

Arizona State Board of Technical Registration
Enforcement Cases Resolved with Board Orders

Case No. & Respondent	Summary of Findings	Board Action
<p>AL17-011 Premise Communications, LLC Alarm Business #18979</p>	<p>Respondent Alarm Business operated without an active and valid controlling person between December 2014 and February 2017. In violation of A.R.S. §32-32-141 and A.R.S. §32-122.05.</p>	<p>On April 25, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Administrative penalty • Cost of Investigation
<p>P17-042 Donald Surface Land Surveyor #16203</p> <p>Surface Engineering Firm #16370</p>	<p>Respondent failed to conduct Land Survey in accordance to Arizona Boundary Minimum Standards. Respondent practiced a Board regulated profession through and unregistered firm. Respondent Firm engaged in practice of Board regulated profession without registration. Respondent failed to show all monuments necessary for interpretation and locations of points, lines and areas on multiple surveys. In violation of A.R.S. §32-128(C)(4) as it relates to A.A.C. R4-30-301(13), A.R.S. §32-121, A.R.S. §32-141, A.R.S. §32-128 (C)(4) as it relates to A.A.C. R4-30-301(4) and A.R.S. §33-105(C)(1)(5).</p>	<p>On April 25, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Voluntary Surrender
<p>Case No.: AL16-008 Paul Varley Alarm Agent No. 57759</p>	<p>Respondent failed to comply with the final Order of the Board in violation of A.R.S. §32-150.</p>	<p>On April 25, 2017, the Board voted to lift the stay of Revocation of registration.</p>
<p>Case No. P16-015 Michael Bostic Geologist 35021</p>	<p>Respondent failed to disclose material facts requested by the Board, with regard to arrest warrants associated with DUI charges, in connection with an application for registration in violation of A.R.S. 32-128 (C)(4) as it related to A.A.C. R4-30-301 (1) and Respondent failed to comply with a Board issued subpoena in violation of A.R.S. § 32-128(C)(4) as it relates to A.A.C. R4-30-301(14)</p>	<p>On April 25, 2017, the Board voted to deem allegations admitted, adopt the findings of fact and conclusions of law, and issued an Order to include a Administrative Penalty and the Cost of Investigation to be paid within one year, Suspension of Registration for three years but reduced to one year if all other terms satisfied, and, the Board's continued jurisdiction over this matter.</p>
<p>P17-047 Stacy Waite Land Surveyor #53794</p> <p>J. Marbles Land Surveying LLC Firm #17927</p>	<p>Respondent Firm practice a Board regulated profession without registration. Respondent provided services through an unregistered firm. Respondent failed to sign and seal a profession document before giving it to the client. In violation of: A.R.S. §32-141, A.R.S. §32-128(C)(4) as it relates to A.A.C. R4-30-31(20), A.A.C. R4-30-301(4) and A.A.C. R4-30-304(D) and A.R.S. §32-125(B).</p>	<p>On May 9, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Administrative Penalty • Cost of Investigation

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<p>HI17-022 Martin Rosso Certified Home Inspector #50623</p>	<p>Respondent practice a Board regulated occupation without an active and valid certificate. In violation of A.R.S. §32-145 (1) and A.R.S. § 32-127(D).</p>	<p>On May 23, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Administrative Penalty • Cost of Investigation
<p>P17-077 Site Works, LLC Non-Registrant Firm</p>	<p>Respondent Firm engaged in the practice of a Board Regulated profession without firm registration. In violation of A.R.S. §32-141.</p>	<p>On May 23, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Assurance of Discontinuance • Civil Penalty • Cost of Investigation
<p>P17-059 Jamie W. Richards Non-Registrant</p>	<p>Respondent advertised to the public that he is registered to practice a Board regulated profession. In violation of A.R.S. §32-145(2).</p>	<p>On May 23, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Assurance of Discontinuance • Civil Penalty • Cost of Investigation
<p>P17-023 & P17-070 Craig Smith Non-Registrant</p>	<p>Respondent, a non-registrant, caused or permitted the illegal use of a registrant's seal and signature. Respondent use the certificate of registration of another. In violation of A.R.S. §32-125(D) and A.R.S. §32-125(4).</p>	<p>On May 23, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Assurance of Discontinuance • Civil Penalty • Cost of Investigation
<p>P15-015 Vincent Dalke Architect #30769</p>	<p>Respondent demonstrates gross negligence and misconduct. In violation of: A.R.S. §32-128(C)(2).</p>	<p>On June 2, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Suspension of Registration • Probation Registration • Professional Ethics Class

