

BEFORE THE ARIZONA STATE
BOARD OF TECHNICAL REGISTRATION

<p>In the Matter of:</p> <p>Gregory DeBenedetti Certified Home Inspector Registration No. 60521</p> <p>Pueblo Home Inspections Firm Registration No. 13727 (Exp-4/30/15)</p> <p style="text-align: center;">Respondents</p>	<p style="text-align: center;">Case No. HI20-008</p> <p style="text-align: center;">CONSENT AGREEMENT and ORDER OF DISCIPLINE</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, Gregory DeBenedetti (“Respondent and Principal of Pueblo Home Inspections ”), holder of registration Home Inspector Certification No. 60521 and Pueblo Home Inspections (“Respondent Firm”) Firm Registration No. 13727 (expired 4/30/15), 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

1 as rights of rehearing, review, reconsideration, appeal, judicial review or any other administrative
2 and/or judicial action concerning the matters set forth herein.

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

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

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

10 6. Respondent understands this Consent Agreement deals with Board case number
11 HI20-008 involving allegations that Respondent engaged in conduct that would subject him to
12 discipline under the Board's statutes and rules. The investigation into these allegations against
13 Respondent shall be concluded upon the Board's adoption of this Consent Agreement.

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

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

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

26 10. This Consent Agreement is subject to the approval of the Board and is effective
27 only when accepted by the Board and signed on behalf of the Board. If the Board does not accept
28 this Consent Agreement, the Board retains its authority to hold a formal administrative hearing

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

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

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

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

14 **FINDINGS OF FACT**

15 1. The Board is the duly constituted authority for the regulation and control of the
16 practice of Home Inspectors in the State of Arizona.

17 2. Respondent is the holder of Arizona Certified Home Inspector, Registration No.
18 60521.

19 3. Between August 8, 2019 and August 20, 2019, Respondent's registration with the
20 Board was in a delinquent status.

21 4. Between August 20, 2019 and August 28, 2019, Respondent's registration with the
22 Board was suspended for failure to provide proof of financial assurance. Respondent's
23 registration was restored to active status on August 29, 2019.

24 5. Respondent is the owner and sole employee of Respondent Firm.

25 6. Respondent Firm's registration No. 13727 expired with the Board on April 30,
26 2015, and has not been renewed.

27 7. Since April 30, 2015, Respondent and Respondent Firm have advertised and
28 engaged in the practice of home inspection without firm registration with the Board.

1 CONCLUSIONS OF LAW

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

3 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
4 pursuant to A.R.S. § 32-141, in that Respondent Firm practiced or offered to practice a Board
5 regulated profession without firm registration.

6 3. The conduct alleged in the Findings of Fact constitutes grounds for discipline
7 pursuant to A.R.S. 32-127(D), A.R.S. 32-144(E), and A.R.S. 32-145(1) as Respondent engaged
8 in the practice of Home Inspection while his certification was expired and in a delinquent status.

9 ORDER

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

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

13 2. ADMINISTRATIVE PENALTY. Within thirty (30) days from the effective
14 date of this Consent Agreement, Respondent shall pay an administrative penalty of Five Hundred
15 Dollars (\$500.00) by certified check or money order made payable to the State of Arizona Board
16 of Technical Registration.

17 3. COST OF INVESTIGATION. Within thirty (30) days from the effective date of
18 this Consent Agreement, Respondent shall pay the cost of investigation of this case to the Board
19 in the amount of Two Hundred Twenty Dollars (\$220.00) by certified check or money order made
20 payable to the State of Arizona Board of Technical Registration, according to the provisions of
21 A.R.S. § 32-128(H).

22 4. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, as
23 well as, all rules governing the practice of Home Inspectors in the State of Arizona. The Board
24 shall consider any violation of this paragraph to be a separate violation of the rules and statutes
25 governing the Arizona Board of Technical Registration. The Board may also consider
26 Respondent's non-compliance with this Order as a separate violation of A.R.S. § 32-150.

27 5. RENEWAL OF REGISTRATION. Respondent and Respondent Firm shall timely
28 renew their Arizona registration as a Home Inspector and a Home Inspection Firm, and timely

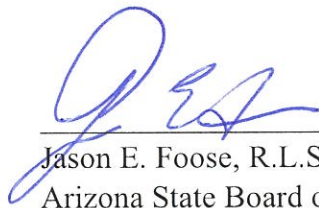
1 pay all required registration fees.

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


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

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

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12 ACCEPTED and ORDERED this 16TH day of DECEMBER, 2019.

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16 _____
17 Jason E. Foose, R.L.S., Chairman
18 Arizona State Board of
19 Technical Registration

20 Consent Agreement and Order, No. HI20-008 accepted this 3rd day of December, 2019.

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22 _____
23 Gregory DeBenedetti, on behalf of
24 himself and Pueblo Home Inspections, Inc.
25 Respondents

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28 ORIGINAL filed this 12 day of
DECEMBER, 2019, with:

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

COPY of the foregoing mailed via Certified Mail

No. 9214 8701 9434 4600 0644 44 and

First Class mail this 12th day of December, 2019, to:

Gregory DeBenedetti
2700 N La Cienega Dr
Tucson, AZ 85715

By:  _____