

1 investigation.

2 5. On February 4, 2015, Board staff reviewed a copy of a home inspection
3 conducted by Respondent that occurred on February 13, 2014, at the address of 4222
4 West Barbara Ave., Phoenix, Arizona. After checking Board records, Board staff learned
5 that Respondent and Respondent firm were not registered with the Board at the time of
6 Respondent's home inspection.

7 6. Respondent displayed a device (Home Inspection Report) that would
8 indicate to the public that he was certified or qualified to practice home inspections,
9 without Board certification.

10 7. During the course of the investigation, Board staff made numerous attempts
11 to contact Respondent, through mailings, telephone calls, and visits to Respondent's
12 addresses. Respondent failed to respond.

13 CONCLUSIONS OF LAW

14 1. The conduct and circumstances described in the Findings of Fact
15 constitutes grounds for discipline pursuant to A.R.S. § 32-106.02, which authorizes the
16 Board to investigate and impose a civil penalty for violation of A.R.S. § 32-145 (making
17 it unlawful to practice a Board regulated profession without proper certification).
18 Respondent engaged in the practice of home inspection by conducting a home inspection
19 on February 13, 2014 without a current certification.

20 2. The conduct and circumstances described in the Findings of Fact
21 constitutes grounds for discipline pursuant to A.R.S. § 32-141(A) and A.R.S. § 32-121, in
22 that Respondent Firm engaged in the practice of board regulated occupation, without
23 Board registration.

24 ORDER

25 Based on the Board's adoption of the Findings of Fact and Conclusions of Law,
26 the Board issues the following Order:

27 **ADMINISTRATIVE PENALTY.** Within twelve months (12) months from the
28 effective date of this Order, Respondent shall pay an administrative penalty of two

1 thousand five hundred dollars (\$2,500.00) by certified check or money order made
2 payable to the State of Arizona Board of Technical Registration.

3 **COST OF INVESTIGATION.** Within (12) months from the date of this Order,
4 Respondent shall pay to the Board the cost of investigation in the amount of six-hundred
5 and eighty dollars (\$680.00), by certified check or money order made payable to the State
6 of Arizona Board of Technical Registration.

7 **RIGHT TO PETITION FOR REHEARING OR REVIEW**

8 Pursuant to A.R.S. § 41-1092.09, Respondent may file, in writing, a motion
9
10 for rehearing or review within 30 days after service of this decision with the Board's
11 Executive Director. The motion for rehearing or review must set forth legally
12 sufficient reasons for granting a rehearing or review. A.A.C. R4-30-126. Service of
13 this Order is effective the date of mailing. If a motion for rehearing is not filed, the
14 Board's Order becomes effective thirty (30) days after it is mailed to Respondent.
15 Respondent is further notified that the filing of a motion for rehearing or review is
16 required to preserve any rights of appeal to the Superior Court.
17
18

19 DATED this 3rd day of November, 2016.

20 Arizona State Board of
21 Technical Registration

22 
23 Edward Marley, Vice Chairman
24 Arizona Board of Technical Registration

25 ORIGINAL filed this 4th day of
26 November, 2016 with:

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

1 COPY mailed via Certified Mail
2 No. 9214 8901 9434 4600 0010 81 / 98 and
3 First Class mail this 4th day of
November, 2016 to:

4 Matthey Berry
5 Park Home Inspections
6 10225 N 12 Pl #3
7 Phoenix, AZ 85020
8 *Respondents*

8 Matthey Berry
9 Park Home Inspections
10 10551 W. Ruth Ave.
11 Peoria, AZ 85345
12 parkerhomeinspection@yahoo.com
13 *Respondents*

12 COPY of the foregoing mailed this
13 4th day of November, 2016 to:

14 Scott Donald
15 Assistant Attorney General
16 1275 W. Washington, SGD/LES
17 Phoenix, AZ 85007
18 *Attorney for State of Arizona*

17 COPY of the foregoing mailed this
18 4th day of November, 2016 to:

19 Marc Harris
20 Assistant Attorney General
21 Independent Attorney Advisor
22 1275 W. Washington SGD/LES
23 Phoenix, AZ 85007

23 By: KMB
24 DOC#5416958