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		<ul style="list-style-type: none"> • Administrative Penalty • Cost of Investigation
<p>AL17-015 Shane George Non-registrant</p>	<p>Respondent engaged in occupation of Alarm Agency with Board registration. In violation of A.R.S. §32-121 and A.R.S. §32-145(1).</p>	<p>On June 6, 2017, the Board accepted Respondent’s signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Assurance of Discontinuance • Civil Penalty • Cost of Investigation
<p>P17-022 Eric Shawd P.E. (Civil) #49121</p>	<p>Respondent aided and abetted an unregistered person and knowingly conspired with an unregistered person by allowing a registrant’s seal and signature to be used. In violation of A.R.S . §32-128(C)(3) as it relates to A.A.C. R4-30-301(20).</p>	<p>On June 27, 2017, the Board accepted Respondent’s signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Stayed Suspension and Probation • Administrative Penalty • Cost of Investigation
<p>P17-058 Perry Kampa P.E. (Civil) #53690</p> <p>Pure Focus, LLC Non-Registrant Firm</p>	<p>Respondent demonstrated gross negligence. Respondent failed to apply appropriate skill and knowledge while providing professional engineering services. Respondent engaged in engineering through an unregistered firm. Respondent failed to use a seal appropriate for the Respondent’s registered branch of engineering. Respondent failed to file with the Board an imprint of seal, original signature and affidavit regarding use of seal. Respondent Firm engaged in practice of a Board regulated profession without firm registration. In violation of A.R.S. §32-128(C)(2), A.R.S. § 32-128(C)(4) as it relates to A.A.C. R4-30-301(6) ,A.A.C. R30-301(4) and A.A.C. R4-30-303(B). In violation of A.R.S.§ 32-125(A) and A.R.S. §32-141(A).</p>	<p>On June 27, 2017, the Board accepted Respondent’s signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Stayed Suspension and Probation • Indefinite Restriction of Practice • Peer Review • Remedial Education • Administrative Penalty • Cost of Investigation

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Case No. & Respondent	Summary of Findings	Board Action
<p>Carlos Padilla Land Surveyor 46474</p>	<p>*A recurrent charge was that Respondent failed to timely record the results of a survey in violation of A.R.S. §§ 33-105 and 32-128(C)(4), A.A.C. R4-30-301(13), and ABSMS #13.</p> <p>*Respondent misrepresented that he would obtain client's approval before he recorded the results of survey because no statute, regulation, or ABSMS allows a surveyor to condition his obligation to record a results of survey drawing on a client's approval in violation of A.R.S. § 32-128(C)(4) and A.A.C. R4-30-301 (2).</p>	<p>On June 27, 2017, the Board voted to adopt the Administrative Law Judge's recommended modified findings of fact, modified conclusions of law and issue a modified Order to include Revocation of Registration, the Cost of Investigation, the Cost of Attorney's Fees and Hearing, and Restitution to individuals involved.</p>
<p>M13-002</p>	<p>*No statute, regulation, or ABSMS allows a surveyor to avoid responsibility for recording monuments that he sets by delegating the task to another or allows a surveyor to delay recording monuments that he has set until after the local governmental authority has approved a contemplated land split; the Board therefore established cause to discipline Respondent under A.R.S. § 32-128(C)(4), A.A.C. R4-30-301(13), and ABSMS #13.</p>	
<p>M13-033</p>		

