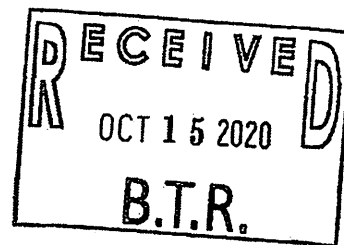


BEFORE THE ARIZONA STATE
BOARD OF TECHNICAL REGISTRATION



<p>In the Matter of:</p> <p>Steve Tinsley Certification No. 62662</p> <p>Platinum Property Inspections Firm Registration No. 22590</p> <p>Respondents</p>	<p>Case No. HI20-032</p> <p>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, Steve Tinsley ("Respondent"), holder of Registration No. 626662 and Platinum Property Inspections, (Respondent Firm), holder of Registration No. 22590 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 HI20-032 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 Certified Home Inspectors in the State of Arizona.

15 2. Respondent is the holder of Certification No. 62662. Respondent is the principal of
16 Platinum Property Inspections, current Registration No. 22590.

17 3. On April 20, 2020 Board staff received a complaint alleging that Respondent failed
18 to observe and report on the presence of mold near the hot water heater and evidence of water
19 damage in the kitchen while conducting a home inspection at 9075 E. Cranberry Road in Dewey,
20 Arizona, on or about October 23, 2019. It was further alleged that Respondent Firm engaged in
21 the practice of home inspection without firm registration with the board.

22 4. On May 7, 2020 Board staff spoke with Respondent, who stated that he was
23 unaware that he needed to have his firm registered with the Board. Respondent stated he would
24 complete the registration and provide Board staff with confirmation once received. Respondent
25 stated that he did not evaluate the home for mold, noting he was not qualified to determine the
26 presence of mold. Board staff requested that Respondent send his response in writing.

27 5. On May 13, 2020 Board staff received Respondent's response to the allegations.
28 Respondent agreed that Platinum Property Inspections was not registered with the Board at the

1 time this home inspection was conducted. Respondent again stated that he is not a mold
2 inspector and was unable to determine if a small dark spot on the wall next to the water heater gas
3 valve was mold or a scuff mark on the wall. Respondent stated that the "excessive mold" was
4 covered up by baseboards and flooring.

5 6. On May 14, 2020 Respondent Firm was issued Registration No. 22590.

6 7. On September 24, 2020 the Board's Enforcement Advisory Committee ("EAC")
7 convened to review the complaint against the Respondent. Committee members discussed the
8 allegation of the presence of visible mold and water damage, noting that the discovery of
9 extensive mold and water damage occurred only after the Alleger had the floors and baseboards
10 lifted/removed and occurred approximately 60 days after the home inspection. Based on this,
11 committee members were unable to substantiate the allegation of visible mold and water damage.
12 After reviewing other evidence submitted, the Committee determined that the report failed to
13 meet the Standards of Professional Practice for Arizona Home Inspectors ("S.O.P.") and found
14 that:

- 15 A. Respondent failed to report on the type of ceiling structure present as
16 required by S.O.P. 4.2
- 17 B. Respondent failed to report the methods used to inspect the roofing as
18 required by S.O.P. 6.2
- 19 C. Respondent failed to report the method used to inspect underfloor
20 crawlspaces and attics as required by S.O.P. 4.2
- 21 D. Respondent failed to report on functional flow as required in S.O.P. 7.1
- 22 E. Respondent failed to report on cross connections as required by S.O.P. 7.1
- 23 F. Respondent failed to report on functional drainage as required by S.O.P. 7.1
- 24 G. Respondent failed to observe and report service conductor type and
25 condition as required by S.O.P. 8.1
- 26 H. Respondent failed to report on the condition of grounding as required by
27 S.O.P. 8.1
- 28 I. Respondent failed to report on the type and condition and condition of the

1 heating equipment as required by S.O.P. 9.1

2 J. Respondent failed to report on the installed heat source in each room as
3 required by S.O.P. 9.1

4 K. Respondent failed to report on the energy source as required by S.O.P. 9.2

5 L. Respondent failed to observe and report on the cooling and air handling
6 equipment as required by S.O.P. 10.1

7
8 **CONCLUSIONS OF LAW**

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

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

14 3. The conduct alleged in the Findings of Fact constitutes grounds for discipline
15 pursuant to A.R.S. 32-141 in that Respondent and Respondent Firm practiced a Board regulated
16 profession without firm registration with the Board.

17 **ORDER**

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

20 1. **ADMINISTRATIVE PENALTY.** Within sixty days (60) days from the effective
21 date of this Consent Agreement, Respondent shall pay an administrative penalty of Seven
22 Hundred Fifty dollars (\$750.00) by certified check or money order made payable to the State of
23 Arizona Board of Technical Registration.

24 2. **COST OF INVESTIGATION.** Within thirty (30) days from the effective date of
25 this Consent Agreement, Respondent shall pay the cost of investigation of this case to the Board
26 in the amount of Three Hundred Eighty Five Dollars (\$385.00) by certified check or money order
27 made payable to the State of Arizona Board of Technical Registration, according to the
28 provisions of A.R.S. § 32-128(H).

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

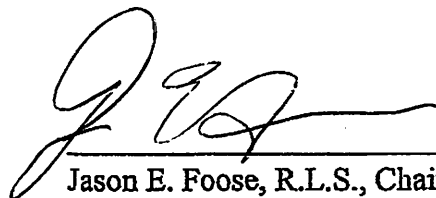
6 4. RENEWAL OF REGISTRATION. Respondent and Respondent Firm shall timely
7 renew their Arizona registration as an Home Inspection Firm, and timely pay all required
8 registration fees.

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

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

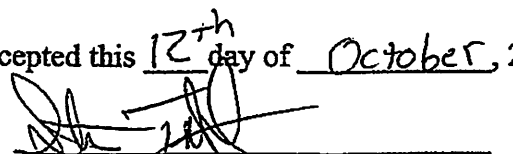
14 7. NONCOMPLIANCE. If Respondent violates this Order in any way or fails to
15 fulfill the requirements of this Order, the Board, after giving notice and the opportunity to be
16 heard, may revoke, suspend or take other disciplinary actions against the registration. The issue
17 at such a hearing will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

18
19 ACCEPTED and ORDERED this 8th day of DECEMBER, 2020.

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22 

23 Jason E. Foose, R.L.S., Chairman
24 Arizona State Board of
25 Technical Registration

26 Consent Agreement and Order, No. HI20-032 accepted this 12th day of October, 2020.

27 
28 Steve Tinsley and Platinum Property
Inspections, Respondents

1 ORIGINAL filed this 8th day of

2 December, 2020, with:

3
4
5 Arizona State Board of Technical Registration
6 1110 W. Washington, Suite 240
7 Phoenix, AZ 85007

8 COPY of the foregoing mailed via ~~Certified~~ Mail
9 No. USPS and
10 First Class mail this 10th day of December, 2020, to:

11 Steve Tinsley
12 Platinum Property Inspections
13 P.O. Box 11326
14 Chino Valley, Arizona 86323

15 By: 