

**BEFORE THE BOARD OF GOVERNORS  
OF LICENSED ARCHITECTS, LANDSCAPE ARCHITECTS  
AND REGISTERED COMMERCIAL INTERIOR DESIGNERS OF OKLAHOMA**

IN THE MATTER OF THE COMPLAINT  
AGAINST:

CRAY BAUXMONT-FLYNN  
4041 E. 46<sup>TH</sup> STREET  
TULSA, OKLAHOMA 74135,

AND

Case No. 2022-628

AMATOYA, LLC  
C/O DAVIS BUSINESS LAW, PLLC  
525 W. MAINE  
ENID, OKLAHOMA 73703,

RESPONDENTS.

**CONSENT ORDER**

COMES NOW the Oklahoma Board of Governors of Licensed Architects, Landscape Architects and Registered Commercial Interior Designers (the "Board") and Respondents, Cray Bauxmont-Flynn ("Mr. Flynn") and Amatoya, LLC ("Amatoya") (collectively, Mr. Flynn and Amatoya are referred to as "Respondents") state as follows:

**FINDINGS OF FACT**

1. At all relevant times, Respondent Mr. Flynn has not held a license to practice Architecture in the state of Oklahoma.
2. At all relevant times, Respondent Amatoya has not held a certificate of authority to practice Architecture in the state of Oklahoma.
3. Respondent Mr. Flynn has, as defined in 59 Okla. Stat. § 46.8a, unlawfully held himself out as having the ability to practice architecture in the State of Oklahoma on the following instances despite the fact that Mr. Flynn does **not** have a license to practice architecture within the state of Oklahoma:
  - a) Mr. Flynn's representations made to a reporter for KFOR regarding his status as an "architect," in a June 7, 2021 news story posted on Amatoya's website;

- b) Mr. Flynn's representations made to a reporter for the Cherokee Phoenix regarding his status as an "architect," in an April 28, 2021 news story posted on Amatoya's website;
- c) Mr. Flynn's representations made to a reporter with the Tahlequah Daily Press regarding his status as an "architect" in an April 23, 2021 news story; and
- d) the use of the phrase "architecture," to define Mr. Flynn's design "process" on Amatoya's website.

4. Respondent Amatoya has, as defined in 59 Okla. Stat. § 46.9, unlawfully held itself out as having the authority to practice architecture in the state of Oklahoma through the use of the term "Architectural Designer," on Amatoya's Facebook page despite the fact that Amatoya does not have a certificate of authority to practice architecture within the state of Oklahoma.

### CONCLUSIONS OF LAW

1. The Oklahoma Board of Governors of Licensed Architects, Landscape Architects and Registered Commercial Interior Designers has jurisdiction of this case pursuant to:

- a. Oklahoma State Architectural and Registered Commercial Interior Designers Act, 59 Okla. Stat. §46.1 et. seq. (the "Act").
- b. Rules of the Board as recorded in the Oklahoma Administrative Code 55:10-1-1 (the "Rules").

2. The Act, at 59 Okla. Stat. § 46.7, states:

[T]he Board shall have the power and duty to... [p]romulgate rules of conduct governing the practice of licensed architects and landscape architects.

3. The Act, at 59 Okla. Stat. § 46.8a(A), provides as follows:

It shall be unlawful for any person to directly or indirectly engage in the practice of architecture in this state or use the title "Architect", "Registered or Licensed Architect", "Architectural Designer", or display or use any words, letters, figures, titles, signs, cards, advertisements, or other symbols or devices indicating or tending to indicate that such person is an architect or is practicing architecture, unless the person is licensed under the provisions of this act.

4. The Act, at 46.9(A), provides that:

The practice of architecture or landscape architecture or offering to practice these professions for others by persons licensed under the act through a partnership, firm, association, corporation, limited liability company or limited liability partnership as directors, partners, officers, shareholders, employees managers, members or principals is permitted . . . provided [that]:

- (1) One or more of the directors, partners, officers, shareholders, managers, members or principals of said partnership, firm, association, corporation, limited liability company or limited liability partnership is designated as being responsible for the entity's activities and decisions of said partnership, firm, association, corporation, limited liability company or limited liability partnership;
- (2) Such director, partner, officer, shareholder, manager, member of principal is duly licensed under the State Architectural and Registered Commercial Interior Designers Act;
- (3) All personnel of said partnership, firm, association, corporation, limited liability company or limited liability partnership which act on behalf of the entity for these professions in the state are licensed under the State Architectural and Registered Commercial Interior Designers act; *and*
- (4) Said partnership, firm, association, corporation, limited liability company or limited liability partnership has been issued a certificate of authority by the Board.

