		Title Control of the		
1	MARK BRNOVICH			
2	Attorney General			
3	Firm Bar No. 14000			
	DEANIE REH			
4	Assistant Attorney General State Bar No. 005170			
5	Licensing and Enforcement Section			
6	2005 N. Central Ave.			
7	Phoenix, Arizona 85004 Telephone: (602) 542-8322			
8	Facsimile: (602) 542-4385			
9	LicensingEnforcement@azag.gov			
10	Attorney for the Arizona State Board of Techn	ical Registration		
11	BEFORE THE ARIZONA STATE			
12	BOARD OF TECHNIC			
	In the Matter of:	Case No.: P21-006		
	in the Matter of.			
		Cuse 1101. 121 000		
	Allan Morris,	CONSENT AGREEMENT		
13 14 15	Professional Engineer Registration	Extraction of telephone of School English		
14 15	Professional Engineer Registration No. 31702,	Extraction of telephone of School English		
14 15 16	Professional Engineer Registration	Extraction of telephone of School English		
14 15 16 17	Professional Engineer Registration No. 31702,  Respondent.	CONSENT AGREEMENT		
14 15 16 17	Professional Engineer Registration No. 31702,  Respondent.  In the interest of a prompt and judicion	CONSENT AGREEMENT  us resolution of the above-captioned matter		
14 15 16 17 18	Professional Engineer Registration No. 31702,  Respondent.  In the interest of a prompt and judicion before the Arizona State Board of Technical	CONSENT AGREEMENT  as resolution of the above-captioned matter Registration (the "Board") and consistent		
14 15 16 17 18	Professional Engineer Registration No. 31702,  Respondent.  In the interest of a prompt and judicion	CONSENT AGREEMENT  as resolution of the above-captioned matter Registration (the "Board") and consistent		
114 115 116 117 118 119	Professional Engineer Registration No. 31702,  Respondent.  In the interest of a prompt and judicion before the Arizona State Board of Technical	CONSENT AGREEMENT  as resolution of the above-captioned matter Registration (the "Board") and consistent s, and the responsibilities of the Board, and		
114 115 116 117 118 119 120	Professional Engineer Registration No. 31702,  Respondent.  In the interest of a prompt and judicion before the Arizona State Board of Technical with the public interest, statutory requirement.	CONSENT AGREEMENT  as resolution of the above-captioned matter Registration (the "Board") and consistent s, and the responsibilities of the Board, and .R.S.") § 32-101, et seq., and Arizona		
14	Professional Engineer Registration No. 31702,  Respondent.  In the interest of a prompt and judicion before the Arizona State Board of Technical with the public interest, statutory requirement pursuant to Arizona Revised Statutes ("A	CONSENT AGREEMENT  as resolution of the above-captioned matter Registration (the "Board") and consistent s, and the responsibilities of the Board, and a.R.S.") § 32-101, et seq., and Arizona G), the Board and the undersigned party,		
114 115 116 117 118 119 220 221 221	Professional Engineer Registration No. 31702,  Respondent.  In the interest of a prompt and judicion before the Arizona State Board of Technical with the public interest, statutory requirement pursuant to Arizona Revised Statutes ("A Administrative Code ("A.A.C.") R4-30-120(	CONSENT AGREEMENT  as resolution of the above-captioned matter Registration (the "Board") and consistent s, and the responsibilities of the Board, and a.R.S.") § 32-101, et seq., and Arizona G), the Board and the undersigned party, ondent"), enter into the following Recitals,		
114 115 116 117 118 119 120 221 221 222 223	Professional Engineer Registration No. 31702,  Respondent.  In the interest of a prompt and judicion before the Arizona State Board of Technical with the public interest, statutory requirement pursuant to Arizona Revised Statutes ("A Administrative Code ("A.A.C.") R4-30-120( Allan Morris, Registration No. 31702 ("Resp	CONSENT AGREEMENT  as resolution of the above-captioned matter Registration (the "Board") and consistent s, and the responsibilities of the Board, and a.R.S.") § 32-101, et seq., and Arizona G), the Board and the undersigned party, ondent"), enter into the following Recitals,		
14 15 16 17 18 19 20 21 22 22 23	Professional Engineer Registration No. 31702,  Respondent.  In the interest of a prompt and judicion before the Arizona State Board of Technical with the public interest, statutory requirement pursuant to Arizona Revised Statutes ("A Administrative Code ("A.A.C.") R4-30-120( Allan Morris, Registration No. 31702 ("Resp Findings of Fact, Conclusions of Law and	CONSENT AGREEMENT  as resolution of the above-captioned matter Registration (the "Board") and consistent s, and the responsibilities of the Board, and a.R.S.") § 32-101, et seq., and Arizona G), the Board and the undersigned party, ondent"), enter into the following Recitals,		
14 15 16 17 18 19 20 21 22 23 24 25	Professional Engineer Registration No. 31702,  Respondent.  In the interest of a prompt and judicion before the Arizona State Board of Technical with the public interest, statutory requirement pursuant to Arizona Revised Statutes ("A Administrative Code ("A.A.C.") R4-30-120( Allan Morris, Registration No. 31702 ("Resp Findings of Fact, Conclusions of Law and	CONSENT AGREEMENT  as resolution of the above-captioned matter Registration (the "Board") and consistent s, and the responsibilities of the Board, and a.R.S.") § 32-101, et seq., and Arizona G), the Board and the undersigned party, ondent"), enter into the following Recitals,		

