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BEFORE THE ARIZONA STATE  
BOARD OF TECHNICAL REGISTRATION

<p>In the Matter of:</p> <p>Ackerman Security Systems, Inc. Non Registrant Alarm Business</p> <p style="text-align: center;">Respondent</p>	<p style="text-align: center;">Case No. AL19-016</p> <p style="text-align: center;"><b>CONSENT AGREEMENT and ORDER OF DISCIPLINE</b></p>
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12 In the interest of a prompt and judicious resolution of the above-captioned matter before  
13 the Arizona State Board of Technical Registration ("Board") and consistent with the public  
14 interest, statutory requirements, and the responsibilities of the Board, and pursuant to A.R.S. §  
15 32-101 *et seq.*, and A.A.C. R4-30-120(G), the undersigned party, Ackerman Security Systems,  
16 Inc., ("Respondent"), a non registrant alarm business, and the Board enter into the following  
17 Recitals, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") as a final  
18 disposition of this matter.

19 

**RECITALS**

20 1. Respondent has read and understands this Consent Agreement and has had the  
21 opportunity to discuss this Consent Agreement with an attorney, or has waived the opportunity to  
22 discuss this Consent Agreement with an attorney.

23 2. Respondent understands that it has a right to a public administrative hearing  
24 concerning this case. Respondent further acknowledges that at such formal hearing it could  
25 present evidence and cross-examine witnesses. By entering into this Consent Agreement,  
26 Respondent knowingly, voluntarily, and irrevocably waives its right to such an administrative  
27 hearing, as well as rights of rehearing, review, reconsideration, appeal, judicial review or any  
28 other administrative and/or judicial action concerning the matters set forth herein.

1           3.     Respondent affirmatively agrees that this Consent Agreement shall be irrevocable.

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

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

8           6.     Respondent understands this Consent Agreement deals with Board case number  
9 AL19-016 involving allegations that Respondent engaged in conduct that would subject it to  
10 discipline under the Board's statutes and rules. The investigation into these allegations against  
11 Respondent shall be concluded upon the Board's adoption of 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, and does  
14 not constitute any waiver, express or implied, of the Board's statutory authority or jurisdiction  
15 regarding any other pending or future investigation, action or proceeding.

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

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

24          10.    This Consent Agreement is subject to the approval of the Board and is effective  
25 only when accepted by the Board and signed on behalf of the Board. If the Board does not accept  
26 this Consent Agreement, the Board retains its authority to hold a formal administrative hearing  
27 pursuant to A.R.S. § 32-128(E). In the event that the Board does not approve this Consent  
28 Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor

1 introduced in any action by any party, except that the parties agree that should the Board reject  
2 this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that  
3 the Board was prejudiced by its review and discussion of this document or any records relating  
4 thereto.

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

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

10 13. Respondent agrees that the Board will adopt the following Findings of Fact,  
11 Conclusions of Law and Order.

12 **FINDINGS OF FACT**

13 1. The Board is the duly constituted authority for the regulation and control of the  
14 practice of Alarm Business in the State of Arizona.

15 2. Respondent has never been registered with the Board.

16 3. Respondent engaged in door to door sales of alarm systems in Phoenix, AZ on  
17 April 27, 2019.

18 6. Respondent provided information that it has been conducting door to door alarm  
19 system sales in Arizona since October 4, 2018.

20 **CONCLUSIONS OF LAW**

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

22 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline  
23 pursuant to A.R.S. § 32-122.05 as it relates to A.R.S. § 32-141(A), in that Respondent advertised  
24 and engaged in Alarm Business activities without being registered with the Board.

25 **ORDER**

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

28 1. CIVIL PENALTY. Within sixty (60) days from the effective date of this Consent

1 Agreement, Respondent shall pay an administrative penalty of Five Hundred Dollars (\$500.00)  
2 by certified check or money order made payable to the State of Arizona Board of Technical  
3 Registration.

4 2. COST OF INVESTIGATION. Within thirty (30) days from the effective date of  
5 this Consent Agreement, Respondent shall pay the cost of investigation of this case to the Board  
6 in the amount of One Hundred Ten Dollars (\$110.00) by certified check or money order made  
7 payable to the State of Arizona Board of Technical Registration, according to the provisions of  
8 A.R.S. § 32-128(H).

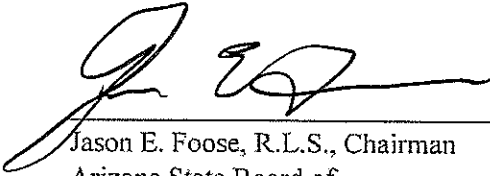
9 3. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, as well  
10 as, all rules governing the practice of Alarm Business in the State of Arizona. The Board shall  
11 consider any violation of this paragraph to be a separate violation of the rules and statutes  
12 governing the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

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


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

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

22  
23 ACCEPTED and ORDERED this 27<sup>TH</sup> day of AUGUST, 2019.

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26   
27 Jason E. Foose, R.L.S., Chairman  
28 Arizona State Board of  
Technical Registration

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2 Consent Agreement and Order, No. AL19-016 accepted this 12<sup>th</sup> day of July, 2019.


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4   
Samantha L. Southall on behalf of Ackerman  
Security Systems, Inc, Respondent

5 ORIGINAL filed this 28 day of  
6 August, 2019, with:

7  
8  
9 Arizona State Board of Technical Registration  
1110 W. Washington, Suite 240  
10 Phoenix, AZ 85007

11 COPY of the foregoing mailed via Certified Mail  
12 No. 9214 8901 9434 4600 0004 77 and  
13 First Class mail this 20 day of August, 2019, to:

14 Samantha L. Southall  
15 Buchanan Ingersoll & Rooney PC  
16 Two Liberty Place  
50 S. 16th Street, Suite 3200  
17 Philadelphia, PA 19102-2555

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19 By:   
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