

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

BEFORE THE ARIZONA STATE  
BOARD OF TECHNICAL REGISTRATION



<p><b>In the Matter of:</b></p> <p><b>Jose Ceja</b> <b>R.A. No. 50677</b> <b>Firm Principal</b></p> <p><b>EXA Architects</b> <b>Firm No. 18632</b></p> <p style="text-align: center;"><b>Respondent</b></p>	<p style="text-align: center;"><b>Case No. P19-005</b></p> <p style="text-align: center;"><b>CONSENT AGREEMENT</b> <b>and</b> <b>ORDER OF DISCIPLINE</b></p>
---	--

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, EXA Architects, Firm No. 18632, (“Respondent Firm”), Jose Ceja, Firm Principal, Registered Architect. No.50677, 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 P19-005 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 Firm (EXA Architecture) Registration #18632, expired on February  
16 28, 2017.

17 3. On or about July 30, 2018, the Board received a complaint alleging that  
18 Respondent Firm was advertising and offering the practice of architecture without firm  
19 registration with the Board.

20 4. On or about September 17, 2018, the Board received an email from Jose Ceja, Firm  
21 Principal, in which he acknowledged that he forgot to timely renew the registration of  
22 Respondent Firm and had recently renewed the registration of Respondent Firm.

#### 23 **CONCLUSIONS OF LAW**

24 1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq,  
25 including A.R.S. § 32-106.02(A).

26 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline  
27 pursuant to A.R.S. § 32-128(C)(4) as it relates to A.R.S. 32-141(A), in that Respondent Firm  
28 offered to practice a Board regulated profession without current registration with the Board.

**ORDER**

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

1. CIVIL PENALTY. Within Thirty (30) days from the effective date of this Consent Agreement, Respondent shall pay a civil penalty of Two Hundred Fifty Dollars (\$250.00) by cashier's check or money order made payable to the Arizona State Board of Technical Registration, according to the provisions of A.R.S. § 32-106.02(A).

2. COST OF INVESTIGATION. Within thirty (30) days from the effective date of this Consent Agreement, Respondent shall pay the cost of investigation of this case to the Board in the amount of One Hundred Forty-Five Dollars (\$145.00) by certified check or money order made payable to the State of Arizona Board of Technical Registration, according to the provisions of A.R.S. § 32-128(H).

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.

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

5. NONCOMPLIANCE. If Respondent violates this Order in any way or fails to fulfill the requirements of this Order, the Board may seek a Petition for Injunction in accordance with the provisions set forth in A.R.S. § 32-106.01.

ACCEPTED and ORDERED this 11 day of December, 2018.

  
\_\_\_\_\_  
Alejandro Angel, P.E., Chairman  
Arizona State Board of  
Technical Registration

1 Consent Agreement and Order, No. P19-005 accepted this 28 day of SEPTEMBER, 2018.

2  
3   
4 Jose Ceja on behalf of Respondent Firm

5  
6 ORIGINAL filed this 17<sup>th</sup> day of

7 DECEMBER, 2018, with:

8  
9  
10 Arizona State Board of Technical Registration  
11 1110 W. Washington, Suite 240  
12 Phoenix, AZ 85007

13 COPY of the foregoing mailed via Certified Mail

14 No. 9214 8901 9434 4600 0472 22 and

15 First Class mail this 17<sup>th</sup> day of DECEMBER, 2018, to:

16 Jose Ceja  
17 EXA Architects  
18 4544 E. Camp Lowell #146  
19 Tucson, AZ 85712

20 By:   
21  
22  
23  
24  
25  
26  
27  
28