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**BEFORE THE ARIZONA STATE
BOARD OF TECHNICAL REGISTRATION**

In the Matter of:

Case No.: P23-013

**Robert Edwards
Non-Registrant**

**CONSENT AGREEMENT
and
ORDER OF DISCIPLINE**

**Mojave Earth Solutions
Non-Registered Firm**

Respondent

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, Robert Edwards, Non-Registrant, (“Respondent”), Mojave Earth Solutions, 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.

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

3 4. Respondent understands that this Consent Agreement or any part of the
4 agreement 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
7 public records upon acceptance by the Board of this Consent Agreement and may be
8 retained in the Board's files pertaining to this matter.

9 6. Respondent understands this Consent Agreement deals with Board case
10 number P23-013 involving allegations that Respondent engaged in conduct that would
11 subject him to discipline under the Board's statutes and rules. The investigation into
12 these allegations against Respondent shall be concluded upon the Board's adoption of
13 this Consent Agreement.

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

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

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

28

1 Surveying to the public through Respondent Firm’s website without registration with the
2 Board.

3 6. On or about August 4, 2022, Board staff reviewed Respondent Firm’s public
4 website and found the following:

5 a) Respondent Firm’s website indicated that Respondent Firm operates in
6 several states, including Arizona.

7 b) Respondent Firm’s website contained a list of offered services which may
8 lead the public to believe Respondent Firm was offering to practice Land
9 Surveying. The list included “*site surveying*”, “*topographical surveys*”, and
10 “*drone surveys*”.

11 c) Respondent Firm’s website included statements which may lead the public
12 to believe Respondent Firm was offering to practice Engineering. The
13 statements included “*turnkey civil engineering solutions for erosion*
14 *control*” and “*our staff of professional engineers, technicians, and*
15 *operationally qualified contractors provide clients with pipeline exposure*
16 *remediation and erosion control solutions*”.

17 7. On or about August 22, 2022, Board staff received a written statement from
18 Respondent in which he indicated that Respondent Firm does not offer, or practice,
19 Engineering or Land Surveying. Respondent clarified that Respondent Firm’s clients hire
20 consulting Professional Engineers and Land Surveyors, and Respondent Firm works with
21 the client’s Professional Engineers and Land Surveyors to complete the projects.
22 Respondent indicated that Respondent Firm’s website had been revised, removing all text
23 which may have unintentionally mislead the public regarding Respondent Firm’s offered
24 services.

25 8. On or about August 26, 2022, Board staff again reviewed Respondent Firm’s
26 public website and found that all references to the practice of Engineering and Land
27 Surveying had been removed.

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1 **CONCLUSIONS OF LAW**

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
5 discipline pursuant to A.R.S. § 32-121 and A.R.S. § 32-141, in that Respondent and
6 Respondent Firm practiced or offered to practice a Board regulated profession without
7 firm registration.

8 **ORDER**

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

11 1. CIVIL PENALTY. Within Ninety (90) days from the effective date of this
12 Consent Agreement, Respondent shall pay a civil penalty of Five Hundred Dollars
13 (\$500.00) by certified check or money order made payable to the State of Arizona Board
14 of Technical Registration, according to the provisions of A.R.S. § 32-106.02(A).

15 2. COST OF INVESTIGATION. Within Ninety (90) days from the effective
16 date of this Consent Agreement, Respondent shall pay the cost of investigation of this
17 case to the Board in the amount of Eighty Six Dollars (\$86.00) by certified check or
18 money order made payable to the State of Arizona Board of Technical Registration,
19 according to the provisions of A.R.S. § 32-128(H).

20 3. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws,
21 related to the practice of Engineering and Land Surveying in the State of Arizona. The
22 Board shall consider any violation of this paragraph to be a separate violation of the
23 statutes governing the Arizona Board of Technical Registration.

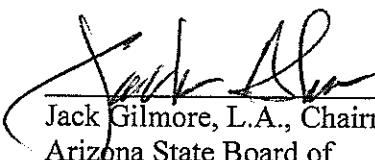
24 4. EFFECTIVE DATE. The effective date of this Consent Agreement is the
25 date the Respondent and Board sign the Consent Agreement. If the dates are different, the
26 effective date is the later of the two dates.

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

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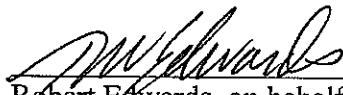
6. NONCOMPLIANCE. If Respondent violates this Order in any way or fails to fulfill the requirements of this Order, the Board may seek a Petition for Injunction in accordance with the provisions set forth in A.R.S. § 32-106.01.

ACCEPTED and ORDERED this 1 day of November, 2022.



Jack Gilmore, L.A., Chairman
Arizona State Board of
Technical Registration

Consent Agreement and Order, No. P23-013 accepted this 21 day of October, 2022.



Robert Edwards, on behalf of himself &
Mojave Earth Solutions, Respondents

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ORIGINAL filed this 1st day of

November, 2022, with:

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

COPY of the foregoing mailed via Certified Mail
No. 9214 8901 9434 4600 0898 43 and

First Class mail this 1st day of November, 2022, to:

Robert Edwards
3201 Ranch House Rd.
Willow Park, TX 76087

By: Daniel Carthel

