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

<p>In the Matter of:</p> <p>Julius Doan Non-Registrant</p> <p>Respondent</p>	<p style="text-align: center;">Case No. P21-046</p> <p style="text-align: center;">CONSENT AGREEMENT and ORDER OF DISCIPLINE</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, Julius Doan, Non-Registrant, ("Respondent") 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.

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RECITALS

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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.

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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.

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3. Respondent affirmatively agrees that this Consent Agreement shall be irrevocable.

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

3 5. The Consent Agreement, any record prepared in this matter, all investigative
4 materials prepared or received by the Board and all related exhibits and materials, are public
5 records (as defined in A.R.S. § 41-158.18) upon acceptance by the Board of this Consent
6 Agreement and may be retained in the Board's files pertaining to this matter.

7 6. Respondent understands this Consent Agreement deals with Board case number
8 P21-046 involving allegations that Respondent engaged in conduct that would subject him to
9 discipline under the Board's statutes and rules. The investigation into these allegations against
10 Respondent shall be concluded upon the Board's adoption of this Consent Agreement.

11 7. Respondent understands that this Consent Agreement does not constitute a
12 dismissal or resolution of any other matters currently pending before the Board, if any, and does
13 not constitute any waiver, express or implied, of the Board's statutory authority or jurisdiction
14 regarding any other pending or future investigation, action or proceeding.

15 8. Respondent also understands that acceptance of this Consent Agreement does not
16 preclude any other agency, subdivision, or officer of this State from instituting any other civil or
17 criminal proceedings with respect to the conduct that is the subject of this Consent Agreement.

18 9. Respondent acknowledges and agrees that, upon signing this Consent Agreement
19 and returning this document to the Board's Executive Director, he may not revoke his acceptance
20 of the Consent Agreement or make any modifications to the document regardless of whether the
21 Consent Agreement has been signed on behalf of the Board. Any modification to this original
22 document is ineffective and void unless mutually agreed by the parties in writing.

23 10. This Consent Agreement is subject to the approval of the Board and is effective
24 only when accepted by the Board and signed on behalf of the Board. If the Board does not accept
25 this Consent Agreement, the Board retains its authority to hold a formal administrative hearing
26 pursuant to A.R.S. § 32-128(E). In the event that the Board does not approve this Consent
27 Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor
28 introduced in any action by any party, except that the parties agree that should the Board reject

1 this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that
2 the Board was prejudiced by its review and discussion of this document or any records relating
3 thereto.

4 11. If a court of competent jurisdiction rules that any part of this Consent Agreement is
5 void or otherwise unenforceable, the remainder of the Consent Agreement shall remain in full
6 force and effect.

7 12. Respondent understands that any violation of this Consent Agreement may result in
8 disciplinary action, including suspension or revocation of the registration under A.R.S. § 32-150.

9 13. Respondent agrees that the Board will adopt the following Findings of Fact,
10 Conclusions of Law and Order.

11 **FINDINGS OF FACT**

12 1. The Board is the duly constituted authority for the regulation and control of the
13 profession of engineering in the State of Arizona.

14 2. Respondent is not registered with the Board as an engineer. Respondent is a
15 registered engineer in the state of Texas.

16 3. On October 29, 2020 Board staff received a complaint alleging that Respondent
17 applied a fraudulent seal and signature bearing the name of Craig Porter, P.E. (Structural) #35229
18 on foundation plans for the Metal Building Project at 7437 E. Rose Circle in Prescott Valley,
19 Arizona, on or about August 20, 2020.

20 4. On November 16, 2020 Board staff spoke with Respondent. Respondent stated that
21 he was contacted about this project by John Alfonso through a freelancing website called
22 UpWork. Respondent stated that he agreed to complete the project for Mr. Alfonso. Respondent
23 stated that he was unable to seal the plans because he is not licensed in Arizona. Respondent
24 stated he contracted with another third party registered in Arizona, through UpWork, to seal the
25 plans. Board staff asked Respondent to identify the third party involved. Respondent stated that
26 he was unable to access his UpWork account, however, offered that he did provide Mr. Alfonso
27 with a full refund when the plans were rejected by the city. Over the course of the investigation,
28 Board staff asked Respondent to identify the third party involved four additional times.

1 Respondent was unable to identify the third party involved, however, was able to provide Board
2 staff with a receipt from UpWork evidencing that he paid a third party \$250.00 for stamped
3 foundation plans. This receipt did not evidence who this payment was made to.

4 4. On March 23, 2021 Board staff sought Board guidance regarding this case to
5 review the evidence indicating that Respondent used the seal of another. Board members
6 questioned Respondent, who restated how he came to be involved in this project and denied being
7 responsible for the fraudulent seal. Board members noted that in addition to the issue of the
8 fraudulent seal, Respondent was not a "bona fide employee" of a licensed registrant nor was he
9 supervised by a licensed registrant. Board members instructed Board staff to subpoena
10 communications from UpWork relating to this project and to explore the issue of practicing
11 without a license in the state of Arizona. Board staff further instructed Respondent to continue to
12 attempt to access his UpWork account in order to identify the third party involved in the
13 fraudulent seal.

14 5. On March 24, 2021 Board staff sent UpWork a subpoena requesting all
15 communications relating to this project by April 15, 2021. UpWork did not respond to the
16 subpoena.

17 6. On April 13, 2021 Board staff spoke with the Respondent. Board staff asked
18 Respondent if he had been able to access his UpWork account. Respondent stated that he had not
19 been able to access his UpWork account and again denied using the seal of another. Board staff
20 discussed the issue of practicing without a license in the state of Arizona with Respondent.
21 Respondent acknowledged this violation and his understanding of the current rules and
22 regulations in the state of Arizona.

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. § 32-145(1), in that Respondent practiced a Board regulated profession
28 without 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 Sixty (60) days from the effective date of this Consent Agreement, Respondent shall pay a civil penalty of One Thousand Three Hundred Fifty Dollars (\$1,350.00). Payment is to be submitted to the Board 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 Two Hundred Thirty Five Dollars (\$235.00) 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. **OBEY ALL LAWS.** Respondent shall obey all federal, state and local laws, related to the practice of Engineering in the State of Arizona. The Board shall consider any violation of this paragraph to be a separate violation of the statutes governing the Arizona Board of Technical Registration.

4. **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.

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

6. **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.

1 ACCEPTED and ORDERED this 25th day of May, 2021.

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

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8 Consent Agreement and Order, No. P21-046 accepted this 29 day of April, 2021.

9
10 Julius Doan
11 Julius Doan, Respondent

12 ORIGINAL filed this 26th day of
13 May, 2021, with:

14
15 Arizona State Board of Technical Registration
16 1110 W. Washington, Suite 240
17 Phoenix, AZ 85007

18 COPY of the foregoing mailed via ~~Certified Mail~~ email, per Respondent Request. (cc)
19 No. _____ and
20 First Class mail this 26th day of May, 2021, to:

21 Julius Doan
22 Doan & Associates
23 11700 Southwest Freeway, Suite 205
24 Houston, Texas 77031

25 By: Er Chill