

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

3 **In the Matter of:**

Case No.: AL23-003

4 **Wahbeh Mustafa**  
5 **Controlling Person**  
6 **Certification No. 66816**

**CONSENT AGREEMENT**  
**and**  
**ORDER OF DISCIPLINE**

7 **Phoenix Surveillance, LLC**  
8 **Alarm Business No. 18574**

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 Wahbeh Mustafa, (“Respondent”) holder of Controlling Person Certification No. 66816,  
16 and Phoenix Surveillance LLC (“Respondent Alarm Business”) Registration No. 18574,  
17 and the Board enter into the following Recitals, Findings of Fact, Conclusions of Law  
18 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

1 set forth herein.

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

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

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

10 6. Respondent understands this Consent Agreement deals with Board case  
11 number AL23-003 involving allegations that Respondent engaged in conduct that would  
12 subject him to discipline under the Board's statutes and rules. The investigation into  
13 these allegations against Respondent shall be concluded upon the Board's adoption of  
14 this Consent Agreement.

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

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

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



1 May 18, 2021, and that Respondent's certification as a Controlling Person was expired on  
2 May 21, 2021.

3 5. On August 31, 2022, Respondent apologized for the oversight and said it was  
4 human error.

5 6. On or about September 23, 2022, Respondent's Controlling Person  
6 Certification No. 66816 became active.

7 7. On September 23, 2022, Respondent Alarm Business Registration No. 18574  
8 became active.

9 **CONCLUSIONS OF LAW**

10 1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq,  
11 including A.R.S. § 32-106.02(A).

12 2. The conduct alleged in the Findings of Fact, constitutes grounds for  
13 discipline pursuant to A.R.S. § 32-121, 32-122.05, and 32-141(A), in that Respondent  
14 and Respondent Alarm Business advertised alarm system sales and monitoring on a  
15 website at a time when Respondent's Controlling Person Certification and Respondent  
16 Alarm Business' registration had expired with the Board.

17 **ORDER**

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

20 1. ADMINISTRATIVE PENALTY. Within Sixty (60) days from the effective  
21 date of this Consent Agreement, Respondent shall pay a penalty of Eight Hundred  
22 Dollars (\$800) by certified check or money order made payable to the State of Arizona  
23 Board of Technical Registration, according to the provisions of A.R.S. § 32-106.02(A).

24 2. COST OF INVESTIGATION. Within Ninety (90) days from the effective  
25 date of this Consent Agreement, Respondent shall pay the cost of investigation of this  
26 case to the Board in the amount of Two Hundred Twenty Seven Dollars (\$227.00) by  
27 certified check or money order made payable to the State of Arizona Board of Technical  
28 Registration, according to the provisions of A.R.S. § 32-128(H).

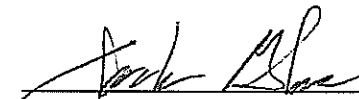
1 3. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws,  
2 related to the practice of the Alarm Industry in the State of Arizona. The Board shall  
3 consider any violation of this paragraph to be a separate violation of the statutes  
4 governing the Arizona Board of Technical Registration.

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

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

10 6. NONCOMPLIANCE. If Respondent violates this Order in any way or fails  
11 to fulfill the requirements of this Order, the Board may seek a Petition for Injunction in  
12 accordance with the provisions set forth in A.R.S. § 32-106.01.

13 ACCEPTED and ORDERED this 24 day of JANUARY, 2023. <sup>3</sup>  
14 *AK*

15  
16   
17 Jack Gilmore, L.A., Chairman  
18 Arizona State Board of  
19 Technical Registration

20 Consent Agreement and Order, No. AL23-003 accepted this  
21 9th day of January, 2023.

22 Wahbeh Mustafa  
23 Wahbeh Mustafa, on behalf of himself and  
24 on behalf of Phoenix Surveillance, LLC,  
25 Respondents

25 ORIGINAL filed this 24 day of  
26 JANUARY, 2023, with: <sup>3</sup>

27 Arizona State Board of Technical Registration  
28 1110 W. Washington, Suite 240  
Phoenix, AZ 85007

1 **COPY** of the foregoing mailed via Certified Mail

No. 9214 8901 3434 4600 0000 0909 79 and

2 First Class mail this 26 day of January, 202~~2~~<sup>3</sup>, to: W

3 Wahbeh Mustafa

4 Phoenix Surveillance, LLC

5 3440 East Broadway Road #101

6 Phoenix, Arizona 85040

7  
8 By: 