

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

3 In the Matter of:

Case No. AL18-003

4 **DAVE ROMAN,**  
5 Non-Registrant,

**CONSENT AGREEMENT AND**  
**ORDER OF DISCIPLINE**

6 and

7 **SECURITY SYSTEMS, INC., dba**  
8 **SAFEGUARD AMERICA, dba SAFE**  
9 **HOME SECURITY,**  
Non-Registered Firm,

10 Respondents.

11  
12           In the interest of a prompt and judicious resolution of the above-captioned matters  
13 before the Arizona State Board of Technical Registration (the "Board"), and consistent  
14 with the public interest, statutory requirements, and the responsibilities of the Board, and  
15 pursuant to Arizona Revised Statutes ("A.R.S.") § 32-101, *et seq.*, and Arizona  
16 Administrative Code ("A.A.C.") R4-30-120(G), the undersigned party, Dave Roman,  
17 Non-Registrant ("Respondent"), on behalf of himself and Security Systems, Inc., dba  
18 Safeguard America, dba Safe Home Security, Non-Registered Firm ("Respondent Firm")  
19 (collectively, "Respondents") and the Board enter into the following Recitals, Findings of  
20 Fact, Conclusions of Law and Order ("Consent Agreement") as a final disposition of this  
21 matter.

22                                   **I.     RECITALS**

23           1.     The Board has not conducted a hearing nor made a determination on the  
24 merits contained herein. Instead, the Board and Respondent have agreed to a full and  
25 final settlement of this matter in lieu of formal disciplinary proceedings, pursuant to  
26 A.A.C. R4-30-123(B).

27           2.     Respondent has read and understands this Consent Agreement and has had

1 the opportunity to discuss this Consent Agreement with an attorney, or has waived the  
2 opportunity to discuss this Consent Agreement with an attorney.

3 3. Respondent understands that he has a right to a public administrative  
4 hearing concerning this case. He further acknowledges that at such formal hearing  
5 Respondents could present evidence and cross-examine witnesses. By entering into this  
6 Consent Agreement, Respondent, for himself and on behalf of Respondent Firm,  
7 knowingly, voluntarily, and irrevocably waives the right to such an administrative  
8 hearing, as well as rights of rehearing, review, reconsideration, appeal, judicial review or  
9 any other administrative and/or judicial action concerning the matters set forth herein.

10 4. Respondent affirmatively agrees that this Consent Agreement shall be  
11 irrevocable.

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

15 6. The Consent Agreement, any record prepared in this matter, all  
16 investigative materials prepared or received by the Board and all related exhibits and  
17 materials, are public records (as defined in A.R.S. § 41-151.18) upon acceptance by the  
18 Board of this Consent Agreement and may be retained in the Board's files pertaining to  
19 this matter.

20 7. Respondent understands this Consent Agreement deals with Board case  
21 number AL18-003 involving allegations that Respondents engaged in conduct that could  
22 subject Respondents to discipline under the Board's statutes and rules. The investigation  
23 into these allegations against Respondents shall be concluded upon the Board's adoption  
24 of this Consent Agreement.

25 8. Respondent understands that this Consent Agreement is solely to settle case  
26 number AL18-003, does not preclude the Department from instituting other proceedings  
27 as may be appropriate now or in the future, does not constitute a dismissal or resolution

1 of any other matters currently pending before the Board, if any, and does not constitute  
2 any waiver, express or implied, of the Board's statutory authority or jurisdiction  
3 regarding any other pending or future investigation, action or proceeding.

4 9. Respondent also understands that, with respect to the conduct that is the  
5 subject of this Consent Agreement, acceptance of this Consent Agreement does not  
6 preclude any other agency, subdivision, or officer of this State from instituting any other  
7 civil or criminal proceedings, investigating claims, or taking legal action as may be  
8 appropriate now or in the future relating to this matter or other matters concerning  
9 Respondents, including but not limited to violations of Arizona's Consumer Fraud Act.  
10 Respondent acknowledges that, other than with respect to the Board, this Consent  
11 Agreement makes no representations, implied or otherwise, about the views or intended  
12 actions of any other state agency or officer or political subdivision of the state relating to  
13 this matter or other matters concerning Respondents.

14 10. All admissions made by Respondent in this Consent Agreement and Order  
15 of Discipline are solely for final disposition of case number AL18-003 and any  
16 subsequent related administrative or enforcement proceedings or civil litigation involving  
17 the Board and Respondents in case number AL18-003. Therefore, said admissions by  
18 Respondent are not intended or made for any other use, such as in the context of another  
19 state or federal government regulatory agency proceeding, civil or criminal court  
20 proceeding, in the State of Arizona or any other state or federal court.

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

1 12. 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(D). In the event that the  
5 Board does not approve this Consent Agreement, it is withdrawn, shall be of no  
6 evidentiary value, and shall not be relied upon nor introduced in any action by any party.  
7 Respondent agrees that should the Board reject this Consent Agreement and this case  
8 proceeds to hearing, Respondents shall assert no claim that the Board was prejudiced by  
9 its review and discussion of this document or any records relating thereto.

10 13. 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 14. Respondent agrees that any violation of this Consent Agreement may result  
14 in disciplinary action.

15 15. Respondent agrees that the Board will adopt the following Findings of Fact,  
16 Conclusions of Law, and Order.

17 **II. FINDINGS OF FACT**

18 1. The Board is the duly constituted authority for the regulation and control of  
19 the practice of alarm business activity in the State of Arizona.

20 2. Respondent was not registered with the Board at the time between July,  
21 2017, and April, 2018.

22 3. Respondent Firm was not registered with the Board between July, 2017,  
23 and April, 2018.

