BEFORE THE ARIZONA STATE
BOARD OF TECHNICAL REGISTRATION

In the Matter of: Case No.: AL17-015
Shane George CONSENT AGREEMENT
Non-Registrant and
ORDER OF DISCIPLINE
Respondent

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, Shane George, Non-Registrant, ("Respondent") 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.

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4. Respondent understands that this Consent Agreement or any part of the agreement may be considered in any future disciplinary action by the Board against him.

5. The Consent Agreement, any record prepared in this matter, all investigative materials prepared or received by the Board and all related exhibits and materials, are public records (as defined in A.R.S. § 41-158.18) upon acceptance by the Board of this Consent Agreement and may be retained in the Board’s files pertaining to this matter.

6. Respondent understands this Consent Agreement deals with Board case number AL17-015 involving allegations that Respondent engaged in conduct that would subject him to discipline under the Board’s statutes and rules. The investigation into these allegations against Respondent shall be concluded upon the Board’s adoption of this Consent Agreement.

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

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

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

10. This Consent Agreement is subject to the approval of the Board and is effective only when accepted by the Board and signed on behalf of the Board. If the Board does not accept this Consent Agreement, the Board retains its authority to hold a
formal administrative hearing pursuant to A.R.S. § 32-128(E). In the event that the Board does not approve this Consent Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any action by any party, except that the parties agree that should the Board reject this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its review and discussion of this document or any records relating thereto.

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

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

13. Respondent agrees that the Board will adopt 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 occupation of Alarm Agent.

2. The Board is the duly constituted authority for the regulation and control of the practice of Alarm Business in the state of Arizona.

3. Respondent is not registered with the Board as an alarm agent.

4. On or about January 13, 2017, Board staff met with Respondent at the Maricopa Home and Garden Show in Phoenix, AZ. Respondent presented himself as an alarm agent for the company RK marketing in Tempe AZ. During the meeting, Respondent offered to sell Board staff an alarm system and attempted to set an appointment for Respondent to visit Board staff’s residence to determine alarm system requirements for the home. When asked about licensing for individuals selling alarm systems, Respondent stated that his company was licensed with the Registrar of Contractors, which was the only license required. Respondent provided Board staff with
his business card which displayed Respondent’s name and showed that he was a Security
Specialist for RK Marketing in Blackfoot, Idaho. Respondent told Board staff that he
lives in Idaho and was working temporarily in RK’s local office.

CONCLUSIONS OF LAW

1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq,
including A.R.S. § 32-106.02(A).

2. The conduct alleged in the Findings of Fact, constitutes grounds for
discipline pursuant to A.R.S. § 32-121 and A.R.S. § 32-145(1), in that Respondent
engaged in the occupation of Alarm Agent without registration by the Board.

ORDER

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

1. ASSURANCE OF DISCONTINUANCE. Respondent shall not practice,
offer to practice, or by any implication hold himself out as qualified to practice the
occupation of an Alarm Agent as defined by A.R.S. § 32-101(B)(3) until such time as the
Respondent is registered by the Board and is in full compliance with the Board’s Statutes
and Rules.

2. CIVIL PENALTY. Within Sixty (60) days from the effective date of this
Consent Agreement, Respondent shall pay a civil penalty of Five Hundred Dollars
($500.00) to be submitted to the Board by cashier’s check or money order made payable
to the Arizona State Board of Technical Registration, per the provisions of A.R.S. § 32-
106.02(A).

3. COST OF INVESTIGATION. Within Ninety (90) days from the effective
date of this Consent Agreement, Respondent shall pay the cost of investigation of this
case to the Board in the amount of One Hundred and Sixty Dollars ($160.00) certified
check or money order made payable to the State of Arizona Board of Technical
Registration, per the provisions of A.R.S. § 32-128(H).

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

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

6. NONCOMPLIANCE. If Respondent violates this Order in any way or fails
to fulfill the requirements of this Order, the Board may seek a Petition for Injunction in
accordance with the provisions set forth in A.R.S. § 32-106.01.

ACCEPTED and ORDERED this 27th day of JUNE, 2017.

Jason Madison, Chairman
Arizona State Board of
Technical Registration

Consent Agreement and Order, No. AL17-015 accepted this 31 day of X
May, 2017.

Shane George, Respondent

ORIGINAL filed this 6 day of
JUNE, 2017, with:

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

COPY of the foregoing mailed via Certified Mail
No. 914 8F01 9Y39 4660 0179 90 and
First Class mail this 7 day of JUNE, 2017, to:

Shane George
1142 Ruth Ann Dr
Blackfoot, ID 83221

By: Kraemer