

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

<p>In the Matter of:</p> <p>George Baker Architect Registration No. 11374</p> <p>George H. Baker Architect Firm Registration No. 14666 Respondents</p>	<p style="text-align: center;">Case No. P18-051</p> <p style="text-align: center;">CONSENT AGREEMENT and ORDER FOR VOLUNTARY SURRENDER</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, George Baker (“Respondent”), holder of Registration No. 11374, George H. Baker, Architect (“Respondent Firm”), holder of Registration No. 14666, 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 irrevocable.

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

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

8 6. Respondent understands this Consent Agreement deals with Board case number
9 P18-051 involving allegations that Respondent engaged in conduct that would subject him to
10 discipline under the Board's statutes and rules. The investigation into these allegations against
11 Respondent shall be concluded upon the Board's adoption of this Consent Agreement.

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

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

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

24 10. This Consent Agreement is subject to the approval of the Board and is effective
25 only when accepted by the Board and signed on behalf of the Board. If the Board does not accept
26 this Consent Agreement, the Board retains its authority to hold a formal administrative hearing
27 pursuant to A.R.S. § 32-128(E). In the event that the Board does not approve this Consent
28 Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor

1 introduced in any action by any party, except that the parties agree that should the Board reject
2 this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that
3 the Board was prejudiced by its review and discussion of this document or any records relating
4 thereto.

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

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

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

12 **FINDINGS OF FACT**

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

15 2. Respondent is the holder of Arizona Registered Architect, Registration No. 11374.

16 3. Respondent Firm registration expired on April 30, 2009 and was not registered with
17 the Board at the time of project engagements. Respondent Firm registration was renewed on
18 February 22, 2018.

19 4. In 2017, Respondent's signature and seal appears on Civil Engineering, Mechanical
20 Engineering, Plumbing, Landscape and Fire Alarm plans for the Mudshark Brewery project in
21 Lake Havasu City, AZ. Respondent Firm appears on the title block without registration with the
22 Board.

23 5. In 2017 and 2018, Respondent's signature and seal appears on plans for the Wild
24 Things project in Lake Havasu City, AZ. Respondent Firm appears on the title block of project
25 plans without registration with the Board.

26 6. In 2017, Respondent engaged in the practice of Civil Engineering, Mechanical
27 Engineering and Plumbing plans for the All In Storage project in Lake Havasu City, AZ.
28 Respondent Firm engaged in the practice of Architecture, Civil Engineering, Mechanical

1 Engineering and Plumbing without registration with the Board.

2 7. On February 17, 2018, the Board received a complaint alleging that Respondent's
3 project submittals for All In Storage, Wild Things/Gauge Industrial and Mudshark Brewery
4 Addition, were substandard and require more reviews as compared to the technical knowledge
5 and skill of other qualified registrants who practice the same profession and submit plans to Lake
6 Havasu City. Some submittals from Respondent have led to code/coordination issues during the
7 permitting/construction process. It was further alleged that Respondent Firm engaged in the
8 practice of Architecture without firm registration since April 30, 2009.

9 8. During the investigation it was discovered that Respondent's seal and signature
10 appeared on Architectural, Mechanical Engineering, Electrical Engineering, Plumbing, Civil
11 Engineering, Landscaping, Fire Alarm, and Fire Sprinkler plans on thirteen additional projects
12 between 2013 and 2017. Respondent Firm engaged in Architecture, Mechanical Engineering,
13 Electrical Engineering, Plumbing and Civil Engineering without registration with the Board.

14 9. On April 10, 2019, an Enforcement Advisory Committee convened to review the
15 complaint against the Respondent. During the meeting, the Committee found several technical
16 issues in the areas of mechanical, electrical and civil engineering that demonstrated that
17 Respondent practiced well outside the area of what an architect should have done. The
18 architectural drawings were also found to be substantially deficient and lacked demonstration of
19 basic architectural knowledge and the other registered professions that were performed. The
20 Committee also found that the comment review letter from Lake Havasu contained many
21 common sense redlines that should further demonstrates Respondent's lack of technical
22 knowledge and skill. The Committee found it troublesome that the municipality made the
23 complaint as opposed to a disgruntled client.

