

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

3 **In the Matter of:**

**Case No.: HI23-001**

4 **Kent Dean**  
5 **Certified Home Inspector**  
6 **Certification No. 39959**

**CONSENT AGREEMENT**  
**and**  
**ORDER OF DISCIPLINE**

7 **Respondent**

8  
9 In the interest of a prompt and judicious resolution of the above-captioned matter  
10 before the Arizona State Board of Technical Registration (“Board”) and consistent with  
11 the public interest, statutory requirements, and the responsibilities of the Board, and  
12 pursuant to A.R.S. § 32-101 et seq., and A.A.C. R4-30-120(G), the undersigned party,  
13 Kent Dean (“Respondent”), holder of Certification No. 39959 and the Board enter into  
14 the following Recitals, Findings of Fact, Conclusions of Law and Order (“Consent  
15 Agreement”) as a final disposition of this matter.

16 **RECITALS**

17 1. Respondent has read and understands this Consent Agreement and has had  
18 the opportunity to discuss this Consent Agreement with an attorney, or has waived the  
19 opportunity to discuss this Consent Agreement with an attorney.

20 2. Respondent understands that he has a right to a public administrative hearing  
21 concerning this case. He further acknowledges that at such formal hearing he could  
22 present evidence and cross-examine witnesses. By entering into this Consent Agreement,  
23 Respondent knowingly, voluntarily, and irrevocably waives his right to such an  
24 administrative hearing, as well as rights of rehearing, review, reconsideration, appeal,  
25 judicial review or any other administrative and/or judicial action concerning the matters  
26 set forth herein.

27 3. Respondent affirmatively agrees that this Consent Agreement shall be  
28 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 upon acceptance by the Board of this Consent Agreement and may be  
6 retained in the Board’s files pertaining to this matter.

7           6.    Respondent understands this Consent Agreement deals with Board case  
8 number HI23-001 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 Inspection in the State of Arizona.

18 2. Respondent is the holder of Home Inspector Certification No. 39959.

19 3. On or about May 24, 2022, Respondent conducted a home inspection at  
20 52873 West Sunbake Lane in Maricopa, Arizona.

21 4. On or about July 5, 2022, Alleger filed a complaint with the Board alleging  
22 that Respondent failed to accurately report on loose windows, failed to accurately report  
23 on doors that did not close properly, failed to accurately report on the HVAC system and  
24 duct work, and failed to inspect and report on the underbelly of the home.

25 5. On October 27, 2022, an Enforcement Advisory Committee (EAC) meeting  
26 was held to discuss the case. After reviewing the evidence and interviewing Alleger and  
27 Respondent, the Committee did not find the original allegations to be substantiated but  
28 did find that Respondent failed to conduct a home inspection in accordance with the

1 Standards of Professional Practice for Arizona Home Inspector (“S.O.P”) and found that:

2 a) Respondent failed to include the legible name of the inspector in the  
3 agreement as required in S.O.P. #2.2,

4 b) Respondent failed to report on the floor structure as required in S.O.P.  
5 #4.1,

6 c) Respondent failed to report on the condition of wall structure as required  
7 in S.O.P. #4.1,

8 d) Respondent failed to report on the condition of the ceiling structure as  
9 required in S.O.P. #4.1,

10 e) Respondent failed to report on the method of observation for the crawl  
11 space as required in S.O.P. #4.1,

12 f) Respondent failed to report on the condition of railings as required in  
13 S.O.P. #5.1.

14 **CONCLUSIONS OF LAW**

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

16 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline  
17 pursuant to A.R.S. § 32-128(C) (4) as it relates to A.A.C. R4-30-301.01, in that  
18 Respondent failed to conduct a home inspection in accordance with the Standards of  
19 Professional Practice for Arizona Home Inspectors.

20 **ORDER**

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

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

25 2. ADMINISTRATIVE PENALTY. Within thirty (30) days from the  
26 effective date of this Consent Agreement, Respondent shall pay an administrative penalty  
27 of Two Hundred and Fifty Dollars (\$250.00) by certified check or money order made  
28 payable to the State of Arizona Board of Technical Registration.

1           3.       COST OF INVESTIGATION. Within thirty (30) days from the effective  
2 date of this Consent Agreement, Respondent shall pay the cost of investigation of this  
3 case to the Board in the amount of Three Hundred Seventy Five Dollars (\$375.00) by  
4 certified check or money order made payable to the State of Arizona Board of Technical  
5 Registration, according to the provisions of A.R.S. § 32-128(H).

6           4.       REMEDIAL TRAINING. Within sixty (60) days of the effective date of  
7 this Consent Agreement, Respondent shall submit a course(s) for Board pre-approval.  
8 Upon approval, Respondent shall complete a course regarding Home Inspection Report  
9 writing and provide proof to the Board that he has successfully completed the course(s).

10          5.       OBEY ALL LAWS. Respondent shall obey all federal, state and local  
11 laws, as well as, all rules governing the practice of Professional Home Inspection in the  
12 State of Arizona. The Board shall consider any violation of this paragraph to be a  
13 separate violation of the rules and statues governing the Arizona Board of Technical  
14 Registration. The Board may also consider Respondent's non-compliance with this  
15 Order as a separate violation of A.R.S. § 32-150.

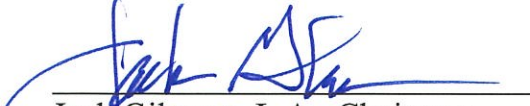
16          6.       RENEWAL OF REGISTRATION. Respondent shall timely renew his  
17 Arizona registration as a Certified Home Inspector, and timely pay all required  
18 registration fees.

19          7.       EFFECTIVE DATE. The effective date of this Consent Agreement is the  
20 date the Respondent and Board sign the Consent Agreement. If the dates are different, the  
21 effective date is the later of the two dates.

22          8.       COSTS OF COMPLIANCE. Respondent shall pay all costs associated  
23 with complying with this Consent Agreement.

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

ACCEPTED and ORDERED this 4 day of December, 2022.

  
\_\_\_\_\_  
Jack Gilmore, L.A., Chairman  
Arizona State Board of  
Technical Registration

Consent Agreement and Order, No. HI23-001 accepted this 25 day of  
November, 2022.

  
Kent L Dean  
\_\_\_\_\_  
Kent Dean, Respondent

**ORIGINAL** filed this 6<sup>th</sup> day of  
December, 2022, with:

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

**COPY** of the foregoing mailed via Certified Mail  
No. 9214 8901 9434 4600 0903 37 and  
First Class mail this 7<sup>th</sup> day of December, 2022, to:

Kent Dean  
6501 East Greenway Parkway  
Scottsdale, Arizona 85254

By: Kaveyn Crawford