

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**

In the Matter of:  
  
Bradley T. Dixon  
Professional Engineer (Civil)  
Current Registration Number 63341  
Former Registration Number 36637  
  
Respondent.

**P17-056**

**CONSENT AGREEMENT**

In the interest of a prompt and judicious resolution of the above-captioned matter before the Arizona State Board of Technical Registration (the "Board") and consistent with the public interest, statutory requirements, and the responsibilities of the Board, and pursuant to Arizona Revised Statutes ("A.R.S.") § 32-101, *et seq.* and Arizona Administrative Code ("A.A.C.") R4-30-120(G), the undersigned party, Bradley T. Dixon ("Respondent"), holder of Registration P.E. (Civil) Number 63341, 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.

**I. RECITALS**

1. The Board has not conducted a hearing nor made a determination on the merits contained herein. Instead, the Board and Respondent have agreed to a full and final settlement of this matter in lieu of formal disciplinary proceedings, pursuant to A.A.C. R4-30-123(B).
2. 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.
3. 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,

1 Respondent knowingly, voluntarily, and irrevocably waives his right to such an  
2 administrative hearing, as well as rights of rehearing, review, reconsideration, appeal,  
3 judicial review or any other administrative and/or judicial action concerning the matters  
4 set forth herein.

5 4. Respondent affirmatively agrees that this Consent Agreement shall be  
6 irrevocable.

7 5. Respondent understands that this Consent Agreement or any part of the  
8 agreement may be considered in any future disciplinary action by the Board against him.

9 6. The Consent Agreement, any record prepared in this matter, all investigative  
10 materials prepared or received by the Board and all related exhibits and materials, are  
11 public records (as defined in A.R.S. § 41-151.18) upon acceptance by the Board of this  
12 Consent Agreement and may be retained in the Board's files pertaining to this matter.

13 7. Respondent understands this Consent Agreement deals with Board case  
14 number P17-056 involving allegations that Respondent engaged in conduct that could  
15 subject him to discipline under the Board's statutes and rules. The investigation into  
16 these allegations against Respondent shall be concluded upon the Board's adoption of  
17 this Consent Agreement.

18 8. Respondent understands that this Consent Agreement does not constitute a  
19 dismissal or resolution of any other matters currently pending before the Board, if any,  
20 and does not constitute any waiver, express or implied, of the Board's statutory authority  
21 or jurisdiction regarding any other pending or future investigation, action or proceeding.

22 9. Respondent also understands that acceptance of this Consent Agreement does  
23 not preclude any other agency, subdivision, or officer of this State from instituting any  
24 other civil or criminal proceedings with respect to the conduct that is the subject of this  
25 Consent Agreement.

26 10. Respondent acknowledges and agrees that, upon signing this Consent  
27 Agreement and returning this document to the Board's Executive Director, he may not  
28 revoke his acceptance of the Consent Agreement or make any modifications to the

1 document regardless of whether the Consent Agreement has been signed on behalf of the  
2 Board. Any modification to this original document is ineffective and void unless  
3 mutually agreed by the parties in writing.

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

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

16 13. Respondent agrees that any violation of this Consent Agreement may result  
17 in disciplinary action, including suspension or revocation of the registration under A.R.S.  
18 § 32-150.

19 14. Respondent agrees that the Board will adopt the following Findings of Fact,  
20 Conclusions of Law and Order.

## 21 **II. FINDINGS OF FACT**

22 1. The Board is the duly constituted authority for the regulation and control of  
23 the practice of several professions, including the practice of professional engineering.  
24 A.R.S. § 32-101, *et seq.* Pursuant to A.R.S. §§ 32-106 and 32-122.01, the Board  
25 possesses jurisdiction over the subject matter and over Respondent.

26 2. Respondent formally held Arizona Professional Engineer (Civil)  
27 Registration Number 36637, which expired on September 30, 2010, and was canceled on  
28 November 12, 2013.



1 compliant with any terms of this Order during the probationary period, the Board may  
2 also consider Respondent's non-compliance with this Order as a separate violation of  
3 A.R.S. § 32-150 and seek additional civil penalties, a suspension or revocation of  
4 Respondent's certificate, or other discipline.

5       3.     ADMINISTRATIVE PENALTY. Respondent shall pay a civil penalty in  
6 the total amount of \$1000.00, to be paid in monthly installments. The first payment is  
7 due within thirty (30) days of the Effective Date of this Consent Agreement and shall be  
8 remitted every month thereafter until paid in full. All payments must be made by  
9 certified check or money order made payable to the State of Arizona Board of Technical  
10 Registration.

11       4.     COST OF INVESTIGATION. Respondent shall pay a portion of the cost of  
12 investigation in the total amount of \$200.00, to be paid in monthly installments. The first  
13 payment is due within thirty (30) days of the Effective Date of this Consent Agreement  
14 and shall be remitted every month thereafter until paid in full. All payments must be  
15 made by certified check or money order made payable to the State of Arizona Board of  
16 Technical Registration.

17       5.     MONTHLY PAYMENTS. The total monthly payment to be made by  
18 Respondent shall not be less than \$100.00, of which the Board shall apportion \$83.33 to  
19 the civil penalty and \$16.67 to the cost of investigation. Respondent may make early  
20 payments of all or more of the amount owed without penalty.

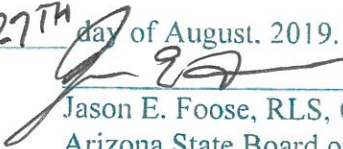
21       6.     OBEY ALL LAWS. Respondent shall obey all federal, state, and local  
22 laws, as well as all rules governing the practice of Civil Engineering in the State of  
23 Arizona. The Board shall consider any violation of this paragraph to be a separate  
24 violation of the rules and statutes governing the Board. The Board may also consider  
25 Respondent's non-compliance with this Order as a separate violation of A.R.S. § 32-150.

26       7.     RENEWAL OF REGISTRATION. Respondent shall not practice Civil  
27 Engineering without continuing to timely renew his Arizona registration as a Civil  
28 Engineer and timely pay all required registration fees.

1           8.     EFFECTIVE DATE. The effective date of this Consent Agreement is the  
2 date it was last executed by the Respondent or the Board.

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

5           ACCEPTED and ORDERED this 27<sup>TH</sup> day of August, 2019.



Jason E. Foose, RLS, Chairman  
Arizona State Board of  
Technical Registration

9           Consent Agreement and Order. Number P17-056 accepted this 26<sup>th</sup> day of  
10 August, 2019.



Bradley T. Dixon Respondent

14           **ORIGINAL** filed this 28 day of August, 2019, with:

15 Arizona State Board of Technical Registration  
16 1110 W. Washington, Suite 240  
17 Phoenix, AZ 85007

18           **COPY** of the foregoing mailed/e-mailed this  
19 28 day of August, 2019 to:

20 Bradley T. Dixon  
21 P.O. Box 1647  
22 Flagstaff, AZ 86002  
23 [coconinoforest@gmail.com](mailto:coconinoforest@gmail.com)  
Respondent

24 Deanie Reh  
25 [deanie.reh@azag.gov](mailto:deanie.reh@azag.gov)  
26 Counsel for the State

27 By:  \_\_\_\_\_