent is the Firm Principal and is the
27 responsible party for Respondent Firm.

28 5. On or about April 1, 2022, the Board opened a complaint alleging that

1 Respondent, owner of Respondent Firm, and Respondent Firm advertised the practice of
2 architecture on their website without firm registration with the Board. Board records
3 indicated that Respondent Firm's registration expired on March 19, 2021.

4 6. On or about May 31, 2022, Respondent Firm was again registered with the
5 Board and issued Registration No. 24044, expiring on June 2, 2023.

6 7. On May 31, 2022, Board staff received a written statement in which
7 Respondent admitted that the firm registration issue was simply an oversight.

8 **CONCLUSIONS OF LAW**

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

10 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
11 pursuant to A.R.S. 32-121 and A.R.S. 32-141, in that Respondent and Respondent Firm
12 advertised the practice of through Respondent Firm website without Firm registration
13 with the Board.

14 **ORDER**

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

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

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

23 3. COST OF INVESTIGATION. Within thirty (30) days from the effective
24 date of this Consent Agreement, Respondent shall pay the cost of investigation of this
25 case to the Board in the amount of Seventy Nine Dollars (\$79.00) by certified check or
26 money order made payable to the State of Arizona Board of Technical Registration,
27 according to the provisions of A.R.S. § 32-128(H).

28 4. OBEY ALL LAWS. Respondent shall obey all federal, state and local

1 laws, as well as, all rules governing the practice of Architecture in the State of Arizona.
2 The Board shall consider any violation of this paragraph to be a separate violation of the
3 rules and statues governing the Arizona Board of Technical Registration. The Board may
4 also consider Respondent's non-compliance with this Order as a separate violation of
5 A.R.S. § 32-150.


6 5. RENEWAL OF REGISTRATION. Respondent and Respondent Firm shall
7 timely renew their Arizona registration as an Architect and an Architecture Firm, and
8 timely pay all required registration fees.

9 6. EFFECTIVE DATE. The effective date of this Consent Agreement is the
10 date the Respondent and Board sign the Consent Agreement. If the dates are different, the
11 effective date is the later of the two dates.

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

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

19
20 ACCEPTED and ORDERED this 28 day of JUNE, 2022.

21
22 
23 Jack Gilmore, L.A., Chairman
24 Arizona State Board of
25 Technical Registration
26
27

28 Consent Agreement and Order, No. P22-063 accepted this 10 day of
JUNE, 2022.



Michael March, on behalf of himself and
on behalf of Moderna Architects,
Respondents

1
2
3
4
5 ORIGINAL filed this 28 day of
6 June, 2022, with:

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

10 COPY of the foregoing mailed via Certified Mail
11 No. 9214 8901 9434 4600 088056 and
12 First Class mail this 28 day of June 2022, to:

13 Michael March
14 Moderna Architects
15 16050 N. 76th St. #107
16 Scottsdale, AZ 85260

17
18
19 By: 

20 GM Roehy, BTR Investigator
21
22
23
24
25
26
27
28