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BEFORE THE ARIZONA STATE  
BOARD OF TECHNICAL REGISTRATION



<p><b>In the Matter of:</b></p> <p><b>Ronald Mitchell</b> <b>Alarm Business</b> <b>Controlling Person #70133,</b> <b>Alarm Agent #70134</b></p> <p><b>The Alarm Crew, Inc</b> <b>Alarm Business #22201</b></p> <p><b>Respondents</b></p>	<p><b>Case No. AL20-004</b></p> <p><b>CONSENT AGREEMENT</b> <b>and</b> <b>ORDER OF DISCIPLINE</b></p>
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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, Ronald Mitchell (“Respondent”), holder of Controlling Person # 56491, and The Alarm Crew, Inc, (“Respondent Alarm Business”) #18302, 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 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 him.

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 AL20-004 involving allegations that Respondent engaged in conduct that would subject him 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, he 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 was the holder of Arizona Alarm Business Controlling Person, number  
16 56491.

17 3. Respondent's certification as a Controlling Person expired on September 29, 2016  
18 which nullified the ability of Respondent Alarm Business to legally operate.

19 4. Respondent Alarm Business was the holder of Alarm Business number 18302.

20 5. Respondent Alarm Business registration expired on September 29, 2015.

21 6. On or about October 23, 2018 Respondent's license as an Alarm Agent was  
22 canceled by the Board.

23 7. Respondent and Respondent Alarm Business engaged in selling 46 alarm system  
24 contracts without board registration between January 7, 2019 and August 23, 2019.

25 8. On September 10, 2019 Board staff spoke to Respondent and advised him of the  
26 requirement to maintain current Controlling Person certification, Alarm Business registration, and  
27 Alarm Agent licensure.

28 9. On October 9, 2019 Respondent became licensed by the Board as an Alarm Agent

1 and was issued license number 70134 by the Board.

2 10. On October 9, 2019, Respondent became certified as a Controlling Person for  
3 Respondent Alarm Business and was issued certification number 70133 by the Board.

4 11. On October 9, 2019, Respondent Alarm Business became licensed and was issued  
5 license number 22201 by the Board.

6 **CONCLUSIONS OF LAW**

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

8 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline  
9 pursuant to A.R.S. § 32-121 and A.R.S. § 32-145(1) in that Respondent engaged in the occupation  
10 of Alarm Agent without Board registration.

11 3. The conduct alleged in the Findings of Fact constitutes grounds for discipline  
12 pursuant to A.R.S. § 32-121 and A.R.S. § 32-122.05, in that Respondent Alarm Business  
13 conducted alarm business activities in Arizona without alarm business registration or controlling  
14 person registration.

15 **ORDER**

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

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

19 2. STAYED SUSPENSION AND PROBATION. Respondent's registrations as  
20 Controlling Person #70133 and Alarm Agent #70134, shall be suspended for (Ninety (90) days);  
21 however, the suspension is stayed for as long as Respondent remains in compliance with this  
22 Order. During the stay of suspension, Respondent's registrations as a Controlling Person #70133  
23 and Alarm Agent #70134 are placed on probation for (Ninety (90) days). If Respondent is  
24 non-compliant with any terms of this Order during the (Ninety (90) days) stayed suspension and  
25 probation period, the stay of the suspension shall be lifted and Respondent's registrations as a  
26 Controlling Person and Alarm Agent shall be automatically suspended without a formal hearing,  
27 and remain suspended until Respondent is compliant with all terms of this Order.

1           3.       ADMINISTRATIVE PENALTY. Within ninety (90) days from the effective  
2 date of this Consent Agreement, Respondent shall pay an administrative penalty of Two  
3 Thousand Dollars (\$2000.00) by certified check or money order made payable to the State of  
4 Arizona Board of Technical Registration.

5           4.       COST OF INVESTIGATION. Within thirty (30) days from the effective date of  
6 this Consent Agreement, Respondent shall pay the cost of investigation of this case to the Board  
7 in the amount of One Hundred Seventy Seven Dollars (\$177.00) by certified check or money  
8 order made payable to the State of Arizona Board of Technical Registration, according to the  
9 provisions of A.R.S. § 32-128(H).

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

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

18          7.       EFFECTIVE DATE. The effective date of this Consent Agreement is the date the  
19 Respondent and Board sign the Consent Agreement. If the dates are different, the effective date is  
20 the later of the two dates.

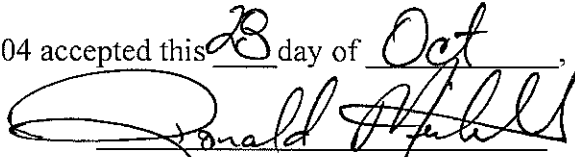
21          8.       COSTS OF COMPLIANCE. Respondent shall pay all costs associated with  
22 complying with this Consent Agreement.

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

1 ACCEPTED and ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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4 \_\_\_\_\_  
5 Jason E. Foose, R.L.S., Chairman  
6 Arizona State Board of  
7 Technical Registration

8 Consent Agreement and Order, No. AL20-004 accepted this 23 day of Oct, 2019.

9 

10 Ronald Mitchell on behalf of himself and The  
11 Alarm Crew, Inc, Respondents

12 ORIGINAL filed this \_\_\_\_\_ day of  
13 \_\_\_\_\_, 2019, with:

14  
15  
16 Arizona State Board of Technical Registration  
17 1110 W. Washington, Suite 240  
18 Phoenix, AZ 85007

19 COPY of the foregoing mailed via Certified Mail  
20 No. \_\_\_\_\_ and  
21 First Class mail this \_\_\_\_\_ day of \_\_\_\_\_, 2019, to:

22  
23 Ronald Mitchell  
24 The Alarm Crew Inc.  
25 3218 East Bell Road #207  
26 Phoenix, AZ 85032

27 By: \_\_\_\_\_  
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