## 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.
- 3. Respondent affirmatively agrees that this Consent Agreement shall be irrevocable.
- 4. Respondent understands that this Consent Agreement or any part of the agreement may be considered in any future disciplinary action by the Board against him.
- 5. The Consent Agreement, any record prepared in this matter, all investigative materials prepared or received by the Board and all related exhibits and materials, are records (as defined in A.R.S. § 41-151.18) upon acceptance by the Board of this Consent Agreement and may be retained in the Board's files pertaining to this matter.
- 6. Respondent understands this Consent Agreement deals with Board case number P21-006 involving allegations that Respondent engaged in conduct that would subject him to discipline under the Board's statutes and rules. The investigation into these allegations against Respondent shall be concluded upon the Board's adoption of this Consent Agreement.
- 7. Respondent understands that this Consent Agreement does not constitute a dismissal or resolution of any other matters currently pending before the Board, if any,

and does not constitute any waiver, express or implied, of the Board's statutory authority or jurisdiction regarding any other pending or future investigation, action or proceeding.

- 8. Respondent also understands that acceptance of this Consent Agreement does not preclude any other agency, subdivision, or officer of this State from instituting any other civil or criminal proceedings with respect to the conduct that is the subject of this Consent Agreement.
- 9. Respondent acknowledges and agrees that, upon signing this Consent Agreement and returning this document to the Board's Executive Director, Respondent may not revoke acceptance of the Consent Agreement or make any modifications to the document regardless of whether the Consent Agreement has been signed on behalf of the Board. Any modification to this original document is ineffective and void unless mutually agreed by the parties in writing.
- 10. This Consent Agreement is subject to the approval of the Board and is effective only when accepted by the Board and signed on behalf of the Board. If the Board does not accept this Consent Agreement, the Board retains its authority to hold a formal administrative hearing pursuant to A.R.S. § 32-128(E). In the event that the Board does not approve this Consent Agreement, it is withdrawn, shall be of no evidentiary value, and shall not be relied upon nor introduced in any action by any party. Respondent agrees that should the Board reject this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its review and discussion of this document or any records relating thereto.
- 11. If a court of competent jurisdiction rules that any part of this Consent Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement shall remain in full force and effect.
- 12. Respondent agrees that any violation of this Consent Agreement may result in disciplinary action, including suspension or revocation of registration under A.R.S. § 32-150.

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

## FINDINGS OF FACT

- 1. The Board is the duly constituted authority for the regulation and control of the practice of engineering in the State of Arizona pursuant to A.R.S. § 32-101, et seq.
- 2. Respondent is the holder of Arizona Professional Engineer Registration No. 31702.
- 3. On or about March, 2017, Respondent accepted employment as an engineer with Arcadis Inc. ("Arcadis") in Florida on the condition that he would immediately apply for his Florida engineering license and would obtain licensure within six months.
- 4. Although Respondent made verbal and written representations to Arcadis that he was pursuing his Florida engineering license, he did not obtain that license.
- 5. On October 7, 2019, Respondent used a fraudulent stamp to seal the signature page of a report, titled "Year 1 Large Diameter Pipeline Evaluation and Replacement Program Report."
- 6. On October 7, 2019, Respondent used a fraudulent stamp to seal the signature page of a report, titled "Year 2 Large Diameter Pipeline Evaluation and Replacement Program Report."
- 7. On October 7, 2019, Respondent used a fraudulent stamp to seal the signature page of a report, titled "Year 3 Large Diameter Pipeline Evaluation and Replacement Program Report."
- 8. Respondent created the fraudulent stamp by using the Florida registration number of another engineer with the same name as Respondent.
- 9. On or about October 16, 2019, Arcadis became aware of Respondent's activities, confronted Respondent, and Respondent admitted that he had fabricated the seal.