5. The Rules, at OAC 55:10-15-2(2) which states as follows:

Grounds for probation, denial, revocation, suspension, refusal to renew, orders, injunctions, civil and/or criminal penalties are as follows:

- (2) Violating the Act or any Rule in this Chapter, regulation or order issued by the Board, including the unlicensed practice of architecture or landscape architecture; . . .

6. Respondents were properly notified of the potential violation and acknowledged their right to counsel.

7. The Findings of Fact stipulated to by Respondents, if proven, constitute violations of the State Architectural and Registered Commercial Interior Designers Act and the Rules of the Board as recorded in the Oklahoma Administrative Code 55:10-15-2(2), pertaining to the professional practice of architecture upon which the Board may take disciplinary action against Respondents.

8. Respondents in response to the Notice and Complaint enters a plea of nolo contendere to the alleged violations of the State Architectural and Registered Commercial Interior Designers Act and the Rules of the Board as recorded in the Oklahoma Administrative Code 55:10-15-2(2) and, in lieu of a proceeding of a Hearing and Formal Action, hereby agrees that the Board may enter this Consent Order as its final order against the Respondents as is set forth below.

9. Pursuant to Oklahoma Administrative Code (OAC) 55:10-15-10 the Secretary-Treasurer has the authority to seek informal resolution of matters referred to the Board.

10. Pursuant to Oklahoma Administrative Code (OAC) 55:10-15-10, the Secretary-Treasurer submits the following Consent Order to the Board for approval of the informal resolution and final disposition of this matter.

### CONSENT

Respondents, by affixing its signature hereto, acknowledges that:

1. Respondents understands this Consent Order is subject to the approval of the Board and has no force and effect until a final decision based upon it is rendered by the Board.

2. Respondents have been specifically advised to seek the advice of counsel prior to signing this Consent Order.

3. Respondents acknowledge that they have the following rights, among others:

a. The right to a formal fact-finding hearing before the Board;

- b. The right to reasonable notice of said hearing;
- c. The right to compel the testimony of witnesses;
- d. The right to cross-examine witnesses against themselves;
- e. The right to obtain judicial review of the Board's decisions; and,
- f. The right to counsel.

4. Respondents have retained counsel to advise them in connection with this Consent Order.

5. Respondents waive all other rights to a formal hearing as set forth above in paragraph three (3), if this Consent Order is approved by the Board.

6. Respondents understand that in order to make a decision relative to approving this Consent Order, discussions must take place between Board members, Board Staff and Board Counsel. These discussions may include the Board's review of any and all previously enumerated exhibits or referenced project materials. Respondents understand that these discussions will take place at the Board's next regularly scheduled meeting in Oklahoma City, Oklahoma. Respondents understand they have a right to be present when this matter is discussed, but hereby waive that right.

7. Respondents, for the purpose of avoiding further administrative action with respect to this cause, execute this Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation in or resolution of these proceedings. Likewise, if this Consent Order is not accepted, the Board shall not take into consideration the contents of this Consent Order as evidence of any admission and

Respondents shall not be prejudiced in any way from proceeding to a formal Hearing at any future hearings before the Board.

8. Respondents expressly waive all further procedural steps, and expressly waives all rights to seek judicial review or to challenge or contest the validity of this Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and the final decision of the Board incorporating said Consent Order, if approved.

9. This Consent Order contains the entire agreement between the parties. Respondents are not relying on any other agreement or representation of any kind, verbal or otherwise.

10. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Consent Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

11. This Consent Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Consent Order may not be altered, amended, modified, supplemented or otherwise changed except by a writing executed by an authorized representative of each of the parties.

12. Respondents consent to the entry of this Consent Order.

**ORDER**

In accordance with the foregoing findings of facts and conclusions of law, and the agreement and consent of the Respondents IT IS THEREFORE ORDERED:

13. Respondents Mr. Flynn is REPRIMANDED by the Board for holding himself out as having the ability to practice architecture in the state of Oklahoma despite the fact that Mr. Flynn does not have a license to practice architecture in the state of Oklahoma.

14. Respondent Amatoya is REPRIMANDED by the Board for holding itself out as having the ability to practice architecture in the state of Oklahoma despite the fact that Amatoya does not have a certificate of authority to practice architecture in the state of Oklahoma.

