

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

3 **In the Matter of:**

Case No.: P21-063

4 **Diane Krebs**
5 **Architect**
6 **Registration No. 29840**

CONSENT AGREEMENT
and
ORDER OF DISCIPLINE

7 **Diane Krebs, Architect**
8 **Non-Registrant Firm**

9 **Respondents**

10 In the interest of a prompt and judicious resolution of the above-captioned matter
11 before the Arizona State Board of Technical Registration ("Board") and consistent with
12 the public interest, statutory requirements, and the responsibilities of the Board, and
13 pursuant to A.R.S. § 32-101 et seq., and A.A.C. R4-30-120(G), the undersigned party,
14 Diane Krebs ("Respondent"), holder of Registration No. 29840, Diane Krebs, Architect
15 Non-Registrant Firm ("Respondent Firm"), and the Board enter into the following
16 Recitals, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") as a
17 final disposition of this matter.

18 **RECITALS**

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

22 2. Respondent understands that he has a right to a public administrative hearing
23 concerning this case. He further acknowledges that at such formal hearing he could
24 present evidence and cross-examine witnesses. By entering into this Consent Agreement,
25 Respondent knowingly, voluntarily, and irrevocably waives his right to such an
26 administrative hearing, as well as rights of rehearing, review, reconsideration, appeal,
27 judicial review or any other administrative and/or judicial action concerning the matters
28 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 (as defined in A.R.S. § 41-158.18) upon acceptance by the Board of this
8 Consent Agreement and may be retained in the Board's files pertaining to this matter.

9 6. Respondent understands this Consent Agreement deals with Board case
10 number P21-063 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.

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1 10. This Consent Agreement is subject to the approval of the Board and is
2 effective only when accepted by the Board and signed on behalf of the Board. If the
3 Board does not accept this Consent Agreement, the Board retains its authority to hold a
4 formal administrative hearing pursuant to A.R.S. § 32-128(E). In the event that the
5 Board does not approve this Consent Agreement, it is withdrawn and shall be of no
6 evidentiary value and shall not be relied upon nor introduced in any action by any party,
7 except that the parties agree that should the Board reject this Consent Agreement and this
8 case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced
9 by its review and discussion of this document or any records relating thereto.

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

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

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

18 **FINDINGS OF FACT**

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

21 2. Respondent is the holder of Arizona Architect Registration No. 29840.

22 3. Respondent Firm has never been registered with the Board.

23 4. On or about March 8, 2021, the Board received a complaint alleging that
24 while engaged to provide professional architectural services on a Garage Addition Project
25 at, 4887 N. Placita Osito Negro in Tucson, Arizona, Respondent failed to incorporate
26 details such as the loft, electric, water, and septic stub-out, refused to engage with the
27 client in phone calls or in person., rushed her plans into the permit process with errors
28 and omissions, refused to accept contractors input, and failed to address Pima County's or

1 contactor's inspection findings.

2 5. It is further alleged that Respondent and Respondent Firm engaged in the
3 practice of architecture without firm registration with the Board. The Board shows no
4 record that Respondent Firm has ever been registered with the Board.

5 6. On or about March 30, 2021, Respondent acknowledged that Respondent
6 was practicing architecture without firm registration and indicated that she was unaware
7 that a firm registration was needed for Respondent Firm.

8 7. On or about April 6, 2021, Respondent Firm was registered with the Board
9 under a new name, Renovate to Create, LLC, #23180.

10 8. On September 22, 2021, an Enforcement Advisory Committee convened to
11 review the complaint against Respondent. After reviewing the evidence, the Committee
12 unsubstantiated the allegations regarding the Garage Addition project at 4887 N. Placita
13 Osito Negro in Tucson, Arizona.

14 **CONCLUSIONS OF LAW**

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

16 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
17 pursuant to A.R.S. 32-121, A.R.S. 32-141 and A.R.S. 32-128(C)(4) as it relates to A.A.C.
18 R4-30-301(4), in that Respondent and Respondent Firm practiced or offered to practice a
19 Board regulated profession without firm registration.

20 **ORDER**

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

23 1. LETTER OF REPRIMAND. Respondent is hereby issued a Letter of
24 Reprimand.

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

1 3. COST OF INVESTIGATION. Within thirty (30) days from the effective date
2 of this Consent Agreement, Respondent shall pay the cost of investigation of this case to
3 the Board in the amount of One Hundred Thirty-Four Dollars (\$134.00) by certified
4 check or money order made payable to the State of Arizona Board of Technical
5 Registration, according to the provisions of A.R.S. § 32-128(H).

6 4. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws,
7 as well as, all rules governing the practice of Architecture in the State of Arizona. The
8 Board shall consider any violation of this paragraph to be a separate violation of the rules
9 and statues governing the Arizona Board of Technical Registration. The Board may also
10 consider Respondent's non-compliance with this Order as a separate violation of A.R.S. §
11 32-150.

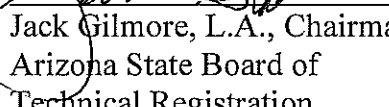
12 5. RENEWAL OF REGISTRATION. Respondent and Respondent Firm shall
13 timely renew their Arizona registration as an Architect and an Architectural Firm, and
14 timely pay all required registration fees.

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

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

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

25 ACCEPTED and ORDERED this 7 day of SEPTEMBER, 2021.

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

1 Consent Agreement and Order, No. P21-063 accepted this 8 day of
2 November, 2021.

3 

4 Diane Krebs on behalf of herself and on
5 behalf of Diane Krebs, Architect,
6 Respondents

7 **ORIGINAL** filed this 7 day of
8 December, 2021, with:

9 Arizona State Board of Technical Registration
10 1110 W. Washington, Suite 240
11 Phoenix, AZ 85007

12 **COPY** of the foregoing mailed via Certified Mail
13 No. 9214 8901 9434 4600 08595 and
14 First Class mail this 8 day of December, 2021, to:

15 Diane Krebs
16 6314 N. Vuelta Tajo
17 Tucson, AZ 85718

18 By: 
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