

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

3 **In the Matter of:**

Case No.: AL18-004

4 **Tyson Landon**
5 **Non-Registrant**

CONSENT AGREEMENT
and
ORDER OF DISCIPLINE

6 **Respondent**
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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 Tyson Landon, Non-Registrant, (“Respondent”) and the Board enter into the following
14 Recitals, Findings of Fact, Conclusions of Law and Order (“Consent Agreement”) as a
15 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 into 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 AL18-004 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 occupation of Alarm Agent in the state of Arizona.

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

19 3. On or about August 1, 2017, Respondent conducted an alarm systems sale
20 without registration with the Board at the Lambert residence, 10611 E. Boulder Dr.,
21 Apache Junction, Arizona.

22 4. On October 10, 2017, the Board received a complaint alleging that
23 Respondent conducted an alarm system sale at the Lambert residence in Apache Junction,
24 Arizona and included an Agreement for Monitoring and Installation of Security Systems
25 and an Installation Completion certificate signed by Respondent.

26 5. On or about August 31, 2017, Respondent conducted another alarm systems
27 sale without registration with the Board at the Sromek residence, 6231 W. Columbine
28 Dr., Glendale, Arizona.

1 6. On February 14, 2018, the Board received a secondary complaint alleging
2 that Respondent conducted an alarm system sale at the Sromek residence in Glendale,
3 Arizona and included an Agreement for Monitoring and Installation of Security Systems
4 and an Installation of Completion certificate signed by Respondent.

5 7. On February 21, 2018, Respondent informed Board staff that he is currently
6 employed with NorthStar Alarm Services, LLC, a registered alarm business and indicated
7 that Northstar Alarm Services, LLC, would submit an alarm agent application for
8 Respondent.

9 8. On April 11, 2018, Respondent informed Board staff that he is still employed
10 with NorthStar Alarm Services, LLC, and is actively selling security systems in the State
11 of Arizona. Board staff informed Respondent that he is unable to engage in the
12 occupation of Alarm Agent without Board certification.

13 **CONCLUSIONS OF LAW**

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

16 2. The conduct alleged in the Findings of Fact, constitutes grounds for
17 discipline pursuant to A.R.S. § 32-121 and A.R.S. § 32-145(1), in that Respondent
18 conducted alarm system sales in Arizona without alarm agent registration.

19 **ORDER**

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

22 1. ASSURANCE OF DISCONTINUANCE. Respondent shall not practice,
23 offer to practice, or by any implication hold itself out as qualified to practice as an alarm
24 agent as defined by A.R.S. § 32-101.B(3) until such time as the Respondent is registered
25 by the Board and is in full compliance with the Board's Statutes and Rules.

26 2. CIVIL PENALTY. Within Sixty (60) days from the effective date of this
27 Consent Agreement, Respondent shall pay a civil penalty of One Thousand Dollars
28 (\$1,000.00) to the Board by cashier's check or money order made payable to the Arizona

1 State Board of Technical Registration, according to the provisions of A.R.S. § 32-
2 106.02(A).

3 3. COST OF INVESTIGATION. Within thirty (30) days from the effective date
4 of this Consent Agreement, Respondent shall pay the cost of investigation of this case to
5 the Board in the amount of Four Hundred and Eighty-Seven Dollars (\$487.00) by
6 certified check or money order made payable to the State of Arizona Board of Technical
7 Registration, according to the provisions of A.R.S. § 32-128(H).

8 4. 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.

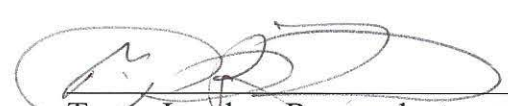
11 5. COSTS OF COMPLIANCE. Respondent shall pay all costs associated with
12 complying with this Consent Agreement.

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

16 ACCEPTED and ORDERED this 22 day of May, 2018.

17
18 
19 _____
20 Alejandro Angel, P.E., Chairman
21 Arizona State Board of
22 Technical Registration

21 Consent Agreement and Order, No. AL18-004 accepted this ____ day of
22 _____, 2018.

23
24 
25 _____
26 Tyson Landon, Respondent

25 ORIGINAL filed this 29 day of
26 MAY, 2018, with:

27 Arizona State Board of Technical Registration
28 1110 W. Washington, Suite 240
Phoenix, AZ 85007

1 **COPY** of the foregoing mailed via Certified Mail
2 No. 9214 8901 9434 4600 0569 08 and
3 First Class mail this 29 day of MAY, 2018, to:

4 Tyson Landon
5 4162 E. Redfield Rd.
6 Gilbert, AZ 85234

7 By: 

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