

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

3 **In the Matter of:**

Case No.: AL16-007

4 **Vincent Winget,**
5 **Alarm Controlling Person**
6 **Registration No. 56641**

CONSENT AGREEMENT
and
ORDER OF DISCIPLINE

7 **Wired Contracting Inc.,**
8 **DBA-AZ Alarm Company**
9 **Registration No. 18408**

10 **Respondents**

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 Vincent Winget (“Respondent”), holder of Alarm Controlling Person Registration No.
16 56641 , and Wired Contracting Inc. DBA-AZ Alarm Company, Alarm Business
17 Registration No. 18408 (“Respondent”) and the Board enter into the following Recitals,
18 Findings of Fact, Conclusions of Law and Order (“Consent Agreement”) as a final
19 disposition of this matter.

20 **RECITALS**

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

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

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 (as defined in A.R.S. § 41-158.18) upon acceptance by the Board of this
8 Consent Agreement and may be retained in the Board's files pertaining to this matter.

9 6. Respondent understands this Consent Agreement deals with Board case
10 number AL16-007 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.

28

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 Business in the State of Arizona.

21 2. Respondent is the holder of Arizona Alarm Business Registration #18408
22 and Controlling Person Registration #56641 for Wired Contracting Inc. DBA-AZ Alarm
23 Company.

24 3. On January 14, 2016, Board staff received a complaint alleging that the
25 Respondent was aiding and abetting an uncertified/unlicensed person to evade the
26 Boards registration requirements by allowing (James P. Godfrey), a Non-Registrant, to
27 conduct alarm sales through Respondent Alarm Business in possible violation of A.R.S.
28 32-128(C) (3).

1 4. On January 15, 2016 Board staff observed James P. Godfrey in booth #3006
2 at the Arizona Home and Garden Show in Phoenix, Arizona, displaying advertisements
3 and soliciting for home alarm systems through Respondent Alarm Business.

4 5. On February 7, 2016 Board staff received Respondent's written response to
5 the allegations. In his response, Respondent stated that he was under the belief that as
6 long as James P. Godfrey was operating under his direct supervision there was no need
7 for James P. Godfrey to register with the Board.

8 6. On February 8, 2016 Board staff met with Respondent and his Attorney,
9 during the meeting Respondent stated he was incorrect in his belief that James did not
10 have to be licensed with the Board. Respondent stated that he and James formed a
11 partnership in late 2013 whereby James would sell the home alarm systems and
12 Respondent would install the alarm systems. Respondent stated he would ensure that
13 James P. Godfrey obtain licensure with the Board.

14 CONCLUSIONS OF LAW

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

16 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
17 pursuant to A.R.S. § 32-128 (C) (3) , in that Respondent knowingly allowed James P.
18 Godfrey, a Non-Registrant, to offer, advertise and sell home alarm systems through
19 Respondent Alarm Business for which Respondent is the Controlling Person.

20 ORDER

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

23 1. LETTER OF REPRIMAND. Respondent is hereby issued a Letter of
24 Reprimand.

25 2. ADMINISTRATIVE PENALTY. Within ninety (90) days from the
26 effective date of this Consent Agreement, Respondent shall pay an administrative penalty
27 of Two Thousand (\$2000.00) by certified check or money order made payable to the
28 State of Arizona Board of Technical Registration.

1 3. COST OF INVESTIGATION. Within sixty (60) days from the effective
2 date of this Consent Agreement, Respondent shall pay the cost of investigation of this
3 case to the Board in the amount of Two Hundred and Thirty Three Dollars (\$233.00) by
4 certified check or money order made payable to the State of Arizona Board of Technical
5 Registration, according to the provisions of A.R.S. § 32-128(H).

6 4. OBEY ALL LAWS. Respondent shall obey all federal, state and local
7 laws, as well as, all rules governing the practice of Alarm Business in the State of
8 Arizona. The Board shall consider any violation of this paragraph to be a separate
9 violation of the rules and statues governing the Arizona Board of Technical Registration.

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


13 6. COSTS OF COMPLIANCE. Respondent shall pay all costs associated
14 with complying with this Consent Agreement.

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

20 ACCEPTED and ORDERED this 27 day of MARCH, 2016.

21
22 *E. Leroy Brady*
23 E. Leroy Brady, Chairman
24 Arizona State Board of
25 Technical Registration
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1 Consent Agreement and Order, No. AL16-007 accepted this 18 day of
2 February, 2016.

3 
4 Vincent Winget, Respondent
5 Controlling Person

6 ORIGINAL filed this 22 day of
7 MARCH, 2016, with:

8 Arizona State Board of Technical Registration
9 1110 W. Washington, Suite 240
10 Phoenix, AZ 85007

11 COPY of the foregoing mailed via Certified Mail
12 No. 7015 1660 0000 1489 5399 and
13 First Class mail this 25 day of MARCH, 2016, to:

14 Vincent Winget
15 3120 W. Carefree Highway, STE 1-102
16 Phoenix, AZ 85086

17 By: D Kramer

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