

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

<p>In the Matter of:</p> <p>Ali Gharai Registered Architect Registration No. 44966</p> <p>GHA Architects, Inc Non-Registrant Firm</p> <p style="text-align: center;">Respondents</p>	<p style="text-align: center;">Case No. P21-015</p> <p style="text-align: center;">CONSENT AGREEMENT and ORDER OF DISCIPLINE</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, Ali Gharai (“Respondent”), holder of Registration No. 44966, GHA Architects, Inc (“Respondent Firm”), Non-Registrant 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 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 P21-015 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 Professional Architecture in the State of Arizona.

15 2. Respondent is the holder of Arizona Architect Registration No. 44966 and has been
16 a Registered Architect with the Board since 2006.

17 3. According to the Arizona Corporation Commission, Respondent Firm originally
18 incorporated on or about June 19, 2009; however, Respondent Firm was not registered with the
19 Board.

20 4. Until August 25, 2020, Respondent Firm was not registered with the Board.

21 5. On or about August 20, 2020, the Board opened a complaint alleging that
22 Respondent and Respondent firm engaged in the practice of Architecture on the Fike remodeling
23 project in Scottsdale without firm registration with the Board. Board records show no record that
24 Respondent Firm has ever been registered.

25 6. Respondent indicated that he holds multiple licenses in other states that do not
26 require him to register Respondent Firm for the architectural services he provides, so Respondent
27 assumed Arizona was the same. Respondent acknowledged that if he knew that Respondent Firm
28 needed to be registered, Respondent would have registered Respondent Firm with the Board.

1 7. On or about August 25, 2020, the Board received Respondent Firm’s firm
2 registration and given a registration number. Respondent Firm’s registration number is 22793,
3 which expires on August 25, 2021.

4 8. Board records indicate that Respondent is the firm principal and the responsible
5 party for Respondent Firm.

6 **CONCLUSIONS OF LAW**

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

8 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
9 pursuant to A.R.S. § 32-121 and A.R.S. § 32-141, in that Respondent and Respondent Firm
10 engaged in the practice of Architecture on the Fike remodeling project in Scottsdale without firm
11 registration with the Board.

12 3. The conduct alleged in the Findings of Fact constitutes grounds for discipline
13 pursuant to A.R.S. § 32-128(C)(4) as it relates to A.A.C. R4-30-301(4), in that Respondent and
14 failed to comply with state laws and regulations pertaining to his area of practice.

15 **ORDER**

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

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

19 2. **ADMINISTRATIVE PENALTY.** Within 60 (Sixty) days from the effective
20 date of this Consent Agreement, Respondent shall pay an administrative penalty of Seven
21 Hundred Fifty Dollars (\$750.00) by certified check or money order made payable to the State of
22 Arizona Board of Technical Registration.

23 3. **COST OF INVESTIGATION.** Within thirty (30) days from the effective date of
24 this Consent Agreement, Respondent shall pay the cost of investigation of this case to the Board
25 in the amount of Sixty-Eight Dollars (\$68.00) by certified check or money order made payable to
26 the State of Arizona Board of Technical Registration, according to the provisions of A.R.S. §
27 32-128(H).

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

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

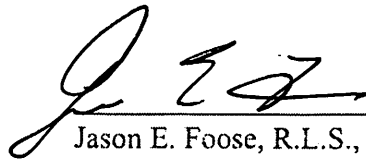
5. RENEWAL OF REGISTRATION. Respondent and Respondent Firm shall timely renew their Arizona registration as an Architect and an Architecture Firm, and timely pay all required registration fees.

6. 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.

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


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

ACCEPTED and ORDERED this 27TH day of OCTOBER, 2020.



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

Consent Agreement and Order, No. P21-015 accepted this 11TH day of SEP, 2020.



Ali Gharai, on behalf of himself and on behalf
of GHA Architects, Inc, Respondents

1 ORIGINAL filed this 27 day of

2 OCTOBER, 2020, with:

3
4 Arizona State Board of Technical Registration
5 1110 W. Washington, Suite 240
6 Phoenix, AZ 85007

6 COPY of the foregoing mailed via Certified Mail

7 No. 9214 8901 9434 4600 0746 65 and

8 First Class mail this 27 day of OCTOBER, 2020, to:

9 Ali Gharai
10 GHA Architects, Inc
11 9655 E Cinnabar Avenue
12 Scottsdale, AZ 85258

13 By:  _____