

BEFORE THE ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

In the Matter of:

Case No.: AL17-016

Krista Peru, Alarm Controlling Person Certification No. 58676

CONSENT AGREEMENT and ORDER OF DISCIPLINE

RK Marketing, LLC Alarm Business Certification No. 18905

Respondents

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 parties, RK Marketing, LLC Alarm Business ("Respondent Alarm Business"), holder of Registration No. 19805 and Krista Peru Alarm Controlling Person Certification No. 58676 (" 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.

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 AL17-016 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.

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1 Alarm Business activities in Arizona with expired Alarm Business Controlling Person
2 and Alarm Business certification with the Board.

3 **CONCLUSIONS OF LAW**

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

5 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
6 pursuant to A.R.S. § 32-128(C)(3), in that Respondent and Respondent Alarm Business
7 aided and abetted Shane George, an unlicensed employee of the business to sell and
8 install alarm systems at the Home and Garden Show in Phoenix, AZ, in January of 2017.

9 3. The conduct alleged in the Findings of Fact constitutes grounds for discipline
10 pursuant to A.R.S. 32-121, 32-122.05 and 32-141(A), in that Respondent Alarm Business
11 conducted and advertised Alarm Business activities in Arizona with expired Alarm
12 Business and Controlling Person Certification.

13 **ORDER**

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

16 1. LETTER OF REPRIMAND. Respondent is hereby issued a Letter of
17 Reprimand.

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

22 3. COST OF INVESTIGATION. Within thirty (30) days from the effective
23 date of this Consent Agreement, Respondent shall pay the cost of investigation of this
24 case to the Board in the amount of Three Hundred Twenty-One Dollars (\$321.00) by
25 certified check or money order made payable to the State of Arizona Board of Technical
26 Registration, according to the provisions of A.R.S. § 32-128(H).

27 4. OBEY ALL LAWS. Respondent shall obey all federal, state and local
28 laws, as well as, all rules governing the practice of Alarm Business in the State of

1 Arizona. The Board shall consider any violation of this paragraph to be a separate
2 violation of the rules and statues governing the Arizona Board of Technical Registration.
3 The Board may also consider Respondent's non-compliance with this Order as a separate
4 violation of A.R.S. § 32-150.

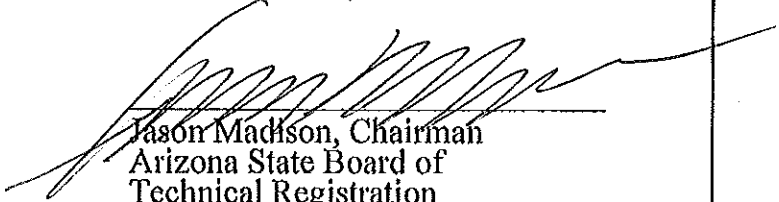
5 5. RENEWAL OF REGISTRATION. Respondent and Respondent Alarm
6 Business shall timely renew their Arizona certification as an Alarm Business, and
7 Controlling Person and timely pay all required registration fees.

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

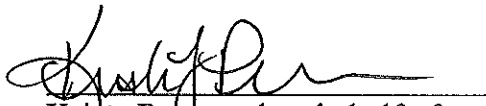
11 7. COSTS OF COMPLIANCE. Respondent shall pay all costs associated
12 with complying with this Consent Agreement.

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

18 ACCEPTED and ORDERED this 29 day of August, 2017.

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22 Jason Madison, Chairman
Arizona State Board of
Technical Registration

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24 Consent Agreement and Order, No. AL17-016 accepted this 29th day of
25 August, 2017.

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27 
28 Krista Peru, and on behalf of
RK Marketing, LLC,
Respondents



1 ORIGINAL filed this 30th day of

2 August, 2017, with:

3 Arizona State Board of Technical Registration
4 1110 W. Washington, Suite 240
Phoenix, AZ 85007

5 COPY of the foregoing mailed via Certified Mail
6 No. 9214 8901 9484 4600 0230 69 and

7 First Class mail this 30th day of August, 2017, to:

8 RK Marketing, LLC
9 4600 S. Mill AV
Tempe, AZ 86282

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11 By:  _____

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