15. No later than February 1, 2023, Respondents shall:

- a. Remove the news stories identified in the Complaint and attached as **Exhibits 1-3** to the Complaint from all social media platforms Respondents control and agree not to use them in any manner in any social media platforms in the future;
- b. Remove the word "architecture" from Amatoya's website which is identified in **Exhibit 4** to the Complaint and agree to remove all references to the word "architecture" on all social media platforms Respondents control and agree not to use that word in any manner in any social media platforms in the future;
- c. Remove the term "Architectural Design" from Amatoya's Facebook page as referenced in **Exhibit 5** to the Complaint and agree not to use these words in any manner in any social media platforms in the future; and
- d. Respondents shall search their social media platforms for the use of any of the terms "architect" "registered commercial interior designer", "architecture," or "architectural Designer" as stated in the Complaint Paragraph 3 and remove from those medium said language.

16. In the event that Respondents become licensed in the State of Oklahoma pursuant to the Act and the Rules, the restrictions and agreements contained in Paragraphs 15(a) through (d), *supra.*, shall cease.

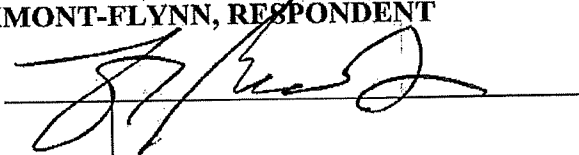
17. Respondents are, jointly and severally, assessed a civil penalty in the amount of two-thousand dollars (\$2,000.00), which amount accounts for a \$1,000.00 penalty per alleged violation.

**DISCLOSURE**

Pursuant to the Oklahoma Open Records Act, 51 Okla. Stat. § 24-A.1 through 24-A.21, the signed original of this Consent Order shall remain in the custody of the Board as a public record and shall be made available for public inspection, publication, and copying upon request, and may make any use it deems appropriate of the contents of this Consent Order, which shall include the Board's ability to share the content of this Consent Order with any state or federal governmental or professional board or organization, publication of a summary in the Board newsletter, posting on the Board website, reporting to state and national databanks, including databanks maintained by associations to which the Board is a member.

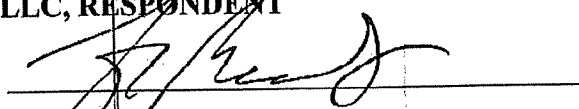
**CRAY BAUXMONT-FLYNN, RESPONDENT**

Signature:



**AMATOYA, LLC, RESPONDENT**

Signature:



Name:

CRAY BAUXMONT-FLYNN

Position:

MANAGING DIRECTOR

Date:

1.23.2023

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**CERTIFICATION OF BOARD ATTORNEY**

I believe this Consent Order to be in the best interests of the Oklahoma Board of Governors of Licensed Architects, Landscape Architects and Registered Commercial Interior Designers and the State of Oklahoma for the alleged violations of the State Architectural and Registered Commercial Interior Designers Act and the Rules of the Board as recorded in the Oklahoma Administrative Code 55:10.

Dated this 24<sup>th</sup> day of January 2023.



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*Attorney for the Oklahoma Board of Governors of  
Licensed Architects, Landscape Architects and  
Registered Commercial Interior Designers*

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**ORDER OF THE BOARD**

NOW on this 24<sup>th</sup> day of January, 2023, Respondents have agreed voluntarily, with knowledge of their rights under law, to the entrance of this Consent Order for their purported actions which, if proven, violate the State Architectural and Registered Commercial Interior Designers Act as defined in 59 Okla. Stat. § 46.1 et. seq., and the Rules of the Board recorded in the Oklahoma Administrative Code (OAC) 55:10-1-1 et. seq. It further appears that the foregoing Consent Order is just and equitable in order to safeguard life, health, and property, and to promote the public welfare in the State of Oklahoma.

IT IS THEREFORE ORDERED that the Respondents' stipulation to the alleged violations of the State Architectural and Registered Commercial Interior Designers Act as defined in 59 Okla. Stat. § 46.1 et. seq., and the Rules of the Board recorded in the Oklahoma Administrative Code (OAC) 55:10-1-1 et. seq., are accepted, and the above Consent Order incorporated herein shall be the order of the Oklahoma Board of Governors of Licensed Architects, Landscape Architects and Registered Commercial Interior Designers.

Dated this 24<sup>th</sup> day of January, 2023.

OKLAHOMA BOARD OF GOVERNORS OF  
LICENSED ARCHITECTS, LANDSCAPE  
ARCHITECTS AND REGISTERED  
COMMERCIAL INTERIOR DESIGNERS

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