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A13-015	<p>*The Board established that Respondent misrepresented his connection to another registrant, his competence to perform an ALTA/ACSM survey, and his ability to meet deadlines imposed by the City of Phoenix to perform a survey to support a use permit application for a marijuana dispensary; the Board therefore established cause to discipline Respondent under A.R.S. §32-128(C)(4), A.A.C. R4-30-301(13), and ABSMS #13.</p> <p>*</p> <p>*Respondent failed to apply the appropriate technical knowledge and skill that would be applied by other qualified registrants in violation of A.R.S. § 32-128(C)(4) and A.A.C. R4-30-301(6).</p> <p>*Respondent failed to comply with ABSMS #12(A), and #14(E) (2)(a) and (b) in the legal description on his drawing.</p>
A13-018	<p>*Respondent misrepresented his ability to meet promised deadlines, provided a misleading survey certification, and concealed his error in locating and twice confirming an incorrect property corner. The Board thereby established cause to discipline Respondent's registration under A.R.S. § 32-128(C)(4) and A.A.C. R4-30-301(2).</p> <p>*Respondent's survey, if he actually performed one, fell below the standard of care for registered surveyors, thereby establishing cause to discipline Respondent's registration under A.R.S. § 32-128(C)(4) and A.A.C. R4-30-301(6).</p> <p>*Respondent failed to comply with ABSMS #2 by failing to obtain and examine record documents when he performed the survey for client, thereby establishing cause to discipline Mr. Padilla's registration under A.R.S. § 32-128(C)(4) and A.A.C. R4-30-301(3).</p>
P14-082	<p>*Respondent misrepresented his connection to another registrant and ability to comply with SRP's requirements in violation of A.R.S. §32-128(C)(4) and AA.C. R4-30-301 (2)</p>

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Case No. & Respondent	Summary of Findings
<p>P15-045</p>	<p>*Respondent's survey fell below the standard of care for registered surveyors, thereby establishing cause to discipline Respondent's registration under A.R.S. § 32-128(C)(4) and A.A.C. R4-30-301(6).</p> <p>*Respondent failed to consider the GLO monument for client's aliquot parcel, and failed to consider the pool and client's neighbor's roof in setting his monuments and determining the property line, in violation of ABSMS #2, #3, and #4; Respondent violated ABSMS 13(C) by setting monuments without recording a drawing that showed the monuments; thereby establishing cause to discipline Respondent's registration under A.R.S. A.R.S. § 32-128(C)(4) and A.AC. R4-30-301(13).</p> <p>*The Board established that Respondent failed to sign, date, and seal a professional document, even though the document was prepared for the purpose of dispute resolution, in violation of A.AC. R4-30-304(D)(2).</p>
<p>P15-090</p>	<p>*The Board established that Respondent accepted client's payment up front, then promised client that the survey would take about a week. The project took five months to complete and, as of December 2016, client still had not received a drawing. The Board thereby established cause to discipline Mr. Padilla's registration under A.R.S. § 32-128(C)(4) and A.A.C. R4-30-301(2).</p> <p>*The Board established that in performing client's survey, Respondent relied exclusively on mathematical calculations to reject existing monuments at all four corners of the property, instead of also considering recorded documents and fences and other physical evidence, and failed to contact the surveyor whose monuments he rejected, in violation of ABSMS #1, #2, #4, #7, and #8(A). The Board thereby established cause to discipline Mr. Padilla's registration under A.R.S. § 32-128(C)(4) and A.A.C. R4-30-301 (13).</p> <p>*Respondent's survey fell below the standard of care for registered surveyors, thereby establishing cause to discipline Respondent's registration under A.R.S. § 32-128(C)(4) and A.A.C. R4-30-301(6).</p>

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Case No. & Respondent	Summary of Findings	Board Action
<p>P17-068 James Elson R.A. #11005</p>	<p>Respondent failed to comply with the terms and conditions in Board's Order of Discipline for case Numbers P16-055 and P16-060. In violation of A.R.S. §32-150.</p>	<p>On June 27, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Cost of Investigation
<p>Digital Home Inspections, LLC Firm #20313</p>	<p>Respondent Firm practiced or offered to practice a Board regulated occupation without firm registration. In violation of A.R.S. §32-121 and A.R.S. §32-141.</p>	<p>On June 27, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Administrative Penalty • Cost of Investigation
<p>Matt Davison C.H.I #39086</p> <p>A-Z Home Inspections Firm #12115</p>	<p>Respondent conducted a home inspection in the month of June 2016 through and unregistered firm. Respondent failed to conduct a home inspection in accordance with Standards of Professional Practice for Arizona Home Inspectors. In violation of A.R.S. §32-121, A.R.S. §32-141(A) and A.R.S. §32-128(C)(4) as it relates to A.A.C. R4-301.1(A).</p>	<p>On June 27, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Stayed Suspension and Probation • Restitution to Client • Peer Review • Administrative Penalty • Cost of Investigation
<p>Robert Vaught C.H.I #40688</p> <p>I.Q Home Inspections, LLC Firm #13797</p>	<p>Respondent, as the Respondent Firm Principal, shall be responsible for Firm's employee who conduct home inspections through Respondent Firm that was not registered with the Board. Respondent Firm practiced Board regulated occupation without registration. In violation of A.A.C. R4-30-301(20) and A.R.S. §32-141.</p>	<p>On July 27, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Administrative Penalty • Cost of Investigation

