

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

3 **In the Matter of:**

Case No.: AL22-007

4 **Daniel Gould**
5 Controlling Person
6 Certification No. 66272

**CONSENT AGREEMENT
and
ORDER OF DISCIPLINE**

7 **Prolink Protection, LLC,**
8 Alarm Business No. 21010, (*Expired*)

9 **Respondents**

10
11 In the interest of a prompt and judicious resolution of the above-captioned matter
12 before the Arizona State Board of Technical Registration (“Board”) and consistent with
13 the public interest, statutory requirements, and the responsibilities of the Board, and
14 pursuant to A.R.S. § 32-101 et seq., and A.A.C. R4-30-120(G), the undersigned party,
15 Daniel Gould (“Respondent”), holder of Controlling Person Certification No. 66272 and
16 Prolink Protection, LLC (“Respondent Alarm Business”) Certification No. 21010,
17 (*Expired*), and the Board enter into the following Recitals, Findings of Fact, Conclusions
18 of Law and Order (“Consent Agreement”) as a final disposition of this matter.

19 **RECITALS**

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

23 2. Respondent understands that he has a right to a public administrative hearing
24 concerning this case. He further acknowledges that at such formal hearing he could
25 present evidence and cross-examine witnesses. By entering into this Consent Agreement,
26 Respondent knowingly, voluntarily, and irrevocably waives his right to such an
27 administrative hearing, as well as rights of rehearing, review, reconsideration, appeal,
28 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
2 irrevocable.

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

5 5. The Consent Agreement, any record prepared in this matter, all investigative
6 materials prepared or received by the Board and all related exhibits and materials, are
7 public records upon acceptance by the Board of this Consent Agreement and may be
8 retained in the Board's files pertaining to this matter.

9 6. Respondent understands this Consent Agreement deals with Board case
10 number AL22-007 involving allegations that Respondent engaged in conduct that would
11 subject him to discipline under the Board's statutes and rules. The investigation into
12 these allegations against Respondent shall be concluded upon the Board's adoption of
13 this Consent Agreement.

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

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

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

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

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

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

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

18 **FINDINGS OF FACT**

19 1. The Board is the duly constituted authority for the regulation and control of
20 the practice of Alarm Industry in the State of Arizona.

21 2. Respondent is the holder of Arizona Controlling Person Certification No.
22 66272.

23 3. Respondent Alarm Business No. 21010 expired on February 22, 2021.

24 4. On or about April 1, 2022, the Board received a complaint alleging that
25 Respondent and Respondent Alarm Business advertised alarm system sales and
26 monitoring at a time when Respondent's Alarm Business registration was expired with
27 the Board. Board records indicated that Respondent Alarm Business registration expired
28 on February 22, 2021.

1 5. On or about July 6, 2022, Respondent confirmed his intent to renew
2 Respondent Alarm Business registration.

3 6. Respondent Alarm Business is currently not registered with the Board as
4 required.

5 7. Respondent Alarm Business' website continues to advertise alarm sales.

6 **CONCLUSIONS OF LAW**

7 1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq.

8 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
9 pursuant to A.R.S. § 32-121, A.R.S. § 31-122.05 and A.R.S. § 32-141(A), in that
10 Respondent and Respondent Alarm Business offered to practice alarm business activities
11 in Arizona without alarm business registration.

12 **ORDER**

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

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

17 2. **ADMINISTRATIVE PENALTY.** Within sixty (60) days from the
18 effective date of this Consent Agreement, Respondent shall pay an administrative penalty
19 of Four Hundred and Fifty Dollars (\$450.00) by certified check or money order made
20 payable to the State of Arizona Board of Technical Registration.

21 3. **COST OF INVESTIGATION.** Within thirty (30) days from the effective
22 date of this Consent Agreement, Respondent shall pay the cost of investigation of this
23 case to the Board in the amount of One Hundred and Forty Dollars (\$140.00) by certified
24 check or money order made payable to the State of Arizona Board of Technical
25 Registration, according to the provisions of A.R.S. § 32-128(H).

26 4. **OBEY ALL LAWS.** Respondent shall obey all federal, state and local
27 laws, as well as, all rules governing the practice of Alarm Industry in the State of
28 Arizona. The Board shall consider any violation of this paragraph to be a separate

1 violation of the rules and statues governing the Arizona Board of Technical Registration.
2 The Board may also consider Respondent's non-compliance with this Order as a separate
3 violation of A.R.S. § 32-150.

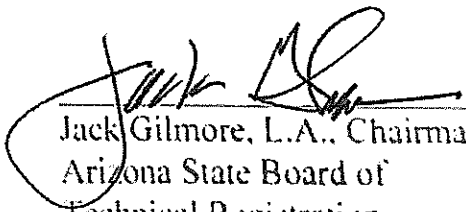
4 5. RENEWAL OF REGISTRATION. Respondent and Respondent Alarm
5 Business shall timely renew their Arizona registration as a Controlling Person and an
6 Alarm Business, and timely pay all required registration fees.

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

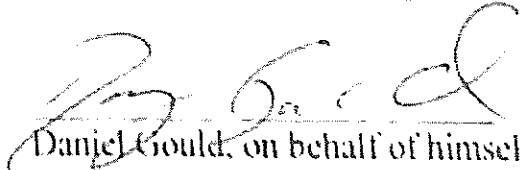
10 7. COSTS OF COMPLIANCE. Respondent shall pay all costs associated
11 with complying with this Consent Agreement.

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

17 ACCEPTED and ORDERED this 31 day of OCTOBER, 2022.

18
19 
20 Jack Gilmore, L.A., Chairman
21 Arizona State Board of
22 Technical Registration

23 Consent Agreement and Order, No. AI.22-007 accepted this 27 day of
24 October, 2022.

25 
26 Danjel Gould, on behalf of himself and
27 on behalf of Prolink Protection, LLC,
28 Respondents

1 ORIGINAL filed this 31st day of

2 October, 2022, with:

3 Arizona State Board of Technical Registration

4 1110 W. Washington, Suite 240

5 Phoenix, AZ 85007

6 COPY of the foregoing mailed via Certified Mail

7 No. 9214 8901 9434 4600 0898 05 and

8 First Class mail this 31st day of October, 2022, to:

9 Daniel Gould

10 3324 E Ray Road #201

11 Higley, AZ 85236

12
13 By: Katelyn Crawford