

1 BEFORE THE ARIZONA STATE  
2 BOARD OF TECHNICAL REGISTRATION

3 In the Matter of:

4 Premise Communications, LLC  
5 Alarm Business  
6 Registration No. 18979

7 Respondent

Case No.: AL17-011

CONSENT AGREEMENT  
and  
ORDER OF DISCIPLINE

8  
9 In the interest of a prompt and judicious resolution of the above-captioned matter  
10 before the Arizona State Board of Technical Registration ("Board") and consistent with  
11 the public interest, statutory requirements, and the responsibilities of the Board, and  
12 pursuant to A.R.S. § 32-101 et seq., and A.A.C. R4-30-120(G), the undersigned party,  
13 Premise Communications, LLC, ("Respondent"), holder of Alarm Business Registration  
14 No. 18979, and the Board enter into the following Recitals, Findings of Fact, Conclusions  
15 of Law and Order ("Consent Agreement") as a final disposition of this matter.

16 RECITALS

17 1. Respondent has read and understands this Consent Agreement and has had  
18 the opportunity to discuss this Consent Agreement with an attorney, or has waived the  
19 opportunity to discuss this Consent Agreement with an attorney.

20 2. Respondent understands that he has a right to a public administrative hearing  
21 concerning this case. He further acknowledges that at such formal hearing he could  
22 present evidence and cross-examine witnesses. By entering this Consent Agreement,  
23 Respondent knowingly, voluntarily, and irrevocably waives his right to such an  
24 administrative hearing, as well as rights of rehearing, review, reconsideration, appeal,  
25 judicial review or any other administrative and/or judicial action concerning the matters  
26 set forth herein.

27 3. Respondent affirmatively agrees that this Consent Agreement shall be  
28 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 (as defined in A.R.S. § 41-158.18) upon acceptance by the Board of this  
6 Consent Agreement 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 AL17-011, 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 Alarm Business in the State of Arizona.

18 2. Respondent is the holder of Alarm Business Registration No. 18979.

19 3. On November 28, 2016, Board staff learned that Respondent Alarm Business  
20 had been operating without an active and valid Controlling Person since December 12,  
21 2014.

22 4. On December 27, 2017, Board staff received a response from Respondent  
23 Alarm Business owner, who admitted that Premise Communication, LLC, had been  
24 operating without a Controlling Person since December 12, 2014.

25 5. On February 27, 2017, Respondent obtained registration for a Controlling  
26 Person of its Alarm Business.

27 ////

28 ////

1 CONCLUSIONS OF LAW.

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

3 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline  
4 pursuant to A.R.S. § 32-122.05 and A.R.S. § 32-32-141, in that Respondent Alarm  
5 Business operating without an active and valid Controlling Person between December 12,  
6 2014, and February 27, 2017.

7 ORDER

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

10 1. LETTER OF REPRIMAND. Respondent is hereby issued a Letter of  
11 Reprimand.

12 2. ADMINISTRATIVE PENALTY. Within sixty (60) days from the  
13 effective date of this Consent Agreement, Respondent shall pay an administrative penalty  
14 of One Thousand Dollars (\$1,000.00) by certified check or money order made payable to  
15 the State of Arizona Board of Technical Registration.

16 3. COST OF INVESTIGATION. Within thirty (30) days from the effective  
17 date of this Consent Agreement, Respondent shall pay the cost of investigation of this  
18 case to the Board in the amount of Three Hundred Thirty-Six Dollars (\$336.00) by  
19 certified check or money order made payable to the State of Arizona Board of Technical  
20 Registration, according to the provisions of A.R.S. § 32-128(H).

21 4. OBEY ALL LAWS. Respondent shall obey all federal, state and local  
22 laws, as well as, all rules governing the practice of Alarm Business in the State of  
23 Arizona. The Board shall consider any violation of this paragraph to be a separate  
24 violation of the rules and statues governing the Arizona Board of Technical Registration.  
25 The Board may also consider Respondent's non-compliance with this Order as a violation  
26 of A.R.S. § 32-150.

27 5. RENEWAL OF REGISTRATION. Respondent shall timely renew its  
28 Arizona registration as an Alarm Business and Controlling Person, and timely pay all

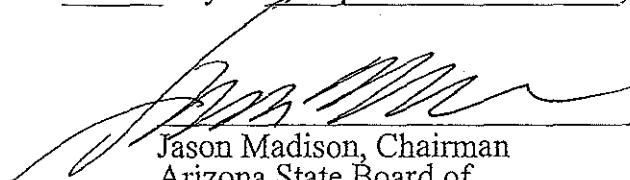
1 required registration fees.

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


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

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

12 ACCEPTED and ORDERED this 25 day of APRIL, 2017.

13  
14   
15 Jason Madison, Chairman  
16 Arizona State Board of  
17 Technical Registration

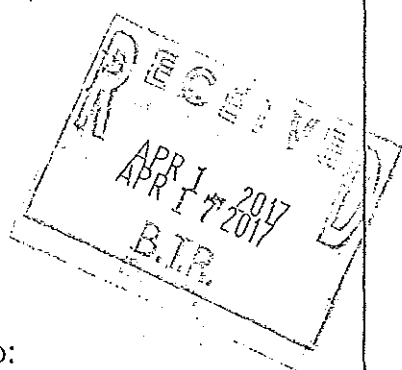
18 Consent Agreement and Order, No: AL17-011 accepted this 17<sup>TH</sup> day of  
19 APRIL, 2017.

20   
21 Mark Hollinger, on behalf of Premise  
22 Communication, LLC, Respondent

23 ORIGINAL filed this 25 day of  
24 APRIL, 2017, with:

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

28 COPY of the foregoing mailed via Certified Mail  
No. 9214 8901 9434 4600 0149 37 and  
First Class mail this 26 day of APRIL, 2017, to:



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Premise Communication, LLC  
ATTN: Mark Hollinger  
240 S. Mulberry  
Mesa, AZ 85202

By: *D. Hagemer*