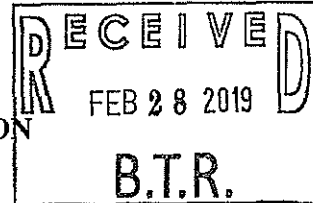


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BEFORE THE ARIZONA STATE  
BOARD OF TECHNICAL REGISTRATION



<p><b>In the Matter of:</b></p> <p><b>Christopher Sipe</b> <b>Home Inspector</b> <b>Registration No.62786</b></p> <p><b>Respondent</b></p>	<p><b>Case No. HI19-022</b></p> <p><b>CONSENT AGREEMENT</b> <b>and</b> <b>ORDER OF DISCIPLINE</b></p>
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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 Sipe ("Respondent"), holder of Registration No. 62786, 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.

1           3.       Respondent affirmatively agrees that this Consent Agreement shall be irrevocable.

2           4.       Respondent understands that this Consent Agreement or any part of the agreement  
3 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 public  
6 records (as defined in A.R.S. § 41-158.18) upon acceptance by the Board of this Consent  
7 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 number  
9 HI19-022 involving allegations that Respondent engaged in conduct that would subject him to  
10 discipline under the Board's statutes and rules. The investigation into these allegations against  
11 Respondent shall be concluded upon the Board's adoption of 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, and does  
14 not constitute any waiver, express or implied, of the Board's statutory authority or jurisdiction  
15 regarding any other pending or future investigation, action or proceeding.

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

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

24          10.       This Consent Agreement is subject to the approval of the Board and is effective  
25 only when accepted by the Board and signed on behalf of the Board. If the Board does not accept  
26 this Consent Agreement, the Board retains its authority to hold a formal administrative hearing  
27 pursuant to A.R.S. § 32-128(E). In the event that the Board does not approve this Consent  
28 Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor

1 introduced in any action by any party, except that the parties agree that should the Board reject  
2 this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that  
3 the Board was prejudiced by its review and discussion of this document or any records relating  
4 thereto.

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

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

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

12 **FINDINGS OF FACT**

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

15 2. Respondent is the holder of Home Inspection Certification No. 62786.

16 3. On or about April 3, 2018, Respondent conducted a Home Inspection at 2041 N.  
17 109 Ave., Avondale, AZ.

18 4. On or about November 5, 2018, the Board received a complaint alleging that  
19 Respondent failed to conduct a home inspection in accordance with the Standards of Professional  
20 Practice by failing to inspect and report on the condition of the foundation, floors, walls, ceiling,  
21 and doors in the hallway bathroom and laundry room. In addition, Respondent failed to provide a  
22 better understanding of the property condition.

23 5. On February 5, 2019, the Board's Enforcement Advisory Committee ("EAC")  
24 convened to review the complaint against Respondent. After reviewing the evidence and  
25 interviewing Respondent and Alleger, the Committee determined that Respondent failed to  
26 conduct a home inspection in accordance with the Standards of Professional Practice for Arizona  
27 Home Inspectors ("S.O.P") and found that:

28 a. Respondent failed to report on the condition of the foundation, floors, walls, and

- 1 ceiling as required in S.O.P.#4.1,
- 2 b. Respondent failed to report on the condition of the trusses as required in S.O.P.
- 3 #4.2,
- 4 c. Respondent failed to report on the condition of the pipe insulation as required in
- 5 S.O.P.#7.1,
- 6 d. Respondent failed to report on the type of furnace as required in S.O.P.#9.1,
- 7 e. Respondent failed to report on the presence and condition of automatic safety
- 8 controls as required in S.O.P.#9.1,
- 9 f. Respondent failed to report on the condition of HVAC air filters as required in
- 10 S.O.P. #9.1 and S.O.P. #10.1,
- 11 g. Respondent failed to report on the type of energy source as required in S.O.P. #9.2,
- 12 h. Respondent failed to report on the type of energy source for the AC as required in
- 13 S.O.P. #10.2,
- 14 i. Respondent failed to report on the type of vapor retarder as required in S.O.P.
- 15 #12.1.

16 **CONCLUSIONS OF LAW**

- 17 1. - The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq.
- 18 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
- 19 pursuant to A.R.S. § 32-128(C)(4) as it relates to A.A.C. R4-30-301.01, in that Respondent failed
- 20 to conduct a Home Inspection in accordance with the Standards of Professional Practice for
- 21 Arizona Home Inspectors.

22 **ORDER**

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

24 Order:

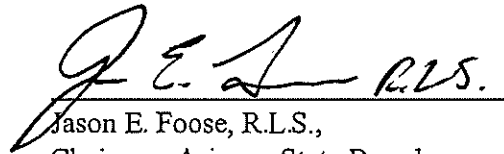
- 25 1. **RESTITUTION.** Within thirty (30) days from the effective date of this Consent
- 26 Agreement, Respondent shall pay restitution to the client, Daniel Britt, in the amount of Three
- 27 Hundred and Thirty Dollars (\$330.00) for the cost of the home inspection fee related to case
- 28 HI19-022. Respondent shall provide proof of payment made to the client, such as a copy of the

1 check, to the Board of Technical Registration showing payment was made to the client.

2 2. **VOLUNTARY SURRENDER.** Respondent agrees to voluntarily surrender his  
3 Certified Home Inspector Registration No. 62786 in lieu of a formal hearing.

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

7  
8 ACCEPTED and ORDERED this 26<sup>TH</sup> day of MARCH, 2019.

9  
10 

11 Jason E. Foose, R.L.S.,  
12 Chairman Arizona State Board  
of Technical Registration

13  
14 Consent Agreement and Order, No. HI19-022 accepted this 25 day of February, 2019.

15   
16 Christopher Sipe, Respondent

17 **ORIGINAL** filed this 28 day of

18 MARCH, 2019, with:

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

21 **COPY** of the foregoing mailed via Certified Mail

22 No. 9214 8901 9434 4600 0524 65 and

23 First Class mail this 28 day of MARCH, 2019, to:

24 Christopher Sipe  
25 6479 Wild Cat Way  
Pinetop, AZ 85935

26  
27  
28 By: 