

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

3 **In the Matter of:**)
4 **John Gruver, P.E. (Civil)**)
5 **Registration No. 22869**)
6 **G2 Consulting Engineers**)
7 **Firm Registration No. 13577**)
8 **(Expired) and No. 23656 (Active)**)
9 **Respondents**)

Case No.: P22-033

**CONSENT AGREEMENT
and
ORDER OF DISCIPLINE**

9 In the interest of a prompt and judicious resolution of the above-captioned matter
10 before the Arizona State Board of Technical Registration ("Board") and consistent with
11 the public interest, statutory requirements, and the responsibilities of the Board, and
12 pursuant to A.R.S. § 32-101 et seq., and A.A.C. R4-30-120(G), the undersigned party,
13 John Gruver ("Respondent"), holder of Registration No. 22869, and G2 Consulting
14 Engineers ("Respondent Firm"), holder of Registration No. 13577 (Expired) and No.
15 23656 (Active) and the Board enter into the following Recitals, Findings of Fact,
16 Conclusions of Law and Order ("Consent Agreement") as a final disposition of this
17 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 P22-033 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 September 15, 2021. On November 29, 2021, Respondent Firm was again registered with
2 the Board (Registration Number 23656) on November 29, 2021, 27 days after the
3 complaint was filed with the Board. Respondent Firm continued to practice engineering
4 during the approximate eighteen-month period when Respondent Firm was not registered
5 with the Board.

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 Firm engaged in the
10 practice of engineering without Board registration.

11 **ORDER**

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

- 14 1. **LETTER OF REPRIMAND.** Respondent is hereby issued a Letter of
15 Reprimand.
- 16 2. **ADMINISTRATIVE PENALTY.** Within sixty (60) days from the
17 effective date of this Consent Agreement, Respondent shall pay an administrative penalty
18 of Two Hundred and Fifty Dollars (\$250.00) by certified check or money order made
19 payable to the State of Arizona Board of Technical Registration.
- 20 3. **COST OF INVESTIGATION.** Within thirty (30) days from the effective
21 date of this Consent Agreement, Respondent shall pay the cost of investigation of this
22 case to the Board in the amount of Three Hundred Eighty-One Dollars (\$381.00) by
23 certified check or money order made payable to the State of Arizona Board of Technical
24 Registration, according to the provisions of A.R.S. § 32-128(H).
- 25 4. **OBEY ALL LAWS.** Respondent shall obey all federal, state and local
26 laws, as well as, all rules governing the practice of Engineering in the State of Arizona.
27 The Board shall consider any violation of this paragraph to be a separate violation of the
28 rules and statutes governing the Arizona Board of Technical Registration. The Board may

1 also consider Respondent's non-compliance with this Order as a separate violation of
2 A.R.S. § 32-150.


3 5. RENEWAL OF REGISTRATION. Respondent and Respondent Firm shall
4 timely renew their Arizona registration as an Engineer and an Engineering Firm, and
5 timely pay all required registration fees.

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

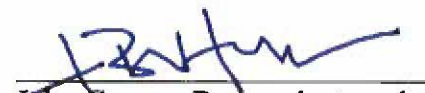
9 7. COSTS OF COMPLIANCE. Respondent shall pay all costs associated
10 with complying with this Consent Agreement.

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

16 ACCEPTED and ORDERED this 22 day of MARCH, 2022.

17
18 
19 Jack Gilmore, L.A., Chairman
20 Arizona State Board of
21 Technical Registration

22 Consent Agreement and Order, No. P22-033 accepted this 2nd day of
23 March, 2022.

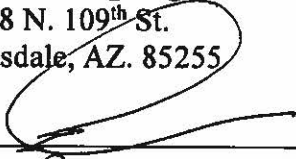
24 
25 John Gruver, Respondent, on behalf of
26 himself and G2 Consulting Engineers,
27 Respondents

28 ORIGINAL filed this 22 day of
March, 2022, with:

1 Arizona State Board of Technical Registration
2 1110 W. Washington, Suite 240
3 Phoenix, AZ 85007

4 **COPY** of the foregoing mailed via Certified Mail
5 No. 9214 8901 9434 4600 087153 and
6 First Class mail this 23rd day of March, 2022, to:

7 John Gruver
8 G2 Consulting Engineers
9 16738 N. 109th St.
10 Scottsdale, AZ. 85255

11 By: 
12 G. M. Huey BTR Investigator
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