BEFORE THE ARIZONA STATE
BOARD OF TECHNICAL REGISTRATION

In the Matter of:

Thomas Denton
Certified Home Inspector
Registration No. 59413

Zero Scope Home Inspections
Firm Registration No. 19975

Case No.: HI17-002

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, Thomas Denton ("Respondent"), holder of Registration No. 59413, Zero Scope Home Inspections ("Respondent"), firm Registration No. 19975, 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.

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

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

6. Respondent understands this Consent Agreement deals with Board case number HI17-002 involving allegations that Respondent engaged in conduct that would subject him to discipline under the Board’s statutes and rules. The investigation into these allegations against Respondent shall be concluded upon the Board’s adoption of this Consent Agreement.

7. Respondent understands that this Consent Agreement does not constitute a dismissal or resolution of any other matters currently pending before the Board, if any, and does not constitute any waiver, express or implied, of the Board’s statutory authority or jurisdiction regarding any other pending or future investigation, action or proceeding.

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

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

10. This Consent Agreement is subject to the approval of the Board and is effective only when accepted by the Board and signed on behalf of the Board. If the
Board does not accept this Consent Agreement, the Board retains its authority to hold a formal administrative hearing pursuant to A.R.S. § 32-128(E). In the event that the Board does not approve this Consent Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any action by any party, except that the parties agree that should the Board reject this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its review and discussion of this document or any records relating thereto.

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

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

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

**FINDINGS OF FACT**

1. The Board is the duly constituted authority for the regulation and control of the occupation of Home Inspection in the State of Arizona.

2. Respondent is the holder of Arizona Home Inspector Registration No. 59413.

3. Respondent firm did not become registered with the Board until September 15, 2016.

4. On or about March 9, 2016, Respondent provided home inspection services through Respondent firm on a Home Inspection located at 2350 Adobe Rd. #86, Bullhead City, AZ.

**CONCLUSIONS OF LAW**

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

2. The conduct alleged in the Findings of Fact constitutes grounds for discipline pursuant to A.R.S. § 32-141 and A.R.S. § 32-121, in that Respondent firm engaged in the
practice of a Board regulated occupation without firm registration with the Board.

3. The conduct alleged in the Findings of Fact constitutes grounds for discipline pursuant to A.R.S. § 32-128(C)(4) (violation of Board rules) as it relates to A.R.S. § 32-301(4), in that Respondent conducted a Home Inspection through a Firm not registered with the Board.

ORDER

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

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

2. ADMINISTRATIVE PENALTY. Within ninety (90) days from the effective date of this Consent Agreement, Respondent shall pay an administrative penalty of Five Hundred Dollars ($500.00) by certified check or money order made payable to the State of Arizona Board of Technical Registration.

3. COST OF INVESTIGATION. Within thirty (30) days from the effective date of this Consent Agreement, Respondent shall pay the cost of investigation of this case to the Board in the amount of Two Hundred Seventy-Seven Dollars ($277.00) by certified check or money order made payable to the State of Arizona Board of Technical Registration, according to the provisions of A.R.S. § 32-128(H).

4. COSTS OF COMPLIANCE. Respondent shall pay all costs associated with complying with this Consent Agreement.

5. NONCOMPLIANCE. If Respondent violates this Order in any way or fails to fulfill the requirements of this Order, the Board, after giving notice and the opportunity to be heard, may revoke, suspend or take other disciplinary actions against the registration. The issue at such a hearing will be limited solely to whether this Order has been violated.
ACCEPTED and ORDERED this 20th day of DECEMBER, 2016.

Jason Madison, Chairman
Arizona State Board of Technical Registration

Consent Agreement and Order, No. HI17-002 accepted this 19th day of December, 2016.

Thomas Denton, and on behalf of Zero Scope Home Inspections, Respondents

ORIGINAL filed this 20th day of DECEMBER, 2016, with:
Arizona State Board of Technical Registration
1110 W. Washington, Suite 240
Phoenix, AZ 85007

COPY of the foregoing mailed via Certified Mail No. 9214890194347600004297 and First Class mail this 21st day of DECEMBER, 2016, to:

Thomas Denton
Zero Scope Home Inspections
1455 Bryan Dr
Bullhead City, AZ 86442

By: D. Knauss

Received B.T.R.
DEC 19 2016

☐ Alleged ☑ Respondent ☐ Other