BEFORE THE ARIZONA STATE
BOARD OF TECHNICAL REGISTRATION
IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:  

Case No. AL14-009

CHRISTOPHER BOUTHNER  
Alarm Agent no. 55019,  
Respondent;

and

DESSERT DEFENSE SECURITY  
SERVICES, INC.  
Alarm Firm no. 18067  
Respondent Firm.

This matter came before the Arizona Board of Technical Registration ("Board") on  
September 24, 2019. Christopher Bouthner ("Respondent") was present. Neither Respondent  
nor Desert Defense Security Services, Inc. ("Respondent Firm") were represented by an attorney.  
Assistant Attorney General Deanie Reh appeared on behalf of the State. The Board received  
independent legal advice from Assistant Attorney General Marc Harris. After hearing evidence  
and arguments from the State, the Board issues the following Findings of Fact, Conclusions of  
Law and Order:

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice  

2. Respondent, Christopher B. Bouthner, holds Arizona Controlling Person Registration No.  
55019 and No. 65199, issued by the Board.

3. Respondent, Christopher B. Bouthner, holds Arizona Alarm Agent Registration No.  
61333, issued by the Board.

4. Respondent Firm, Desert Defense Security Services, Inc. holds Alarm Firm Registration  
No. 18067, which expired July 9, 2015.
5. Respondent’s Controlling Person Registration No. 55019 was closed September 14, 2017, after Respondent applied for registration under the Board’s new alarm agent rules.


8. On or about October 8, 2013, Shae Hensley, an unlicensed salesperson for Desert Defense Security Services, controlled by Respondent, sold monitoring equipment to June Modlin ("Modlin") for her residence at 2054 N. Thornton Road, Space 138, Casa Grande, Arizona 85122.

9. At the time of the sale, Shae Hensley was not a registered alarm agent with the State of Arizona.

10. On or about April 23, 2014, a separate alarm monitoring company (the "Competitor") sold Modlin another alarm system, and she was billed for both accounts.

11. On or about June 16, 2014, Modlin filed a complaint with the Board about the double billing, bringing to light the violation of the first non-registered alarm agent, Shae Hensley.

12. On August 4, 2014, Board Staff offered Respondent a Consent Agreement. Staff gave the Respondent 30 days to sign the Consent Agreement. Respondent did not sign the Consent Agreement.

13. At its December 16, 2014 meeting the Board amended the Consent Agreement, increasing the Administrative Penalty. The Board gave the Respondent 30 days to sign the Consent Agreement.

14. To date, the Respondent has not signed the Consent Agreement, and the case was ordered to proceed to a formal hearing.

15. Upon knowledge and belief, both of the Consent Agreement documents contained some incorrect factual assertions, in which the actions of Shae Hensley and the Competitor were reversed.
CONCLUSIONS OF LAW

16. The conduct alleged above constitutes grounds for discipline pursuant to A.R.S. § 32-128(C)(3) in that Respondent aided and abetted unregistered or uncertified persons by employing or contracting with an uncertified Alarm Agent to conduct the business of selling and installing alarm services.

ORDER

Based on the Board's adoption of the Findings of Fact and Conclusions of Law, the Board issues the following Order with the understanding that Respondent and Respondent Firm are jointly and severally liable for the following:

1. **ADMINISTRATIVE PENALTY.** Within ninety (90) days of the effective date of this Order, Respondent(s) shall pay an administrative penalty in the amount of one-thousand dollars ($1,000) by certified check or money order made payable to the State of Arizona Board of Technical Registration. Respondent and Respondent Firm shall be jointly and severally liable for the administrative penalty.

2. **COST OF INVESTIGATION** – Within ninety (90) days of the effective date of this Order, Respondent(s) shall pay the costs of investigation in the amount of five-hundred and sixty-seven dollars ($567) by certified check or money order made payable to the State of Arizona Board of Technical Registration.

3. **COST OF ATTORNEY’S FEES AND HEARING.** - Within ninety (90) days of the effective date of this Order, Respondent(s) shall pay attorney’s fees in the amount of eight-hundred ninety-eight dollars and seventy-seven cents ($898.77) by certified check or money order made payable to the State of Arizona Board of Technical Registration.

4. **STAYED SUSPENSION.** The Board suspends Respondent’s Alarm Agent certification No. 55019, however, the suspension shall be stayed. If Respondent fails to comply with any term or condition of this Order, the stay of revocation shall be lifted and Respondent’s registration suspended until such time that Respondent complies.
Right to Petition for Rehearing or Review

Respondent and Respondent Firm are notified that they have the right to file a motion for rehearing or review of this Order. Pursuant to A.R.S. § 41-1092.09(B) and A.A.C. R4-30-126(A), the motion for rehearing or review must be filed with the Board's Executive Director within 30 days after service of this Order. Service of this Order is defined as five calendar days after mailing.

The motion for rehearing or review must set forth legally sufficient reasons for granting a rehearing or review. A.A.C. R4-30-126(C). If a petition for rehearing or review is not filed, the Board's Order becomes effective thirty-five (35) days after it is mailed to Respondent and Respondent Firm. Respondent and Respondent Firm are further advised that the filing of a motion for rehearing or review is required to preserve any rights of appeal to Superior Court.

DATED this 30th day of October, 2019.

Arizona State Board of Technical Registration

Jason Foose, Chairman

ORIGINAL filed this 5th day of October, 2019, with:

Arizona State Board of Technical Registration
1110 W. Washington, Ste. 240
Phoenix, AZ 85007

COPY mailed via Certified Mail
First Class mail this 5th day of October, 2019, to:

Christopher Bouthner
12932 W. Estero Lane
Litchfield Park AZ 85340
Christopher Bouthner  
14266 W. Harvard Street  
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Christopher Bouthner  
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COPY of the foregoing mailed this 3 day of October, 2019, to:  

Deanie Reh  
Deanie.reh@azag.gov  

COPY of the foregoing mailed this 3 day of October, 2019, to:  

Marc Harris  
marc.harris@azag.gov  

By: Kurt Winter  

10/2/19