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

In the Matter of:

**Ron Dye
Home Inspector
Certification No. 43638**

Respondent

Case No.: HI24-038

**CONSENT AGREEMENT
and
ORDER OF DISCIPLINE**

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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, Ron Dye ("Respondent"), holder of Certification No. 43638, 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.

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RECITALS

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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.

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2. Respondent understands that he has a right to a public administrative hearing concerning this case and 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.

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

7 6. Respondent understands this Consent Agreement deals with Board case
8 number HI24-038 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 understands that acceptance of this Consent Agreement does not
17 preclude any other agency, subdivision, or officer of this State from instituting any other
18 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 Board staff, he may not revoke his acceptance
22 of the Consent Agreement or make any modifications to the document regardless of
23 whether the Consent Agreement has been signed on behalf of the Board. Any
24 modification to this original document is ineffective and void unless mutually agreed by
25 the parties in writing.

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

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2 event that the Board does not approve this Consent Agreement, it shall be withdrawn and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

7 11. Respondent understands if a court of competent jurisdiction rules that any
8 part of this Consent Agreement is void or otherwise unenforceable, the remainder of the
9 Consent Agreement 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 Inspections in the State of Arizona.

18 2. Respondent is the holder of Home Inspector Certification No. 43638, issued
19 by the Board on December 5, 2005.

20 3. At all times relevant to the allegations of this Consent Agreement, Arizona
21 Home Inspector Registration No. 43638 was active.

22 4. On or about October 26, 2023, Respondent submitted a renewal application
23 in which he answered "No" to the question asked if there were any pending investigations
24 by any regulatory agency and failed to disclose case HI23-017. During the time of
25 submission Respondent had a pending investigation, which later resulted in a Letter of
26 Concern.

27 5. On February 26, 2024, Respondent told Board staff via email that he did not
28 consider case HI23-017 as a pending investigation since the allegation was about slander

1 and not a home inspection. Respondent stated that he should have gathered further
2 clarification from the Board before submitting his renewal application. Respondent stated
3 that he took full responsibility for the mistake.

4 **CONCLUSIONS OF LAW**

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

6 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
7 pursuant to A.R.S. § 32-128(C)(4) and A.R.S. § 32-145(5), as it relates to A.A.C. R4-30-
8 301(1), in that Respondent may have submitted false statements and failed to disclose
9 material facts requested in connection with an application for registration.

10 **ORDER**

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

13 1. LETTER OF REPRIMAND. Respondent is hereby issued a Letter of
14 Reprimand.

15 2. ADMINISTRATIVE PENALTY. Within thirty (30) days from the
16 effective date of this Consent Agreement, Respondent shall pay an administrative penalty
17 of Two Hundred Dollars (\$200.00) by certified check or money order made payable to
18 the State of Arizona Board of Technical Registration.

19 3. COST OF INVESTIGATION. Within thirty (30) days from the effective
20 date of this Consent Agreement, Respondent shall pay the cost of investigation of this
21 case to the Board in the amount of Sixty Seven Dollars (\$67.00) by certified check or
22 money order made payable to the State of Arizona Board of Technical Registration,
23 according to the provisions of A.R.S. § 32-128(H).

24 4. OBEY ALL LAWS. Respondent shall obey all federal, state, and local
25 laws as well as all rules governing the practice of Home Inspection in the State of
26 Arizona. The Board shall consider any violation of this paragraph to be a separate
27 violation of the rules and statues governing the Arizona Board of Technical Registration.
28 The Board may also consider Respondent's non-compliance with this Order as a separate

1 violation of A.R.S. § 32-150.


2 5. RENEWAL OF REGISTRATION. Respondent shall timely renew their
3 Arizona registration as a Home Inspector, and timely pay all required registration fees.

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

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

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

14 ACCEPTED and ORDERED this 21 day of May, 2024.

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17 Michael Kolejka, R.A., Chairman
18 Arizona State Board of
19 Technical Registration

20 Consent Agreement and Order, No. HI24-038 accepted this 15 day of
21 MAY, 2024.

22 
23 Ron Dye, Respondent

24 ORIGINAL filed this 21 day of
25 May, 2024, with:

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

COPY of the foregoing mailed via Certified Mail

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No. 9275090119352000057892577 and
First Class mail this 21 day of May, 2024, to:

Ron Dye
2891 E. Estrella Court
Gilbert, Arizona 85296

By: 