BEFORE THE ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

3 4	In the Matter of:	}
5	Dennis Letner, Certified Home Inspector No. 54405,	Cases No. HI20-009
6)) FINDINGS OF FACT CONCLUSIONS OF LAW
8	and	AND FINAL BOARD ORDER
9	Eagle Eye Home Inspections LLC, Firm Registration No. 17819 (expired 1-31-14),	
10	Respondents,	,
'		

On September 22, 2020 this matter came before the Arizona Board of Technical Registration ("Board") for consideration of the State's Motion to Deem Allegations Admitted regarding the Complaint and Notice of Hearing and the imposition of disciplinary action pursuant to A.R.S §32-128(F). Respondents were not present and were not represented by legal counsel. The State was represented by Assistant Attorney General Deanie Reh. The Board received independent legal advice from Assistant Attorney General Mona Baskin. The Board, after due consideration of the issues before it, granted the State's Motion to Deem the Allegations Admitted and adopted the Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

- 1. The Board is the duly constituted authority for the regulation and control of the practice of home inspections in the State of Arizona.
 - 2. Respondent is the firm principal for Respondent Firm.
- 3. At the time of these allegations, Respondent's registration as a home inspector went into delinquent status on January 31, 2019, but was renewed on January 2, 2020.

- 4. At the time of these allegations, Respondent Firm was not registered with the Board, as Respondent Finn's registration, number 17819, expired on January 31, 2014, and has not been renewed.
- 5. Since February 1, 2014, Respondent Firm advertised and engaged in the practice of home inspection, without firm registration with the Board.
- 6. Between February 1, 2019, and January 2, 2020, Respondent advertised and engaged in the practice of Home Inspection while his home inspector registration was in a delinquent status.
- 7. On September 26, 2019, Board staff received a telephone call from Respondent in which Respondent admitted that Respondent Firm was active and that Respondent performs 15 to 16 inspections a month.

CONCLUSIONS OF LAW

- 8. The conduct alleged in the Factual Allegations constitutes grounds for discipline pursuant to A.R.S. §§ 32-128(C)(4), specifically, A.A.C. R4-30-301(4) and (20), in that Respondent advertised for and conducted Arizona home inspections without Board registration as a home inspector, in violation of A.R.S. §§ 32-127(0) and 32-121.
- 9. The conduct alleged in the Factual Allegations constitutes grounds for discipline pursuant to A.R.S §§ 32-141, in that Respondent Finn conducted home inspection activities in Arizona without Board registration.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Board issues the following Order with the understanding that Respondent, Dennis Letner, and Respondent Firm, Eagle Eye Home Inspections LLC are jointly and severally liable for the following:

1. **CIVIL PENALTY**. Within one-hundred and eighty (180) days of the effective date of this Order, Respondents shall pay to the Board a civil penalty in the amount of one-thousand five-hundred dollars (\$1,500.00) by certified check or money order made payable to the State of Arizona Board of Technical Registration or by credit card.

2. COST OF INVESTIGATION. Within one-hundred and eighty (180) days of the effective date of this Order, Respondent shall pay to the Board the cost of investigation in the amount of two-hundred and sixty-five dollars (\$265.00) by certified check or money order made payable to the State of Arizona Board of Technical Registration or by credit card.

- 3. STAYED SUSPENSION AND PROBATION. Respondent's registration as home inspector, 54405, shall be suspended for one-hundred and eighty (180) days; however, the suspension is stayed for as long as Respondent remains in compliance with this Order. During the stay of suspension, Respondent's registration as a home inspector is placed on probation for one-hundred and eighty (180) days. If Respondent is non-compliant with any terms of this Order during the one-hundred and eighty (180) days stayed suspension and probation period, the stay of the suspension shall be lifted and Respondent's registration as a home inspector shall be automatically suspended without a formal hearing, and remain suspended until Respondent is compliant with all terms of this Order.
 - 4. **LETTER OF REPRIMAND.** Respondent is hereby issued a Letter of Reprimand.

Right to Petition for Rehearing or Review

Respondents are hereby notified that they have the right to file a motion for rehearing or review. Pursuant to A.R.S. § 41-1092.09(B) and A.A.C. R4-30-126(A) the motion for rehearing or review must be filed with the Board's Executive Director within 30 days after service of this Order. Service of this Order is defined as five calendar days after mailing.

The motion for rehearing or review must set forth legally sufficient reasons for granting a rehearing or review. A.A.C. R4-30-126(C). If a petition for rehearing or review is not filed, the Board's Order becomes effective 35 days after it is mailed to Respondents. Respondents are further advised that the filing of a motion for rehearing or review is required to preserve any rights of appeal to Superior Court.

1	DATED this september 2020.	
2	Arizona Board of Technical Registration	
3	DATED this rectified September 2020. Arizona Board of Technical Registration	
4	Jack Gilmore Active Chairman	
5	1 A Cape : / / C	
6	ORIGINAL filed this 28 day	
7	of <u>September</u> 2020, to:	
8	Board of Technical Registration	
9	1110 West Washington, Suite 240	
10	Phoenix, Arizona 85007	
11	COPY mailed via Certified Mail	
12	No. 4214 89019434 46000736 44 9214 89019434 46000736 57 and First Class mail this 28 day of September, 2020, to:	
13	Dennis Letner	
14	Eagle Eye Home Inspections LLC 4431 E. Velasco Street	
15	Queen Creek, AZ 85140	
16	m.mc/EagleEyeHomeInspectionsAZ	
17	Dennis Letner	
18	P.O. Box 129 Higley, AZ 85236	
	dennisletner@gmail.com	
19	letnerhomeinspections@gmail.com	
20	Respondent	
21	COPY of the foregoing ampiled this 28 days of Carlot and 2000 to	
22	COPY of the foregoing emailed this 28 day of September, 2020 to:	
23	Deanie Reh	
24	Assistant Attorney General deanie.reh@azag.gov	
25		
	Mona Baskin	
26	Assistant Attorney General Mona.baskin@azag.gov	
27		
30	By: Kurt Winter	