

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

In the Matter of:

Case No.: P23-041

**Cody Bowman
Registered Architect
Registration No. 63734**

**CONSENT AGREEMENT
and
ORDER OF DISCIPLINE**

**Vitruvian Design
Firm Registration No. 22409**

Respondents

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, Cody Bowman (“Respondent”), holder of Registration No. 67734, Vitruvian Design, (“Respondent Firm”) holder of Registration No. 22409, 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
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 upon acceptance by the Board of this Consent Agreement and may be
8 retained in the Board's files pertaining to this matter.

9 6. Respondent understands this Consent Agreement deals with Board case
10 number P23-041 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.

28

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 Registered Architect Registration No. 63734.

22 3. Respondent Firm is the holder of registration No. 22409, which expired on
23 February 11, 2022. The Board registration was expired from February 11, 2022 until it
24 was renewed on September 14, 2022.

25 4. Board records indicate that Respondent is the Firm Principal and is the
26 responsible party for Respondent Firm.

27 5. During the course of investigation regarding case P23-020, Board staff
28 learned that Respondent Firm prepared and submitted architectural and engineering

1 related documents for a client on June 8, 2022, a time in which Respondent Firm was
2 expired. The project was referred to as "*The Collective*" in Gilbert, Arizona and identified
3 as Respondent Firm project number 221.

4 6. On November 1, 2022, the Board ordered an investigation be conducted
5 regarding the Firm registration matter.

6 7. On December 15, 2022, Respondent acknowledged responsibility for the
7 Firm Registration issue, stating "*it was missed.*"

8 CONCLUSIONS OF LAW

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

10 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
11 pursuant to A.R.S. 32-121 and A.R.S. 32-141, in that Respondent and Respondent Firm
12 practiced a Board regulated profession without Firm registration with the Board.

13 ORDER

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

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

18 2. **ADMINISTRATIVE PENALTY.** Within thirty (30) days from the
19 effective date of this Consent Agreement, Respondent shall pay an administrative penalty
20 of Two Hundred Fifty Dollars (\$250.00) by certified check or money order made payable
21 to the State of Arizona Board of Technical Registration.

22 3. **COST OF INVESTIGATION.** Within thirty (30) days from the effective
23 date of this Consent Agreement, Respondent shall pay the cost of investigation of this
24 case to the Board in the amount of One Hundred Forty One Dollars (\$141.00) by certified
25 check or money order made payable to the State of Arizona Board of Technical
26 Registration, according to the provisions of A.R.S. § 32-128(H).

27 4. **OBEY ALL LAWS.** Respondent shall obey all federal, state and local
28 laws, as well as, all rules governing the practice of Architecture in the State of Arizona.

1 The Board shall consider any violation of this paragraph to be a separate violation of the
2 rules and statues governing the Arizona Board of Technical Registration. The Board may
3 also consider Respondent's non-compliance with this Order as a separate violation of
4 A.R.S. § 32-150.

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

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

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

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

18
19 ACCEPTED and ORDERED this 2 day of MARCH, 2023.

20
21 
22 Jack Gilmore, L.A., Chairman
23 Arizona State Board of
24 Technical Registration

25 Consent Agreement and Order, No. P23-041 accepted this ___ day of
26 _____, 2023.

27 Cody Alan Bowman Digitally signed by Cody Alan Bowman
Reason: I am approving this document
Date: 2023.03.02 10:24:52-0700

28 Cody Bowman, on behalf of himself and
Vitruvian Design., Respondents

1 ORIGINAL filed this 3 day of


2 March, 2023, with:

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

6 COPY of the foregoing mailed via Certified Mail

7 No. 9214890194344600091419 and
8 First Class mail this 3 day of March, 2023, to:

9 Cody Bowman
10 Vitruvian Design
11 4425 E. Agave Rd. #136
12 Phoenix, AZ 85044

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14
15 By: 
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