

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

3 **In the Matter of:**

Case No.: HI17-023

4 **John Haag**
5 **Home Inspector**
6 **Registration No. 50226 (expired**
7 **9/16/16)**
8
9 **Respondent**

CONSENT AGREEMENT
AND ORDER
for
VOLUNTARY SURRENDER

10 In the interest of a prompt and judicious resolution of the above-captioned matter
11 before the Arizona State Board of Technical Registration (“Board”) and consistent with
12 the public interest, statutory requirements, and the responsibilities of the Board, and
13 pursuant to A.R.S. § 32-101 et seq., and A.A.C. R4-30-120(G), the undersigned party,
14 John Haag (“Respondent”), holder of Registration No. 50226, and the Board enter into
15 the following Recitals, Findings of Fact, Conclusions of Law and Order (“Consent
16 Agreement”) as a final disposition of this matter.

17 **RECITALS**

18 1. Respondent has read and understands this Consent Agreement and has had
19 the opportunity to discuss this Consent Agreement with an attorney, or has waived the
20 opportunity to discuss this Consent Agreement with an attorney.

21 2. Respondent understands that he has a right to a public administrative hearing
22 concerning this case. He further acknowledges that at such formal hearing he could
23 present evidence and cross-examine witnesses. By entering into this Consent Agreement,
24 Respondent knowingly, voluntarily, and irrevocably waives his right to such an
25 administrative hearing, as well as rights of rehearing, review, reconsideration, appeal,
26 judicial review or any other administrative and/or judicial action concerning the matters
27 set forth herein.

28 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 HI17-023 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 Arizona Home Inspector Registration No. 50226.

19 3. Respondent's registration as a Home Inspector expired and became
20 delinquent on September 16, 2016.

21 4. Respondent was convicted of Aggravated Domestic Violence a class 5 felony
22 on August 8, 2015, in Pinal County Superior Court and was placed on probation for 3
23 years.

24 5. Respondent was convicted of possession of drug paraphernalia, a class 6
25 felony, on October 4, 2016, in Pinal County Superior Court and was sentenced to 1 year
26 of imprisonment

27 6. Respondent violated his terms of probation for the Aggravated Domestic
28 violence charge and was sentenced to 1.5 years of imprisonment on October 4, 2016.

1 7. Respondent is currently incarcerated at the Arizona Department of
2 Corrections facility in Tucson, AZ.

3 **CONCLUSIONS OF LAW**

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

5 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
6 pursuant to A.R.S. § 32-128(C)(2), in that Respondent has been convicted of a felony and
7 is currently in the custody of the Arizona Department of Corrections.

8 **ORDER**

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

11 1. **VOLUNTARY SURRENDER.** Respondent agrees to voluntarily surrender
12 his Certified Home Inspector Registration No. 50226 in lieu of a formal hearing.

13 2. **EFFECTIVE DATE.** The effective date of this Consent Agreement is the
14 date the Respondent and Board sign the Consent Agreement. If the dates are different, the
15 effective date is the later of the two dates.

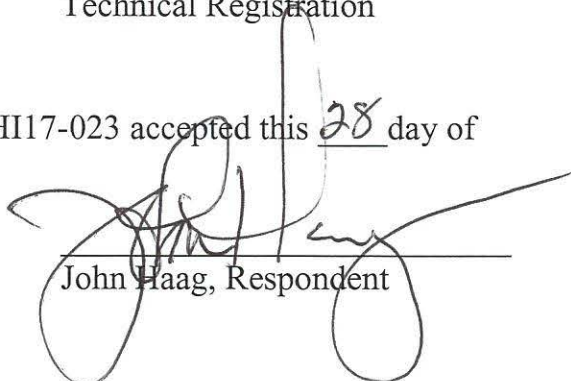
16 ACCEPTED and ORDERED this 24 day of October, 2017.

17
18
19 *Alejandro
Angel*

20 

Jason Madison, Chairman
Arizona State Board of
Technical Registration

21
22 Consent Agreement and Order, No. HI17-023 accepted this 28 day of
SEPTEMBER, 2017.

23
24 

John Haag, Respondent

25 **ORIGINAL** filed this 26th day of
26 OCTOBER, 2017, with:

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



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COPY of the foregoing mailed via Certified Mail
No. 9214 8901 9434 4600 0259 64 and
First Class mail this 26th day of October, 2017, to:

John Haag
Arizona State Prison, Tucson
Whitestone, P.O. Box 24402
Tucson, AZ 85734
ADC# 313970

By:  _____