24 4. On or about July 26, 2017, Respondent Firm and Jason Taylor, of Taylor  
25 Armed Concepts, LLC, entered into a contract in which Jason Taylor conducted alarm  
26 sales on behalf of Respondent Firm.

1           5.     On or about August 1, 2017, Respondent Firm conducted an alarm systems  
2 sale and installation without Board registration at the Lambert residence, 10611 E.  
3 Boulder Dr., Apache Junction, Arizona.

4           6.     On or about October 26, 2017, the Board received a complaint alleging that  
5 Respondent Firm conducted alarm systems sales, installation and monitoring activities  
6 without Board registration at the Lambert residence, which included Respondent Firm's  
7 completed business contracts.

8           7.     On or about November 15, 2017, Craig Altmeyer, Director of Dealer  
9 Programs for Respondent Firm acknowledged that Jason Taylor, on behalf of Respondent  
10 Firm, sold an alarm system to the Lambert residence.

11          8.     On or about February 16, 2018, the Board received a second complaint  
12 alleging that Respondent Firm conducted alarm systems sales, installation, and  
13 monitoring activities without Board registration at the Sromek residence, 6231 W.  
14 Columbine Dr., Glendale, AZ, which included Respondent Firm's completed business  
15 contracts.

16          9.     On April 3, 2018, Respondent admitted that Respondent Firm uses licensed  
17 sub-contractors to service customers and uses dealers to create accounts for clients.

18          10.    On April 6, 2018, Respondent acknowledged that Respondent Firm is a  
19 funding company that purchases alarm contracts from licensed dealers or through  
20 acquisitions then uses sub-contractors to provide the field service and central station  
21 monitoring.

22          11.    On July 16, 2018, Respondent obtained firm registration with the Board for  
23 Respondent Firm, and on July 18, 2018, Respondent obtained a controlling person  
24 registration with the Board.

### 25                               **III. CONCLUSIONS OF LAW**

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

1 2. The conduct alleged in the Findings of Fact, constitutes grounds for  
2 discipline pursuant to A.R.S. §§ 32-121, 32-122.05, and 32-141(A) in that Respondent  
3 Firm conducted alarm business activities in Arizona without alarm business registration.

4 **IV. ORDER**

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

7 1. CIVIL PENALTY. Within Sixty (60) days from the effective date of this  
8 Consent Agreement, Respondents shall jointly and severally pay a civil penalty of One  
9 Thousand Dollars (\$1,000.00) to the Board by cashier's check or money order made  
10 payable to the Arizona State Board of Technical Registration, according to the provisions  
11 of A.R.S. § 32- 106.02.

12 2. COST OF INVESTIGATION. Within Thirty (30) days from the effective  
13 date of this Consent Agreement, Respondents shall jointly and severally pay the cost of  
14 investigation of this case to the Board in the amount of Four Hundred and Fifty-One  
15 Dollars (\$451.00) by certified check or money order made payable to the State of  
16 Arizona Board of Technical Registration, according to the provisions of A.R.S. § 32-  
17 128(H).

18 3. OBEY ALL LAWS. Respondents shall obey all federal, state, and local  
19 laws, as well as all rules governing alarm business activities in the State of Arizona. The  
20 Board shall consider any violation of this paragraph to be a separate violation of the rules  
21 and statutes governing the Board. The Board may also consider Respondent's non-  
22 compliance with this Order as a separate violation of A.R.S. § 32-150.

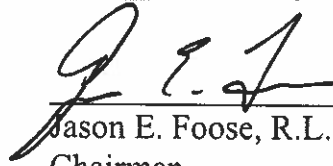
23 4. RENEWAL OF REGISTRATION. Respondents shall not engage in alarm  
24 business activities without continuing to timely renew necessary Board registrations, and  
25 will timely pay all required registration fees.

26 5. EFFECTIVE DATE. The effective date of this Consent Agreement is the  
27 date it was last executed by the Respondent or the Board.

1 6. COSTS OF COMPLIANCE. Respondents shall pay all costs associated  
2 with complying with this Consent Agreement.

3 7. NONCOMPLIANCE. If Respondents violate this Order in any way or fail  
4 to fulfill the requirements of this Order, the Board, after giving notice and the opportunity  
5 to be heard, may revoke, suspend or take other disciplinary actions against Respondents'  
6 registrations. The issue at such a hearing will be limited solely to whether this Order has  
7 been violated.

8 ACCEPTED and ORDERED this 28<sup>th</sup> day of July, 2020.

9  
10   
11 \_\_\_\_\_

12 Jason E. Foose, R.L.S.  
13 Chairman  
14 Arizona State Board of Technical Registration

15 Consent Agreement and Order, Number AL18-003 accepted this \_\_\_\_ day of July, 2020.

16   
17 \_\_\_\_\_  
18 David Roman, Respondent

19 ORIGINAL of the foregoing filed  
20 this 29 day of July, 2020, with:

21 Arizona State Board of Technical Registration  
22 1110 W. Washington, Suite 240  
23 Phoenix, AZ 85007

24 COPY of the foregoing mailed and e-mailed  
25 this 28 day of July, 2020, to:

26 Joseph Lipari  
27 The Sultz Law Group, P.C.  
270 Madison Avenue, Suite 1800  
New York, New York 10016  
Liparij@TheSultzLawGroup.com  
*Counsel for Respondent*

1 **COPY** of the foregoing e-mailed  
this 24 day of July, 2020, to:

2  
3 Deanie Reh  
4 deanie.reh@azag.gov  
5 *Counsel for the State*

6 By: 

7 #8846223

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