



BEFORE THE ARIZONA STATE  
BOARD OF TECHNICAL REGISTRATION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

In the Matter of:  
Steven Anderson  
Certified Home Inspector  
Registration No. 51896  
Respondent

Case No.: HI16-015

CONSENT AGREEMENT  
and  
ORDER OF DISCIPLINE

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, Steven Anderson ("Respondent"), holder of Registration No. 51896, 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.

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 H116-015 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 the practice of Home Inspection in the State of Arizona.

18 2. Respondent is the holder of Certified Home Inspector Registration No.  
19 51896.

20 3. On December 24, 2014, the Board accepted Respondent's signed consent  
21 agreement for case #HI14-042 encompassing the following:

- 22 a. Letter of Reprimand;  
23 b. Stayed Suspension/Probation;  
24 c. Pay restitution in the amount of \$335.00 within 30 days;  
25 d. Within six months, complete four peer reviews;  
26 e. Within ten months pay an administrative penalty in the amount of  
27 \$2,500.00;  
28 f. Within six months pay cost of investigation in the amount of \$914.00.

- 1 4. On December 24, 2014, restitution was paid in full.
- 2 5. On June 8, 2015, cost of investigation was paid in full.
- 3 6. On November 9, 2015, the administrative penalty was paid in full.
- 4 7. On October 27, 2015, the peer review portion of the Consent Agreement had  
5 not been complied with, causing staff to open a non-compliance case against Respondent.
- 6 8. On February 17, 2016, staff received the work review from peer reviewer,  
7 Bryck Guibor, C.H.I. #38101, dated January 15, 2016, verifying Respondent had  
8 completed the peer review process.

### 9 CONCLUSIONS OF LAW

- 10 1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq.
- 11 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline  
12 pursuant to A.R.S. § 32-150, in that Respondent failed to comply with a Board Order.

### 13 ORDER

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

- 16 1. LETTER OF REPRIMAND. Respondent is hereby issued a Letter of  
17 Reprimand.
- 18 2. COST OF INVESTIGATION. Within thirty (30) days from the effective  
19 date of this Consent Agreement, Respondent shall pay the cost of investigation of this  
20 case to the Board in the amount of Two Hundred Thirty Five Dollars (\$235.00) by  
21 certified check or money order made payable to the State of Arizona Board of Technical  
22 Registration, according to the provisions of A.R.S. § 32-128(H).
- 23 3. EFFECTIVE DATE. The effective date of this Consent Agreement is the  
24 date the Respondent and Board sign the Consent Agreement. If the dates are different, the  
25 effective date is the later of the two dates.
- 26 4. COSTS OF COMPLIANCE. Respondent shall pay all costs associated  
27 with complying with this Consent Agreement.
- 28 5. NONCOMPLIANCE. If Respondent violates this Order in any way or fails

1 to fulfill the requirements of this Order, the Board, after giving notice and the opportunity  
2 to be heard, may revoke, suspend or take other disciplinary actions against the  
3 registration. The issue at such a hearing will be limited solely to whether this Order has  
4 been violated.

5 ACCEPTED and ORDERED this 22 day of MARCH, 2016.

6  
7 E. Leroy Brady  
8 E. Leroy Brady, Chairman  
9 Arizona State Board of  
10 Technical Registration

11 Consent Agreement and Order, No. HI16-015 accepted this 23<sup>rd</sup> day of  
12 FEBRUARY, 2016.

13 Steven Anderson  
14 Steven Anderson, Respondent

15 ORIGINAL filed this 22 day of  
16 MARCH, 2016, with:

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

20 COPY of the foregoing mailed via Certified Mail  
21 No. 7015 1660 0000 1489 5351 and  
22 First Class mail this 23 day of MARCH, 2016, to:

23 Steven Anderson  
24 14175 W. Indian School Rd. #B4-541  
25 Goodyear, AZ 85395

26 By: D Kramer