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BEFORE THE ARIZONA STATE  
BOARD OF TECHNICAL REGISTRATION



<p><b>In the Matter of:</b></p> <p><b>Lawrence Wilson</b> <b>Land Surveyor</b> <b>Registration No. 32238</b></p> <p style="text-align: center;"><b>Respondent</b></p>	<p style="text-align: center;"><b>Case No. P21-020</b></p> <p style="text-align: center;"><b>CONSENT AGREEMENT</b> <b>and</b> <b>ORDER OF DISCIPLINE</b></p>
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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, Lawrence Wilson (“Respondent”), holder of Registration No. 32238, 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 P21-020 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 Land Surveying in the State of Arizona.

15 2. Respondent is the holder of Arizona Land Surveying Registration No.33238.

16 3. On or about January 27, 2014, Respondent prepared an ALTA/ACSM Land Title  
17 Survey for a car wash project at Speedway and Country Club in Tucson, Arizona.

18 4. On or about August 24, 2020, the Board received a complaint alleging that the  
19 ALTA/ACSM Land Title Survey that Respondent prepared at Speedway and Country Club,  
20 Tucson, Arizona, sealed on or about January 27, 2014, did not contain sufficient curve  
21 information to close the lot, shows a curve that is non-tangent at the east end but is not called out  
22 on his drawing or description, did not find or set the northwest, northeast and southeast corner  
23 monuments, shows an X on a paver which is not a sufficient monument, and failed to record the  
24 survey with found monuments not of record.

25 5. On February 3, 2021, an Enforcement Advisory Committee ("EAC") convened to  
26 review the complaint against Respondent. After reviewing the evidence and interviewing  
27 Respondent, the Committee determined the following:

28 a. Respondent failed to conduct a land survey in accordance with the Arizona

1 Boundary Survey Minimum Standards (“ABSMS”) as follows:

- 2 i. The survey did not find or set northwest, northeast, southeast corner  
3 monuments as required in ABSMS #8D,  
4 ii. Respondent failed to record found monuments and did not record a Record  
5 of Survey as required in ABSMS #13B and #13C.

6 6. Respondent acknowledged that he did not set corners, and he did not file a Record  
7 of Survey as required.

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. § 32-128(C)(4) as it relates to A.A.C. R4-30-301(13) in that Respondent failed  
12 to conduct a land survey in accordance with the Arizona Boundary Survey Minimum Standards.

13 3. The conduct alleged in the Findings of Fact constitutes grounds for discipline  
14 pursuant to A.R.S. § 33-105(A) and A.R.S. § 32-128(C)(4) as it relates to A.A.C. R4-30-301(4)  
15 in that Respondent failed to file a record of a land survey not later than ninety days after its  
16 completion with the county recorder of the county where the land is located if such survey  
17 establishes points or lines relating to land boundaries or property lines.

18 **ORDER**

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

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

22 2. **STAYED SUSPENSION AND PROBATION.** Respondent’s registration as  
23 Registered Land Surveyor, No. 32238, shall be suspended for Twelve (12); however, the  
24 suspension is stayed for as long as Respondent remains in compliance with this Order. During  
25 the stay of suspension, Respondent’s registration as a Registered Land Surveyor is placed on  
26 probation for Twelve (12). If Respondent is non-compliant with any terms of this Order during  
27 the Twelve (12) stayed suspension and probation period, the stay of the suspension shall be lifted  
28 and Respondent’s registration as a Registered Land Surveyor shall be automatically suspended

1 without a formal hearing, and remain suspended until Respondent is compliant with all terms of  
2 this Order.

3 3. ADMINISTRATIVE PENALTY. Within Twelve (12) months from the effective  
4 date of this Consent Agreement, Respondent shall pay an administrative penalty of One  
5 Thousand Five Hundred Dollars (\$1,500.00) by certified check or money order made payable to  
6 the State of Arizona Board of Technical Registration. Respondent shall make  
7 quarterly payments of Three Hundred Seventy-Five Dollars (\$375.00).

8 4. COST OF INVESTIGATION. Within thirty (30) days from the effective date of  
9 this Consent Agreement, Respondent shall pay the cost of investigation of this case to the Board  
10 in the amount of Two Hundred Eighty-Nine Dollars (\$289.00) by certified check or money order  
11 made payable to the State of Arizona Board of Technical Registration, according to the  
12 provisions of A.R.S. § 32-128(H).

13 5. OBEY ALL LAWS. During the probationary period, Respondent shall obey all  
14 federal, state and local laws, as well as, all rules governing the practice of Land Surveying in the  
15 State of Arizona. The Board shall consider any violation of this paragraph to be a separate  
16 violation of the rules and statutes governing the Arizona Board of Technical Registration. The  
17 Board may also consider Respondent's non-compliance with this Order as a separate violation of  
18 A.R.S. § 32-150.

19 6. RENEWAL OF REGISTRATION. Respondent shall timely renew his Arizona  
20 registration as an Registered Land Surveyor, and timely pay all required registration fees.

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

24 8. COSTS OF COMPLIANCE. Respondent shall pay all costs associated with  
25 complying with this Consent Agreement.

26 9. NONCOMPLIANCE. If Respondent violates this Order in any way or fails to  
27 fulfill the requirements of this Order, the Board, after giving notice and the opportunity to be  
28 heard, may revoke, suspend or take other disciplinary actions against the registration. The issue

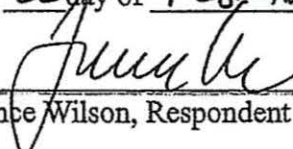
1 at such a hearing will be limited solely to whether this Order has been violated.

2 ACCEPTED and ORDERED this 23 day of March, 2021.

3 

4 Carmen Wyckoff, R.A., Chairperson  
5 Arizona State Board of Technical  
6 Registration

7  
8 Consent Agreement and Order, No. P21-020 accepted this 22<sup>nd</sup> day of FEBRUARY, 2021.

9   
10 Lawrence Wilson, Respondent

11 ORIGINAL filed this \_\_\_\_\_ day of  
12 \_\_\_\_\_, 2021, with:

13 Arizona State Board of Technical Registration  
14 1110 W. Washington, Suite 240  
15 Phoenix, AZ 85007

16 COPY of the foregoing mailed via Certified Mail  
17 No. \_\_\_\_\_ and  
18 First Class mail this \_\_\_\_\_ day of \_\_\_\_\_, 2021, to:

19 Lawrence Wilson  
20 1406 E. Marymont Circle  
21 Flagstaff, AZ 86004

22 By: \_\_\_\_\_  
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