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

**In the Matter of:**

**Case No.: HI18-016**

**Christopher Koceja  
Home Inspector  
Certification No. 52358**

**CONSENT AGREEMENT  
and  
ORDER OF DISCIPLINE**

**Home Advantage Inspection, LLC  
Firm Registration No. 15902**

**Respondents**

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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, Christopher Koceja, (“Respondent”), holder of Certification No. 52358, and Home Advantage Inspection, firm registration No. 15902, (“Respondent Firm”), 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.

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**RECITALS**

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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.

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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.

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3. Respondent affirmatively agrees that this Consent Agreement shall be

1 irrevocable.

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

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

8 6. Respondent understands this Consent Agreement deals with Board case  
9 number HI18-016, involving allegations that Respondent engaged in conduct that would  
10 subject him to discipline under the Board's statutes and rules. The investigation into  
11 these allegations against Respondent shall be concluded upon the Board's adoption of  
12 this Consent Agreement.

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

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

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

27 10. This Consent Agreement is subject to the approval of the Board and is  
28 effective only when accepted by the Board and signed on behalf of the Board. If the

1 Board does not accept this Consent Agreement, the Board retains its authority to hold a  
2 formal administrative hearing pursuant to A.R.S. § 32-128(E). In the event that the  
3 Board does not approve this Consent Agreement, it is withdrawn and shall be of no  
4 evidentiary value and shall not be relied upon nor introduced in any action by any party,  
5 except that the parties agree that should the Board reject this Consent Agreement and this  
6 case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced  
7 by its review and discussion of this document or any records relating thereto.

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

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

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

16 **FINDINGS OF FACT**

17 1. The Board is the duly constituted authority for the regulation and control of  
18 the practice of Home Inspections in the State of Arizona.

19 2. Respondent is the holder of Arizona Certified Home Inspector No. 52538.

20 3. Respondents Firm is the holder of Firm Registration No.15902.

21 4. Between May 31, 2017, and September 21, 2017, Respondent Certification  
22 as a Home Inspector was delinquent.

23 5. Between May 19, 2017, and September 7, 2017, Respondents Firm  
24 registration was delinquent.

25 6. On July 12, 2017, the Respondent performed a home inspection and prepared  
26 a home inspection report through Respondent firm, for the property located at 1865 S.  
27 Hall Ave, Mesa, AZ.

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1           7.    On October 17, 2017, the Board received a complaint alleging that  
2 Respondent failed to conduct a home inspection in accordance with Standards of  
3 Professional Practice for Arizona Home Inspectors (“S.O.P.”) and while Respondent’s  
4 Certification was in a delinquent status.

5           8.    On May 31, 2018, an Enforcement Advisory Committee reviewed the case,  
6 and found the following:

7           a.    Respondent failed to observe the breakers and or fuses for compatibility  
8 and condition as required in S.O.P.# 8.1,

9           b.    Respondent failed to observe on the presence and visible condition of  
10 the automatic safety controls as required in S.O.P.# 9.1,

11           c.    Respondent failed to observe and report on the presence of the heating  
12 source in each room as required in S.O.P.# 9.1,

13           d.    Respondent failed to observe and report on the condition of the vapor  
14 retarder as required in S.O.P.# 12.0”.

15                                   **CONCLUSIONS OF LAW**

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

17           2.    The conduct alleged in the Findings of Fact constitutes grounds for discipline  
18 pursuant to A.R.S. § 32-128(C)(4) as it relates to A.A.C. R4-30-301.0.1, in that  
19 Respondent failed to conduct a Home Inspection in accordance with the Standards of  
20 Professional Practice for Arizona Home Inspectors.

21           3.    The conduct alleged in the Findings of Fact constitutes grounds for discipline  
22 pursuant to A.R.S. § 32-127-(D), A.R.S. § 32-144(E) and A.R.S. 32-145(1), in that  
23 Respondent engaged in the practice of Home Inspection on July 12, 2017, while his  
24 certification was in a delinquent status.

25           4.    The conduct alleged in the Findings of Facts constitutes grounds for discipline  
26 pursuant to A.R.S. § 32-121, and A.R.S. § 32-141(A), in that Respondent Firm conducted  
27 a home inspection on July 12, 2017, without registration with the Board.

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**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 sixty (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 sixty (60) 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 Ninety-Five Dollars (\$295.00) 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. **OBEY ALL LAWS.** Respondent shall obey all federal, state and local laws, as well as, all rules governing the practice of Home Inspector in the State of Arizona. The Board shall consider any violation of this paragraph to be a separate violation of the rules and statues governing the Arizona Board of Technical Registration. The Board may also consider Respondent's non-compliance with this Order as a separate violation of A.R.S. § 32-150.

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

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

7. **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

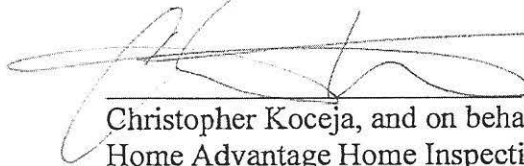
1 registration. The issue at such a hearing will be limited solely to whether this Order has  
2 been violated.

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4 ACCEPTED and ORDERED this 24<sup>TH</sup> day of July, 2018.

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7 Jason Foose, R.L.S.  
8 Vice Chairman, Arizona State  
9 Board of Technical Registration

10 Consent Agreement and Order, No. HI18-016, accepted this 13 day of  
11 JUNE, 2018.

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13 Christopher Koceja, and on behalf of  
14 Home Advantage Home Inspections,  
15 LLC, Respondents

16 ORIGINAL filed this 30 day of

17 August, 2018, with:

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

21 COPY of the foregoing mailed via Certified Mail  
22 No. 9214 8901 9734 4600 0400 28 and

23 First Class mail this 30 day of August, 2018, to:

24 Christopher Koceja  
25 Home Advantage Home Inspections, LLC  
26 10945 E. Roselle Ave.  
27 Mesa, AZ 85212

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By: 