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

**In the Matter of:** )  
 )  
**Robert Kille** )  
**Certified Home Inspector** )  
**Registration No. 38351** )  
 )  
**Respondent** )

**Case No.: HI23-007**  
  
**CONSENT AGREEMENT  
and  
ORDER OF DISCIPLINE**

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, Robert Kille (“Respondent”), holder of Certification No. 38351, 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.

**RECITALS**

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

1           4. Respondent understands that this Consent Agreement or any part of the  
2 agreement 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  
5 public records upon acceptance by the Board of this Consent Agreement and may be  
6 retained in the Board's files pertaining to this matter.

7           6. Respondent understands this Consent Agreement deals with Board case  
8 number HI23-007 involving allegations that Respondent engaged in conduct that would  
9 subject him to discipline under the Board's statutes and rules. The investigation into  
10 these allegations against Respondent shall be concluded upon the Board's adoption of  
11 this Consent Agreement.

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

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

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

26           10. This Consent Agreement is subject to the approval of the Board and is  
27 effective only when accepted by the Board and signed on behalf of the Board. If the  
28 Board does not accept this Consent Agreement, the Board retains its authority to hold a

1 formal administrative hearing pursuant to A.R.S. § 32-128(E). In the event that the  
2 Board does not approve this Consent Agreement, it is withdrawn and shall be of no  
3 evidentiary value and shall not be relied upon nor introduced in any action by any party,  
4 except that the parties agree that should the Board reject this Consent Agreement and this  
5 case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced  
6 by its review and discussion of this document or any records relating thereto.

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

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

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

15 **FINDINGS OF FACT**

16 1. The Board is the duly constituted authority for the regulation and control of  
17 the practice of Home Inspection in the State of Arizona.

18 2. Respondent is the holder of Arizona Home Inspector Certification No.  
19 38351.

20 3. On or about July 8, 2021, Respondent conducted a home inspection at 2803  
21 East Frontage Road in Amado, Arizona.

22 4. On or about September 20, 2022, the Board received a complaint alleging  
23 that Respondent, after conducting a home inspection at 2803 E. Frontage Rd, Amado,  
24 AZ, on or about July 8, 2021, failed to accurately report on the roof damage that was over  
25 two years old, failed to report on the overwhelming amount of water damage, failed to  
26 report on the soaked damaged wood around the edges of the house, and failed to  
27 accurately report on the electrical panel.

28 5. On or about April 4, 2023, Board staff received a written statement from

1 Respondent acknowledging the following discrepancies in his Home Inspection Report,  
2 per the Arizona Standards of Professional Practice for Arizona Home Inspectors  
3 (“S.O.P.”):

- 4 a) Respondent failed to include the inspection date in the Inspection  
5 Agreement as required in S.O.P. #2.2A,
- 6 b) Respondent failed to include the firm address in the Inspection Agreement  
7 as required in S.O.P. #2.2A,
- 8 c) Respondent failed to report on the condition of the roof trusses as required  
9 in S.O.P. #4.1A6,
- 10 d) Respondent failed to adequately report on the type of material for the waste  
11 and vent piping system as required in S.O.P. #7.2A2,
- 12 e) Respondent failed to report on the cooling equipment energy source as  
13 required in S.O.P. #10.2A1.

14 6. On May 18, 2023, an Enforcement Advisory Committee meeting (“EAC”)  
15 convened to review the complaint against Respondent. Based on the review of the  
16 documentation provided by Alleger, Respondent, and the assessment process, along with  
17 information gathered through interviews, the Committee determined that the allegations  
18 from the initial complaint were not substantiated. The Committee further determined,  
19 however, that Respondent’s Home Inspection Report failed to meet the Standards of  
20 Professional Practice for Arizona Home Inspectors (“S.O.P”) in that:

- 21 a) Respondent failed to include the inspection date in the Inspection  
22 Agreement as required in S.O.P. #2.2A,
- 23 b) Respondent failed to include the firm address in the Inspection Agreement  
24 as required in S.O.P. #2.2A,
- 25 c) Respondent failed to report on the condition of the roof trusses as required  
26 in S.O.P. #4.1A6,
- 27 d) Respondent failed to report on the plumbing supports and insulation as  
28 required in S.O.P. #7.1A1,

- 1 e) Respondent failed to report on the type of material for the waste and vent  
2 piping system as required in S.O.P. #7.2A2,  
3 f) Respondent failed to report on the cooling equipment energy source as  
4 required in S.O.P. #10.2A1,  
5 g) Respondent failed to report on the fire separation ceiling in the garage as  
6 required in S.O.P. #11.1E.

7 **CONCLUSIONS OF LAW**

- 8 1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq.  
9 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline  
10 pursuant to A.R.S. § 32-128(C)(4) as it relates to A.A.C. R4-30-301.01, in that  
11 Respondent failed to conduct a Home Inspection in accordance with the Standards of  
12 Professional Practice for Arizona Home Inspectors.

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  
17 Reprimand.  
18 2. **ADMINISTRATIVE PENALTY.** Within Sixty (60) Days from the  
19 effective date of this Consent Agreement, Respondent shall pay an administrative penalty  
20 of Five Hundred Dollars (\$500.00) by certified check or money order made payable to  
21 the State of Arizona Board of Technical Registration.  
22 3. **COST OF INVESTIGATION.** Within Sixty (60) Days from the effective  
23 date of this Consent Agreement, Respondent shall pay the cost of investigation of this  
24 case to the Board in the amount of Four Hundred Seventy Dollars (\$470.00) by certified  
25 check or money order made payable to the State of Arizona Board of Technical  
26 Registration, according to the provisions of A.R.S. § 32-128(H).  
27 4. **OBEY ALL LAWS.** Respondent shall obey all federal, state and local  
28 laws, as well as, all rules governing the practice of Home Inspection in the State of

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

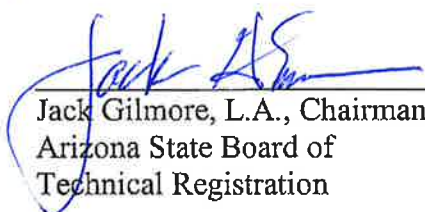
5 5. RENEWAL OF REGISTRATION. Respondent shall timely renew his  
6 Arizona certification as a Home Inspector, and timely pay all required registration fees.

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.

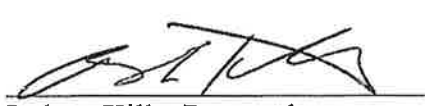
10 7. COSTS OF COMPLIANCE. Respondent shall pay all costs associated  
11 with complying with this Consent Agreement.

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  
18 ACCEPTED and ORDERED this 24 day of August, 2023.

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

24  
25 Consent Agreement and Order, No. HI23-007 accepted this 22 day of  
26 AUGUST, 2023.

27   
28 Robert Kille, Respondent

1 ORIGINAL filed this \_\_\_\_\_ day of

2 \_\_\_\_\_, 2023, 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. \_\_\_\_\_ and

8 First Class mail this \_\_\_\_\_ day of \_\_\_\_\_, 2023, to:

9 Robert Kille  
10 1517 N. Wilmot Rd. #224  
11 Tucson, AZ 85712

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