

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

3 **In the Matter of:**

4 **Jason Stack**  
5 **Non-Registrant**

6  
7 **Respondent**

**Case No.: HI22-007**

**CONSENT AGREEMENT**  
**and**  
**ORDER OF DISCIPLINE**

8  
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 Jason Stack, 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 HI22-007 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 Home Inspectors in the State of Arizona.

18 2. Respondent is not registered with the Board as a Home Inspector

19 3. On September 24, 2021, Board staff received a complaint of an unlicensed,  
20 fee paid home inspection that occurred at 1760 N. Liana Dr. in Chino Valley, Arizona.

21 4. During the investigation, Board staff determined that Respondent conducted  
22 the Chino Valley home inspection for a client during the first two weeks of June 2021.  
23 Respondent also prepared a home inspection report, which he labelled a “contractors  
24 assessment”, and was paid \$600.00.

25 5. On November 2, 2021, Board staff received a written statement from  
26 Respondent in which he admitted that he conducted the home inspection for the potential  
27 buyer of the home and prepared the contractors assessment for the property located at  
28 1760 N. Liana Dr. in Chino Valley, Arizona.

1 CONCLUSIONS OF LAW

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

4 2. The conduct alleged in the Findings of Fact, constitutes grounds for  
5 discipline pursuant to A.R.S. § 32-145(1), in that Respondent practiced or offered to  
6 practice a Board regulated profession without Board registration.

7 ORDER

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

10 1. CIVIL PENALTY. Within Ninety (90) days from the effective date of this  
11 Consent Agreement, Respondent shall pay a civil penalty of One Thousand Dollars  
12 (\$1000.00). Payments are to be submitted to the Board by cashier's check or money order  
13 made payable to the Arizona State Board of Technical Registration, according to the  
14 provisions of A.R.S. § 32-106.02(A).

15 2. COST OF INVESTIGATION. Within Ninety (90) days from the effective  
16 date of this Consent Agreement, Respondent shall pay the cost of investigation of this  
17 case to the Board in the amount of Two Hundred Twenty Dollars (\$220.00) by certified  
18 check or money order made payable to the State of Arizona Board of Technical  
19 Registration, according to the provisions of A.R.S. § 32-128(H).

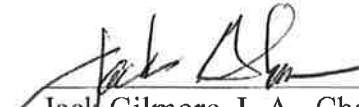
20 3. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws,  
21 related to the practice of Home Inspections in the State of Arizona. The Board shall  
22 consider any violation of this paragraph to be a separate violation of the statutes  
23 governing the Arizona Board of Technical Registration.

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

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

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

4 ACCEPTED and ORDERED this 4 day of APRIL, 2022.

5  
6  
7   
8 Jack Gilmore, L.A., Chairman  
9 Arizona State Board of  
10 Technical Registration

11           Consent Agreement and Order, No. HI22-007 accepted this 24 day of  
12 March, 2022.

13   
14 Jason Stack, Respondent

15 ORIGINAL filed this \_\_\_\_\_ day of  
16 \_\_\_\_\_, 2022, with:

17  
18  
19 Arizona State Board of Technical Registration  
20 1110 W. Washington, Suite 240  
21 Phoenix, AZ 85007

22 COPY of the foregoing mailed via Certified Mail  
23 No. \_\_\_\_\_ and  
24 First Class mail this \_\_\_\_\_ day of \_\_\_\_\_, 2022, to:

25 Jason Stack  
26 Trinity Builders  
27 P.O. Box 26413  
28 Prescott Valley, AZ 86312

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