24 10. The Committee concluded that Respondent engaged in and practiced professions
25 that were clearly outside Respondent's area of expertise based on the Respondent's lack of ability
26 to address issues the Committee presented during the interview in the areas of civil engineering
27 and mechanical engineering. The Committee also concluded that the civil plans were not properly
28 engineered and that Respondent does not possess a level of skill or knowledge that qualifies him

1 to practice engineering. Respondent stated that the city whimsically changed the requirements for
2 the civil plans, and disagreed that his plans were deficient in any way. Even though Respondent
3 stated that he is familiar with basic civil engineering, he was not able to answer specific questions
4 the Committee posed concerning the general formula used to calculate retention on the civil
5 engineering plans.

6 11. The Committee found that Respondent Firm was not registered with the Board until
7 after the engagement of the projects specified in the complaint. Evidence was presented that
8 Respondent Firm engaged in thirteen (13) additional projects without registration with the Board.
9 Respondent admitted that the firm registration had slipped his mind because he wasn't doing
10 much architecture, but stated that he renewed his firm's registration once he was made aware that
11 the firm was not registered. In addressing the thirteen (13) other projects, the Respondent stated
12 that prior to reviewing the list of projects, he did not know the other projects existed.

13 CONCLUSIONS OF LAW

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

15 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
16 pursuant to A.R.S. 32-128(C)(4) as it relates to A.A.C. R4-30-301(6), in that Respondent failed
17 to apply the appropriate technical knowledge and skill in the practice of Architecture, a Board
18 regulated profession.

19 3. The conduct alleged in the Findings of Fact constitutes grounds for discipline
20 pursuant to A.R.S. 32-128(C)(4) as it relates to A.R.S. 32-145(1) in that Respondent engaged in
21 the practice of mechanical, plumbing, electrical and civil engineering without registration as an
22 engineer and without the qualifications necessary to accept such engagements as specified in
23 A.R.S. 32-143.

24 4. The conduct alleged in the Findings of Fact constitutes grounds for discipline
25 pursuant to A.R.S. 32-128(C)(4) as it relates to A.R.S. 32-121 and A.R.S. 32-141, in that
26 Respondent Firm practiced or offer to practice a Board regulated profession without Board
27 registration.
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ORDER

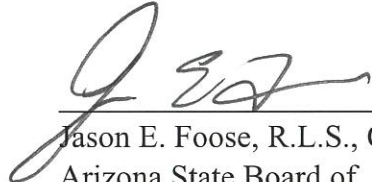
Based on the foregoing Findings of Fact and Conclusions of Law, the Board issues the following Order:

1. **VOLUNTARY SURRENDER.** Respondent agrees to voluntarily surrender his Registered Architect Registration No. 11374 in lieu of a formal hearing.

2. **VOLUNTARY SURRENDER OF FIRM REGISTRATION CARD.** Respondent agrees to voluntarily surrender and dissolve Firm Registration No. 14666.


3. **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.

ACCEPTED and ORDERED this 27TH day of AUGUST, 2019.



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

Consent Agreement and Order, No. P18-051 accepted this 25 day of June, 2019.



George Baker and on behalf of
George H. Baker, Architect, Respondents

ORIGINAL filed this 28th day of August, 2019, with:

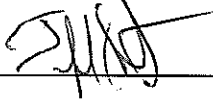
Arizona State Board of Technical Registration
1110 W. Washington, Suite 240
Phoenix, AZ 85007

COPY of the foregoing mailed via Certified Mail
No. 9214 8901 9434 4600 0604 39 and
First Class mail this 28th day of August, 2019, to:



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George Baker
George H. Baker Architect
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By:  _____