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<p>Gonzalo Marquez C.H.I #54583</p> <p>Casas & Home, Home Inspections Firm #17870</p>	<p>Respondent Firm engaged in the practice of Board regulated occupation without firm registration. Respondent failed to conduct a Home Inspection in accordance with the Standards of Professional Practice for Arizona Home Inspectors. In violation of A.R.S. §32-141, A.R.S. §32-121 and A.R.S. §32-128(C)(4) as it related to R4-30-301.01.</p>	<p>On July 27, 2017, the Board accepted Respondent’s signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Administrative Penalty • Cost of Investigation
<p>P17-051 Tyler Green R.A. #21939</p>	<p>Respondent demonstrated gross negligence. Respondent aided and abetted an unregistered person to evade Board Statutes by signing and sealing plans that were prepared by a non-registrant. Respondent failed to apply the appropriate skill and technical knowledge that would be applied by other qualified registrants. Respondent signed, stamped and sealed professional documents not prepared by Respondent or a bona fide employee. Respondent accepted a professional engagement outside of Respondent’s professional registration without being qualified. In violation of A.R.S. §32- 128(C)(2), A.R.S. §32-128(C)(4) as related to A.A.C. R4-30-301(6)(16)(17).</p>	<p>On July 27, 2017, the Board accepted Respondent’s signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Assurance of Discontinuance • Stayed Suspension and Probation • Professional Ethics Course • Administrative Penalty • Cost of Investigation

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<p>P17-100 Gordon McGee R.A. #13598</p> <p>Perez McGee, INC. Firm #20473</p>	<p>Respondent engaged in Architect through an unregistered firm. Respondent Firm engaged in the practice of a Board regulated occupation without registration. In violation of A.R.S. §32-128(C)(4) as it relates to A.A.C. R4-30-301(4) and A.R.S. §32-141(A).</p>	<p>On July 27, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Administrative Penalty • Cost of Investigation
<p>P17-098 Duane DeLarco Non-Registrant</p> <p>First American Solar Technology Non-Registrant Firm</p>	<p>Respondent practiced or offered to practice a Board regulated profession without registration on several profession projects. Respondent advertised or displayed a device to indicate to the public he is qualified to practice a Board regulated profession without registration. Respondent used the title of Professional Engineer without registration. Respondent fraudulently used the registration of another by stamping and sealing professional documents on several professional projects. Respondent illegally used a registrant's seal registration number on documents prepared by a non-registrant on several professional projects. Respondent Firm practiced a Board regulated profession without Board registration on several professional projects. In violation of A.R.S. §32-145(1)(2)(3)(4), A.R.S. §32-125(D) and A.R.S. §32-141.</p>	<p>On August 29, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Assurance of Discontinuance • Civil Penalty • Cost of Investigation
<p>AL17-016 Krista Peru A.C.P #58676</p> <p>RK Marketing LLC Firm #18905</p>	<p>Respondent and Respondent Alarm Business aided and abetted Shane George, and unlicensed employee to sell and install alarm systems. Respondent Alarm Business conducted and advertised Alarm Business activities in Arizona with an expired certification. In violation of A.R.S. §32-</p>	<p>On August 29, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Administrative Penalty • Cost of Investigation

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	128(C)(3), A.R.S. §32-121, A.R.S. §32-122.05 and A.R.S. §32-141(A).	
Case No.: P17-045 Christopher DePrima Engineer 48220	Respondent aided and abetted the practice of an unregistered person in violation of A.R.S. §32-128(C) (3).	On August 29, 2017, the Board accepted Respondent's signed Consent Agreement encompassing the following Order: <ul style="list-style-type: none"> • Voluntary Surrender