

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

3 **In the Matter of:**) **Case No.: P21-073**
4)

4 **Bruce Ensor**)
5 **Professional Structural Engineer**)
6 **Registration No. 58595**)

CONSENT AGREEMENT
and
ORDER OF DISCIPLINE

6 **BE Structural P.C.**)
7 **Firm Registration No. 23278**)
8 **Expired 9/30/15**)

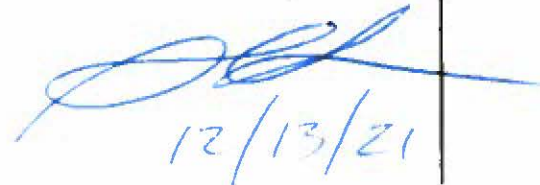
8 **Respondents**

9
10 In the interest of a prompt and judicious resolution of the above-captioned matter
11 before the Arizona State Board of Technical Registration ("Board") and consistent with
12 the public interest, statutory requirements, and the responsibilities of the Board, and
13 pursuant to A.R.S. § 32-101 et seq. and A.A.C. R4-30-120(G), the undersigned party,
14 Bruce Ensor ("Respondent"), holder of Registration No. 58595, and Principal of BE
15 Structural P.C. ("Respondent Firm"), Non Registered Firm, and the Board enter into the
16 following Recitals, Findings of Fact, Conclusions of Law and Order ("Consent
Agreement") as a final disposition of this matter.

17 **RECITALS**

18 1. Respondent has read and understands this Consent Agreement and has had
19 the opportunity to discuss this Consent Agreement with an attorney, or has waived the
20 opportunity to discuss this Consent Agreement with an attorney.

21 2. Respondent understands that he has a right to a public administrative
22 hearing concerning this case. He further acknowledges that at such formal hearing he
23 could present evidence and cross-examine witnesses. By entering into this Consent
24 Agreement, Respondent knowingly, voluntarily, and irrevocably waives his right to such
25 an administrative hearing, as well as rights of rehearing, review, reconsideration, appeal,



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1 judicial review or any other administrative and/or judicial action concerning the matters
2 set forth herein.

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

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

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

12 6. Respondent understands this Consent Agreement deals with Board case
13 number P21-073 involving allegations that Respondent engaged in conduct that would
14 subject him to discipline under the Board's statutes and rules. The investigation into
15 these allegations against Respondent shall be concluded upon the Board's adoption of
16 this Consent Agreement.

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

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

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



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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 10. 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(E). In the event that the
8 Board does not approve this Consent Agreement, it is withdrawn and shall be of no
9 evidentiary value and shall not be relied upon nor introduced in any action by any party,
10 except that the parties agree that should the Board reject this Consent Agreement and this
11 case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced
12 by its review and discussion of this document or any records relating thereto.

13 11. 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 12. Respondent understands that any violation of this Consent Agreement may
17 result in disciplinary action, including suspension or revocation of the registration under
18 A.R.S. § 32-150.

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

21 **FINDINGS OF FACT**

22 1. The Board is the duly constituted authority for the regulation and control of
23 the practice of Professional Engineering in the State of Arizona.

24 2. Respondent is the holder of Arizona Professional Engineer (Structural)
25 Registration No. 58595.

3 Respondent Firm is the holder of Firm Registration No.23278 which was
4 issued on May 17, 2021.

5 4. During an investigation into a complaint involving Respondent's Firm, Staff



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1 discovered the Firm Registration of Respondent Firm had expired on September 11,
2 2014.

3 5. Firm registration No. 18954, for BE Structural P.C., was initially issued on
4 September 11, 2014 and expired on September 30, 2015. Respondent Firm was not
5 renewed or re-issued until May 17, 2021, when it was assigned Firm registration No.
6 23278. Respondent Firm's registration was not active at the time of the Davis
7 Residential project in July of 2020.

