

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

3 **In the Matter of:**

**Case No.: P23-040**

4 **Ali Homs**  
5 **Professional Engineer (Structural)**  
6 **Registration No. 27344**  
7 **Homs** & Associates  
8 **Firm Registration No. 11914 (expired)**  
9 **Current Registration No. 24533**

**CONSENT AGREEMENT**  
**and**  
**ORDER OF DISCIPLINE**

10 **Respondents**

11 In the interest of a prompt and judicious resolution of the above-captioned matter  
12 before the Arizona State Board of Technical Registration (“Board”) and consistent with  
13 the public interest, statutory requirements, and the responsibilities of the Board, and  
14 pursuant to A.R.S. § 32-101 et seq., and A.A.C. R4-30-120(G), the undersigned party, Ali  
15 Homs (“Respondent”), holder of Registration No. 27344, Homs & Associates,  
16 (“Respondent Firm”) holder of Registration No. 11914 (Expired), Current Firm  
17 Registration No. 24533, and the Board enter into the following Recitals, Findings of Fact,  
18 Conclusions of Law and Order (“Consent Agreement”) as a final disposition of this  
19 matter.

20 **RECITALS**

21 1. Respondent has read and understands this Consent Agreement and has had  
22 the opportunity to discuss this Consent Agreement with an attorney, or has waived the  
23 opportunity to discuss this Consent Agreement with an attorney.

24 2. Respondent understands that he has a right to a public administrative hearing  
25 concerning this case. He further acknowledges that at such formal hearing he could  
26 present evidence and cross-examine witnesses. By entering into this Consent Agreement,  
27 Respondent knowingly, voluntarily, and irrevocably waives his right to such an  
28 administrative hearing, as well as rights of rehearing, review, reconsideration, appeal,

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 P23-040 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 Engineering in the State of Arizona.

23 2. Respondent is the holder of Professional Engineer (Structural) No. 27344.

24 3. Respondent Firm is the holder of Board registration number 11914, which  
25 expired on August 17, 2018.

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

28 5. On November 14, 2022, a complaint was received by the Board that involved

1 an allegation regarding Respondent Firm practicing of engineering in a project in  
2 Phoenix, AZ without the required Board firm registration.

3 6. On November 15, 2022, Respondent prepared and sealed two residence  
4 inspection reports, as a Structural Engineer, during a time in which Respondent Firm was  
5 not actively registered as required.

6 7. Board records establish that Respondent Firm was registered as required until  
7 an expiration date of August 17, 2018. The Board registration was expired until  
8 Respondent registered Respondent Firm with the Board on January 26, 2023, subsequent  
9 to the Board complaint being filed.

### 10 CONCLUSIONS OF LAW

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

12 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline  
13 pursuant to A.R.S. 32-121 and A.R.S. 32-141, in that Respondent and Respondent Firm  
14 practiced a Board regulated profession without the required Firm registration with the  
15 Board.

### 16 ORDER

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

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

21 2. ADMINISTRATIVE PENALTY. Within thirty (30) days from the  
22 effective date of this Consent Agreement, Respondent shall pay an administrative penalty  
23 of Five Hundred Dollars (\$500.00) by certified check or money order made payable to  
24 the State of Arizona Board of Technical Registration.

25 3. COST OF INVESTIGATION. Within thirty (30) days from the effective  
26 date of this Consent Agreement, Respondent shall pay the cost of investigation of this  
27 case to the Board in the amount of Four Hundred Forty Eight Dollars (\$448.00) by  
28 certified check or money order made payable to the State of Arizona Board of Technical

1 Registration, according to the provisions of A.R.S. § 32-128(H).

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


8 5. RENEWAL OF REGISTRATION. Respondent and Respondent Firm shall  
9 timely renew their Arizona registration as an Engineer and an Engineering Firm, and  
10 timely pay all required registration fees.

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

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

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

21  
22 ACCEPTED and ORDERED this 27 day of April, 2023.

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25 Jack Gilmore, L.A., Chairman  
26 Arizona State Board of  
27 Technical Registration  
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Consent Agreement and Order, No. P23-040 accepted this 25 day of 4-25-2023 2023.

*Ali Homs*

Ali Homs, on behalf of himself and Homs & Associates, Respondents

**ORIGINAL** filed this 25 day of

April 2023, with:

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

**COPY** of the foregoing mailed via Certified Mail

No. 92148901943446000000920 and

First Class mail this 25 day of April, 2023, to:

Ali Homs  
Homs & Associates  
2015 E. Myrna Ln.  
Tempe, AZ. 85284

By:

