

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

**In the Matter of:**

**Case No.: HI18-020**

**Rodney Harrison  
Certified Home Inspector  
Registration No. 58074**

**CONSENT AGREEMENT  
and  
ORDER OF DISCIPLINE**

**Respondent**

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, Rodney Harrison (“Respondent”), holder of Registration No. 58074, 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 HI18-020 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 is the holder of Arizona Certified Home Inspector Registration  
19 No. 58074.

20 3. On May 22, 2017, Board staff received Respondent's renewal application for  
21 Home Inspector in which he marked yes to the question of "Have you been convicted of a  
22 felony or misdemeanor other than a minor traffic violation since your last renewal".

23 4. Respondent failed to include a written explanation and court documents.

24 5. On December 22, 2017, Respondent submitted an explanation along with  
25 court documents showing his conviction of four counts of felony endangerment and one  
26 misdemeanor count of driving under the influence.

27 6. Respondent was involved in a four-vehicle collision on S.R. 60, causing  
28 serious injury to himself and three people while driving a company vehicle that displayed

1 the name of his Home Inspection firm on the doors.

2 **CONCLUSIONS OF LAW**

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

4 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline  
5 pursuant to A.R.S. § 32-128(C)(4) as it relates to A.A.C. R4-30-301(4), in that  
6 Respondent failed to comply with State, Municipal and County laws, codes, ordinances  
7 and regulations pertaining to the registrant's area of practice.

8 **ORDER**

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

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

13 2. STAYED SUSPENSION AND PROBATION. Respondent's registration as  
14 Certified Home Inspector, No. 58074, shall be suspended for twenty-two (22) months;  
15 however, the suspension is stayed for as long as Respondent remains in compliance with  
16 this Order and probation terms of CR2016-113160-001 DT. During the stay of  
17 suspension, Respondent's registration as a Certified Home Inspector is placed on  
18 probation for twenty-two (22) months. If Respondent is non-compliant with any terms of  
19 this Order and the terms of the criminal probation order during the twenty-two (22)  
20 months stayed suspension and probation period, the stay of the suspension shall be lifted  
21 and Respondent's registration as a Certified Home Inspector shall be automatically  
22 suspended without a formal hearing, and remain suspended until Respondent is compliant  
23 with all terms of this Order. If Respondent completes all terms of this Order prior to end  
24 of the twenty-two (22) month stayed suspension and probation period, Respondent may  
25 be eligible for early termination of probation.

26 3. COST OF INVESTIGATION. Within thirty (30) days from the effective date  
27 of this Consent Agreement, Respondent shall pay the cost of investigation of this case to  
28 the Board in the amount of Two Hundred Fifty-Seven Dollars (\$257.00) by certified

1 check or money order made payable to the State of Arizona Board of Technical  
2 Registration, according to the provisions of A.R.S. § 32-128(H).

3 4. OBEY ALL LAWS. During the probationary period, Respondent shall obey  
4 all federal, state and local laws, as well as, all rules governing the practice of Home  
5 Inspection in the State of Arizona. The Board shall consider any violation of this  
6 paragraph to be a separate violation of the rules and statues governing the Arizona Board  
7 of Technical Registration. The Board may also consider Respondent's non-compliance  
8 with this Order as a separate violation of A.R.S. § 32-150.

9 5. RENEWAL OF REGISTRATION. During the probationary period,  
10 Respondent shall timely renew his Arizona registration as a Home Inspector, and timely  
11 pay all required registration fees.

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


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

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

22  
23 ACCEPTED and ORDERED this 26 day of April, 2018.

24  
25   
26 \_\_\_\_\_  
27 Alejandro Angel, P.E., Chairman  
28 Arizona State Board of  
Technical Registration

1 Consent Agreement and Order, No. HI18-020 accepted this 18 day of  
2 APRIL, 2018.

3   
4 Rodney Harrison, Respondent

5 ORIGINAL filed this \_\_\_\_\_ day of  
6 \_\_\_\_\_, 2018, with:

7 Arizona State Board of Technical Registration  
8 1110 W. Washington, Suite 240  
9 Phoenix, AZ 85007

10 COPY of the foregoing mailed via Certified Mail  
11 No. \_\_\_\_\_ and

12 First Class mail this \_\_\_\_\_ day of \_\_\_\_\_, 2018, to:

13 Rodney Harrison  
14 ~~2741 W. Edgewater Way #52051~~  
15 ~~Chandler, AZ 85248~~

16 4980 S. ALMA SCHOOL RD.  
17 STE A2 #267  
18 CHANDLER, AZ 85248  
19 (BUSINESS ADDRESS)

20 HOME ADDRESS  
21 353 W. THOMPSON PL.  
22 CHANDLER, AZ 85286

23 By: \_\_\_\_\_

