

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

3 **In the Matter of:**
4 **Digital Home Inspections LLC.**
5 **Registration No. 20313**
6 **Respondent**

Case No.: HI17-024

CONSENT AGREEMENT
and
ORDER OF DISCIPLINE

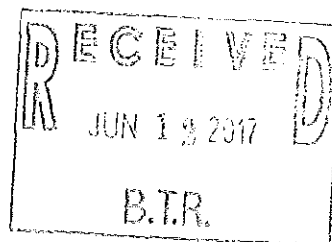
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9 In the interest of a prompt and judicious resolution of the above-captioned matter
10 before the Arizona State Board of Technical Registration ("Board") and consistent with
11 the public interest, statutory requirements, and the responsibilities 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 Digital Home Inspections LLC, ("Respondent Firm"), holder of firm Registration No.
14 20313, and the Board, enter into the following Recitals, Findings of Fact, Conclusions of
15 Law and Order ("Consent Agreement") as a 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 HI17-024 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 Inspections in the State of Arizona.

18 2. Respondent Firm is the holder of Arizona Firm Registration No. 20313.

19 3. On March 13, 2017, Respondent Firm submitted its Certificate of Liability
20 Insurance to the Board. While processing the certificate, it was discovered Respondent
21 Firm was not registered with the Board. It was also discovered Digital Home Inspections
22 had previously been named All Pro Home Inspections, Registration #12299 which
23 expired on May 31, 2015.

24 4. It was learned from Brent Jones, the owner of Digital Home Inspections and
25 past president of All Pro Home Inspections, that All Pro was dissolved in June of 2016
26 and absorbed into Digital Home Inspections, created in January of 2017. Mr. Jones
27 admitted negligence in allowing All Pro Home Inspections firm registration to lapse and
28 failing to register Digital Home Inspections.

1 5. On or about March 31, 2017, Respondent Firm became registered with the
2 Board.

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4 **CONCLUSIONS OF LAW**

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

6 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
7 pursuant to A.R.S. § 32-121 and A.R.S. § 32-141, in that Respondent Firm (All Pro
8 Home Inspections and later Digital Home Inspections) practiced or offered to practice a
9 Board regulated occupation without firm registration.

10 **ORDER**

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

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

15 2. ADMINISTRATIVE PENALTY. Within ten (10) months from the
16 effective date of this Consent Agreement, Respondent shall pay an administrative penalty
17 of One Thousand Five Hundred Dollars (\$1,500.00) by certified check or money order
18 made payable to the State of Arizona Board of Technical Registration with monthly
19 payments of One Hundred Fifty (\$150.00) Dollars.

20 3. COST OF INVESTIGATION. Within ten (10) months from the effective
21 date of this Consent Agreement, Respondent shall pay the cost of investigation of this
22 case to the Board in the amount of Four Hundred Seventy-Five Dollars (\$475.00) by
23 making monthly payments of Forty-Seven Dollars and fifty cents (\$47.50), in the form of
24 certified check or money order made payable to the State of Arizona Board of Technical
25 Registration, according to the provisions of A.R.S. § 32-128(H)..

26 4. OBEY ALL LAWS. Respondent shall obey all federal, state and local
27 laws, as well as, all rules governing the practice of Home Inspections in the State of
28 Arizona. The Board shall consider any violation of this paragraph to be a separate

1 violation of the rules and statues governing the Arizona Board of Technical Registration.
2 The Board may also consider Respondent's non-compliance with this Order as a separate
3 violation of A.R.S. § 32-150.


4 5. RENEWAL OF REGISTRATION. Respondent shall timely renew its
5 Arizona registration as a Home Inspection Firm, and timely pay all required annual
6 registration fees.

7 6. EFFECTIVE DATE. The effective date of this Consent Agreement is the
8 date the Respondent and Board sign the Consent Agreement. If the dates are different, the
9 effective date is the later of the two dates.

10 7. COSTS OF COMPLIANCE. Respondent shall pay all costs associated
11 with complying with this Consent Agreement.

12 8. NONCOMPLIANCE. If Respondent violates this Order in any way or fails
13 to fulfill the requirements of this Order, the Board, after giving notice and the opportunity
14 to be heard, may revoke, suspend or take other disciplinary actions against the
15 registration. The issue at such a hearing will be limited solely to whether this Order has
16 been violated.

17 ACCEPTED and ORDERED this ~~26~~ ^{27th} day of JUNE, 2017.

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20 
21 Jason Madison, Chairman
22 Arizona State Board of
23 Technical Registration

23 Consent Agreement and Order, No. HI17-024 accepted this 8th day of
24 JUNE, 2017.

25 
26 Brent Jones, on behalf of Digital Home
27 Inspections LLC, Respondent

28 ORIGINAL filed this 27 day of
JUNE, 2017, with

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

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4 **COPY** of the foregoing mailed via Certified Mail
No. 9214 8901 9434 4600 0194 20 and
5 First Class mail this ~~58th~~ day of JUNE, 2017, to:

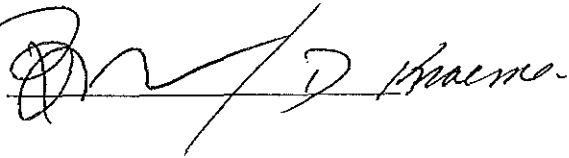
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7 Brent Jones
8 Digital Home Inspections LLC.
10115 E. Bell Rd. #107-462
9 Scottsdale, AZ 85260

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By: 

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