8 CONCLUSIONS OF LAW

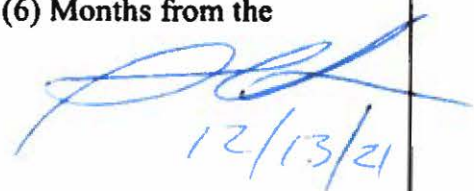
- 9 1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq.
10 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
11 pursuant to A.R.S. 32-121, A.R.S. 32-141 and A.R.S. 32-128(C)(4) as it relates to A.A.C.
12 R4-30-301(4) in that Respondent and Respondent Firm practiced or offered to practice a
Board regulated profession without Board Registration.

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
Reprimand.
17 2. **STAYED SUSPENSION AND PROBATION.** Respondent's registration
18 as Professional Engineer, No. 58595, shall be suspended for Six (6) months; however, the
19 suspension is stayed for as long as Respondent remains in compliance with this Order.
20 During the stay of suspension, Respondent's registration as a Professional Engineer, is
21 placed on probation for Six (6) months. If Respondent is non-compliant with any terms
22 of this Order during the six month stayed suspension and probation period, the stay of the
23 suspension shall be lifted and Respondent's registration as a Professional Engineer shall
24 be automatically suspended without a formal hearing, and remain suspended until
Respondent is compliant with all terms of this Order.

- 25 3. **ADMINISTRATIVE PENALTY.** Within Six (6) Months from the



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1 effective date of this Consent Agreement, Respondent shall pay an administrative penalty
2 of Five Hundred Dollars (\$500.00) by certified check or money order made payable to
3 the State of Arizona Board of Technical Registration.

4 4. COST OF INVESTIGATION. Within Six (6) Months from the effective
5 date of this Consent Agreement, Respondent shall pay the cost of investigation of this
6 case to the Board in the amount of One Thousand One Hundred Fifty Dollars (\$1,150.00)
7 by certified check or money order made payable to the State of Arizona Board of
8 Technical Registration, according to the provisions of A.R.S. § 32-128(H). Respondent
9 will make five equal monthly payments of One Hundred Ninety Dollars (\$190.00) and a
10 sixth and final payment of Two Hundred Dollars (\$200.00) to the Board.

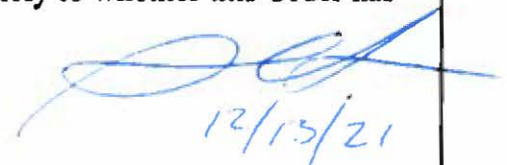
11 5. OBEY ALL LAWS. Respondent shall obey all federal, state and local
12 laws, as well as, all rules governing the practice of Engineering in the State of Arizona.
13 The Board shall consider any violation of this paragraph to be a separate violation of the
14 rules and statutes governing the Arizona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

17 6. RENEWAL OF REGISTRATION. Respondent and Respondent Firm shall
18 timely renew their Arizona registration as a Structural Engineer and an Engineering Firm,
19 and timely pay all required registration fees.

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

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

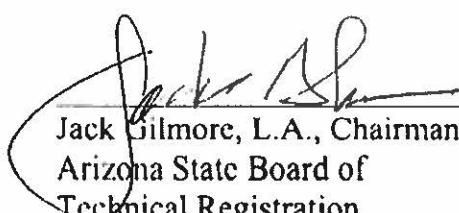
25 9. NONCOMPLIANCE. If Respondent violates this Order in any way or fails
to fulfill the requirements of this Order, the Board, after giving notice and the opportunity
to be heard, may revoke, suspend or take other disciplinary actions against the
registration. The issue at such a hearing will be limited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




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1 been violated.

2 ACCEPTED and ORDERED this 22 day of March, 2022.

3
4 
5 Jack Gilmore, L.A., Chairman
6 Arizona State Board of
7 Technical Registration

8 Consent Agreement and Order, No. P21-073 accepted this 13th day of
9 _____, 2022.

10 
11 Bruce Ensor, on behalf of himself and
12 BE Structural P.C., Respondents

13 ORIGINAL filed this _____ day of
14 _____, 2022, with:

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

19 COPY of the foregoing mailed via Certified Mail
20 No. _____ And
21 First Class mail this _____ day of _____, 2022, to:

22 Bruce Ensor
23 BE Structural P.C.
24 500 N. Front St.
25 Wormleysburg, PA 17043

By: _____