- 10. Arcadis immediately removed Respondent from his assigned project and initiated a human resources investigation, but Respondent resigned in lieu of termination.
- 11. On October 28 and 29, 2019, Arcadis reported the above violations to the Florida Board of Professional Engineers ("Florida Board") and to the Board.
- 12. The Florida Board initiated an investigation resulting in the issuance of a Cease and Desist Order to Respondent; and, on May 7, 2020, Respondent signed an affidavit indicating he would comply with that order.
- 13. On July 20, 2020, after the closure of the Florida Board case, the Board initiated an investigation.
- 14. On July 30, 2020, the Board mailed a notice of violation to Respondent, who acknowledged, in an email dated August 17, 2020, that he received the notice. Respondent was given a date of August 21, 2020, to submit a response to the Board staff regarding the allegations, but he failed to respond.
- 15. On September 2 and 18, 2020, the Board staff again attempted to contact Respondent, by sending him a proposed consent agreement by U.S. Mail and by certified mail. Respondent failed to respond.
- 16. On February 16, 2021, Respondent contacted the assigned Assistant Attorney General ("AAG") in response to service of the Amended Complaint, and asked for a disposition of his case.
- 17. Board staff recommended to the AAG that this Consent Agreement be proposed to Respondent.

## **CONCLUSIONS OF LAW**

- 1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq.
- 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline pursuant to A.R.S. § 32-128(C)(4) as it relates to A.A.C. R4-30-301(4), in that

Respondent failed to comply with state, municipal and county laws, codes, ordinances and regulations pertaining to his area of practice.

3. The conduct alleged in Allegations # 5, 6, and 7 of the Findings of Fact constitutes grounds for discipline for three separate violations pursuant to A.R.S. 32-128(C)(4) as it relates to A.A.C. R4-30-301(2) in that Respondent engaged in fraud, deceit, misrepresentation or concealment of material facts in advertising, soliciting or providing professional services to the public.

## ORDER

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

- 1. **VOLUNTARY SURRENDER OF LICENSE**. Respondent has agreed to voluntarily surrender his license and shall deliver any individual registration certificate to the Board within ten (10) days of the Effective Date of this Order. Based upon such surrender, Respondent's Arizona Professional Engineer Registration No. 31702 shall be effectively revoked.
- 2. **EFFECTIVE DATE**. The effective date of this Consent Agreement and Order is the date it was last executed by the Respondent or the Board.
- 3. **FEES AND COSTS**. Each party agrees to pay its own attorney's and expert's fees and costs.
- 4. **COSTS OF COMPLIANCE**. Respondent shall pay all costs associated with complying with this Consent Agreement.

ACCEPTED and ORDERED this 23 day of March, 2021.

Carmen Wyckoff, RA, Board Chair

Arizona State Board of Technical Registration

1	CONSENT AGREEMENT and Order, Number P21-006, accepted this 26 day of		
2	February, 2021.		
3			
4	Allan Morris, Respondent		
5			
6	ORIGINAL of the foregoing filed		
,7	this day of March, 2021, with:		
8	Arizona State Board of Technical Registration		
9	1110 W. Washington, Suite 240		
10	Phoenix, AZ 85007		
11	COPY of the foregoing served via email, with delivery receipt requested, First Class Mail and U.S. Certified Mail No.:		
12	this day of March, 2021, to:		
13	Allan Morris		
14	2798 Ocean Oaks Dr. South Fernandina, Florida 32034		
15	morris.ad@gmail.com		
16	Respondent		
17	COPY of the foregoing e-mailed		
18	this day of March, 2021, to:		
19	Deanie Reh Assistant Attorney General		
20	deanie.reh@azag.gov		
21	Attorney for the State of Arizona		
22	D		
23	By:		
24	#9308827		
25			
26			
27			
	7		
1			