BEFORE THE ARIZONA STATE
BOARD OF TECHNICAL REGISTRATION

In the Matter of: Case No. AL18-008
Kent Griffith CONSENT AGREEMENT
Alarm Controlling Person and
Certification No. 55017 ORDER OF DISCIPLINE
NorthStar Alarm Services, LLC
Alarm Business Certification No.
18061

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, Kent Griffith ("Respondent"), holder of Alarm Controlling Person No. 55017, and NorthStar Alarm Services, LLC, ("Respondent Alarm Business"), holder of Alarm Business Certification No. 18061, 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.

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 AL18-008 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.
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 practice of Alarm Business in the State of Arizona.

2. Respondent is the holder of Arizona Alarm Controlling Person No. 55017 for Respondent Alarm Business.


4. At its May 22, 2018 Board meeting, the Board voted to open a complaint alleging that Respondent Alarm Business employed Tyson Landon, an unlicensed person, to conduct alarm system sales on behalf of Respondent Alarm Business in the State of Arizona.

5. Respondent Alarm Business acknowledged that the system block which is applied to all sales agents was not automatically applied to Mr. Landon’s agent profile; therefore, Mr. Landon was able to have access to the sales system.

7. Due to the licensing block placed on June 4, 2018, Mr. Landon has not made further alarm sales.

CONCLUSIONS OF LAW

1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq.
2. The conduct alleged in the Findings of Fact constitutes grounds for discipline pursuant to A.R.S. § 32-128(C)(3), in that Respondents aided and abetted the sale of (43) alarm systems by an unlicensed person, Tyson Landon.

ORDER

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

1. LETTER OF REPRIMAND. Respondent is hereby issued a Letter of Reprimand.
2. STAYED SUSPENSION AND PROBATION. Respondent’s registration as an Alarm Controlling Person, No. 55017 shall be suspended for six (6) months; however, the suspension is stayed for as long as Respondent remains in compliance with this Order. During the stay of suspension, Respondent’s registration as an Alarm Controlling Person is placed on probation for six (6) months. If Respondent is non-compliant with any terms of this Order during the six (6) months stayed suspension and probation period, the stay of the suspension shall be lifted and Respondent’s certification as an Alarm Controlling Person shall be automatically suspended without a formal hearing, and remain suspended until Respondent is compliant with all terms of this Order. If Respondent completes all terms of this Order prior to end of the six (6) months stayed suspension and probation period, Respondent may be eligible for early termination of probation.
3. ADMINISTRATIVE PENALTY. Within six (6) months from the effective date of this Consent Agreement, Respondent shall pay an administrative penalty of Three Thousand Dollars ($3000.00) by certified check or money order made payable to the State of Arizona Board of Technical Registration. Monthly payments of $500.00 shall be made on the first of each month.
4. COST OF INVESTIGATION. Within thirty (30) days from the effective date of
this Consen Agreement, Respondent shall pay the cost of investigation of this case to the Board in the amount of Ninety-Four Dollars ($94.00) by certified check or money order made payable to the State of Arizona Board of Technical Registration, according to the provisions of A.R.S. § 32-128(F).

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

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

7. 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.

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

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

ACCEPTED and ORDERED this 28th day of August, 2018.

[Signature]
Alejandro Angel, P.E., Chairman
Arizona State Board of Technical Registration
Consent Agreement and Order, No. AL18-008 accepted this 24th day of July, 2018.

Ken Griffith and on behalf of NorthStar Alarm Services, LLC, Respondents

ORIGINAL filed this 31st day of August, 2018, with:

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

COPY of the foregoing mailed via Certified Mail
No. 9214 8704 9409 0422 20 and
First Class mail this 31st day of August, 2018, to:

Kent Griffith
NorthStar Alarm Services, LLC
545 E. University Parkway, Suite 500
Orem, Utah 84097

By: [Signature]