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14 **BEFORE THE ARIZONA STATE**
15 **BOARD OF TECHNICAL REGISTRATION**

16 In the Matter of:

17 **Ryan Delaney,**
18 Certified Home Inspector
19 Registration No. 40752,

20 and

21 **GreenLight REI,**
22 Firm Registration No. 23883,

23 Respondents.

OAH Docket No.: 22F-HI22-027-BTR
BTR Case No. HI22-027

CONSENT AGREEMENT

24 In the interest of a prompt and judicious resolution of the above-captioned matter
25 before the Arizona State Board of Technical Registration (the "Board") and consistent
26 with the public interest, statutory requirements, and the responsibilities of the Board, and
27 pursuant to Arizona Revised Statutes ("A.R.S.") § 32-101, *et seq.*, and Arizona
Administrative Code ("A.A.C.") R4-30-120(G), the Board and the undersigned party,
Ryan Delaney ("Respondent"), on behalf of himself and GreenLight REI (Respondent
Firm") (collectively, "Respondents"), enter into the following Recitals, Findings of Fact,

1 Conclusions of Law and Order (“Consent Agreement”) as a final disposition of this
2 matter.

3 **RECITALS**

4 1. The Board has not conducted a hearing nor made a determination on the
5 merits contained herein. Instead, the Board and Respondents have agreed to a full and
6 final settlement of this matter in lieu of formal disciplinary proceedings, pursuant to
7 A.A.C. R4-30-123(B).

8 2. Respondent has read and understands this Consent Agreement and has had
9 the opportunity to discuss this Consent Agreement with an attorney, or has waived the
10 opportunity to discuss this Consent Agreement with an attorney.

11 3. Respondent understands that he has a right to a public administrative
12 hearing concerning this case. He further acknowledges that, at such formal hearing, he
13 could present evidence and cross-examine witnesses. By entering into this Consent
14 Agreement, Respondent knowingly, voluntarily, and irrevocably waives his right to such
15 an administrative hearing, as well as rights of rehearing, review, reconsideration, appeal,
16 judicial review, or any other administrative and/or judicial action concerning the matters
17 set forth herein.

18 4. Respondent affirmatively agrees that this Consent Agreement shall be
19 irrevocable.

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

23 6. The Consent Agreement, any record prepared in this matter, all
24 investigative materials prepared or received by the Board, and all related exhibits and
25 materials, are records (as defined in A.R.S. § 41-151.18) upon acceptance by the Board
26 of this Consent Agreement and may be retained in the Board’s files pertaining to this
27 matter.

1 7. Respondent understands this Consent Agreement deals with Board case
2 number HI22-027 involving allegations that Respondents engaged in conduct that would
3 subject Respondents to discipline under the Board's statutes and rules. The investigation
4 into these allegations against Respondents shall be concluded upon the Board's adoption
5 of this Consent Agreement.

6 8. Respondent understands that this Consent Agreement is solely to settle case
7 number HI22-027, does not preclude the Board from instituting other proceedings as may
8 be appropriate now or in the future, does not constitute a dismissal or resolution of any
9 other matters currently pending before the Board, if any, and does not constitute any
10 waiver, express or implied, of the Board's statutory authority or jurisdiction regarding
11 any other pending or future investigation, action or proceeding.

12 9. Respondent also understands that, with respect to the conduct that is the
13 subject of this Consent Agreement, acceptance of this Consent Agreement does not
14 preclude any other agency, subdivision, or officer of this state from instituting any other
15 civil or criminal proceedings, investigating claims, or taking legal action as may be
16 appropriate now or in the future relating to this matter or other matters concerning
17 Respondents, including but not limited to violations of Arizona's Consumer Fraud Act.
18 Respondent acknowledges that, other than with respect to the Board, this Consent
19 Agreement makes no representation, implied or otherwise, about the views or intended
20 actions of any other state agency or officer or political subdivision of the state relating to
21 this matter or other matters concerning Respondents.

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

1 Reprimand.

2 2. **ADMINISTRATIVE PENALTY.** Within sixty (60) days from the
3 effective date of this Consent Agreement, Respondent shall pay an administrative penalty
4 of Three Hundred and Fifty Dollars (\$350.00) by certified check or money order made
5 payable to the State of Arizona Board of Technical Registration.

6 3. **COST OF INVESTIGATION.** No later than April, 15, 2024, Respondent
7 shall pay to the Board the combined costs of investigation and attorney's fees related to
8 this case in the amount of One Thousand Nine Hundred Eight Dollars (\$1,908.00) by
9 certified check or money order made payable to the State of Arizona Board of Technical
10 Registration, according to the provisions of A.R.S. § 32-128(H).

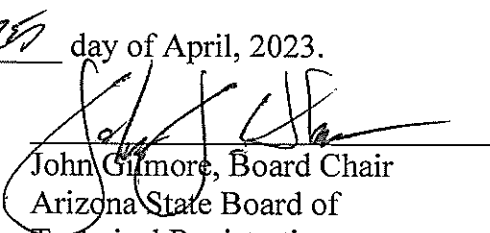
11 4. **OBEY ALL LAWS.** Respondent shall obey all federal, state and local
12 laws, as well as, all rules governing the practice of Home Inspecting in the State of
13 Arizona. The Board shall consider any violation of this paragraph to be a separate
14 violation of the rules and statues governing the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

17 5. **RENEWAL OF REGISTRATION.** Respondent and Respondent Firm
18 shall, in a timely manner, obtain and/or renew Arizona registration as a Home Inspector
19 and a Home Inspection Firm and pay all required registration fees.

20 6. **EFFECTIVE DATE.** The effective date of this Consent Agreement and
21 Order is the date it was last executed by the Respondent or the Board.

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

24 **ACCEPTED and ORDERED** this 20 day of April, 2023.

25
26 
27 John Gilmore, Board Chair
Arizona State Board of
Technical Registration

