

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

3 **In the Matter of:**)

Case No.: AL23-002

4 **Kim Johns**)
5 **Controlling Person No. 56803**)
6 **(expired)**)
7 **Alarm Agent No. 61074 (expired)**)

CONSENT AGREEMENT
and
ORDER OF DISCIPLINE

8 **Casa Linda Security**
9 **Alarm Business No. 18401 (expired)**

10 **Respondents**

11 In the interest of a prompt and judicious resolution of the above-captioned matter
12 before the Arizona State Board of Technical Registration (“Board”) and consistent with
13 the public interest, statutory requirements, and the responsibilities of the Board, and
14 pursuant to A.R.S. § 32-101 et seq., and A.A.C. R4-30-120(G), the undersigned party,
15 Kim Johns (“Respondent”), holder of Controlling Person No. 56803 (expired), holder of
16 Alarm Agent No. 61074 (expired), and Casa Linda Security (“Respondent Alarm
17 Business”) Registration No. 18401, (expired) and the Board enter into the following
18 Recitals, Findings of Fact, Conclusions of Law and Order (“Consent Agreement”) as a
19 final disposition of this matter.

20 **RECITALS**

21 1. Respondent has read and understands this Consent Agreement and has had
22 the opportunity to discuss this Consent Agreement with an attorney, or has waived the
23 opportunity to discuss this Consent Agreement with an attorney.

24 2. Respondent understands that she has a right to a public administrative
25 hearing concerning this case. She further acknowledges that at such formal hearing she
26 could present evidence and cross-examine witnesses. By entering into this Consent
27 Agreement, Respondent knowingly, voluntarily, and irrevocably waives her right to such
28 an administrative hearing, as well as rights of rehearing, review, reconsideration, appeal,

1 judicial review or any other administrative and/or judicial action concerning the matters
2 set forth herein.

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

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

7 5. The Consent Agreement, any record prepared in this matter, all investigative
8 materials prepared or received by the Board and all related exhibits and materials, are
9 public records upon acceptance by the Board of this Consent Agreement and may be
10 retained in the Board's files pertaining to this matter.

11 6. Respondent understands this Consent Agreement deals with Board case
12 number AL23-002 involving allegations that Respondent engaged in conduct that would
13 subject her to discipline under the Board's statutes and rules. The investigation into these
14 allegations against Respondent shall be concluded upon the Board's adoption of this
15 Consent Agreement.

16 7. Respondent understands that this Consent Agreement does not constitute a
17 dismissal or resolution of any other matters currently pending before the Board, if any,
18 and does not constitute any waiver, express or implied, of the Board's statutory authority
19 or jurisdiction regarding any other pending or future investigation, action or proceeding.

20 8. Respondent also understands that acceptance of this Consent Agreement does
21 not preclude any other agency, subdivision, or officer of this State from instituting any
22 other civil or criminal proceedings with respect to the conduct that is the subject of this
23 Consent Agreement.

24 9. Respondent acknowledges and agrees that, upon signing this Consent
25 Agreement and returning this document to the Board's Executive Director, she may not
26 revoke her acceptance of the Consent Agreement or make any modifications to the
27 document regardless of whether the Consent Agreement has been signed on behalf of the
28

1 Board. Any modification to this original document is ineffective and void unless
2 mutually agreed by the parties in writing.

3 10. This Consent Agreement is subject to the approval of the Board and is
4 effective only when accepted by the Board and signed on behalf of the Board. If the
5 Board does not accept this Consent Agreement, the Board retains its authority to hold a
6 formal administrative hearing pursuant to A.R.S. § 32-128(E). In the event that the
7 Board does not approve this Consent Agreement, it is withdrawn and shall be of no
8 evidentiary value and shall not be relied upon nor introduced in any action by any party,
9 except that the parties agree that should the Board reject this Consent Agreement and this
10 case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced
11 by its review and discussion of this document or any records relating thereto.

12 11. If a court of competent jurisdiction rules that any part of this Consent
13 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement
14 shall remain in full force and effect.

15 12. Respondent understands that any violation of this Consent Agreement may
16 result in disciplinary action, including suspension or revocation of the registration under
17 A.R.S. § 32-150.

18 13. Respondent agrees that the Board will adopt the following Findings of Fact,
19 Conclusions of Law and Order.

20 **FINDINGS OF FACT**

21 1. The Board is the duly constituted authority for the regulation and control of
22 the occupation of the Alarm Industry in the State of Arizona.

23 2. Respondent is the holder of Arizona Controlling Person Certificate No.
24 56083, which expired on October 10, 2017.

25 3. Respondent is the holder of Arizona Alarm Agent No. 61074, which expired
26 on December 19, 2018.

27 4. Respondent Alarm Business is the holder of Alarm Business Registration No.
28 18401, which expired on December 24, 2018.

1 5. On February 5, 2019, Respondent Firm was incorporated with the Arizona
2 Corporation Commission, under McDaniel Commercial Communications, Inc. DBA
3 Respondent Firm, which holds ACC entity ID number 01154622 under Respondent.

4 6. On August 12, 2022, the Board opened a complaint alleging that Respondent
5 and Respondent Firm have 78 accounts in Phoenix Metro area and are activating new
6 accounts without correct registration. It is also alleged that Respondent and Respondent
7 Alarm Business advertised alarm system sales and monitoring on a website at a time
8 when Respondent's Alarm Business registration was expired with the Board. Board
9 records indicate that Respondent Alarm Business registration expired on December 24,
10 2018, and that Respondent's certification as Controlling Person was expired on October
11 10, 2017.

12 7. Between December 24, 2018 and December 9, 2022, Respondent Firm
13 advertised alarm system sales, and twenty-four hour monitoring services through
14 Respondent's Alarm Business website.

15 8. On September 6, 2022, Respondent's business partner, Brad Johns
16 apologized for the oversight. Mr. Johns further advised that Respondent knew as of June
17 25, 2021, from a third party business interest that Respondent Alarm Business was
18 expired with the Board.

19 9. On January 26, 2023, during an interview with Respondent, she said that she
20 was solely responsible for (78) metro Phoenix area alarm accounts. Respondent
21 confirmed that she was responsible for all sales, service and monitoring of all 78
22 accounts.

23 10. Respondent reported that on December 9, 2022, Respondent Alarm Business,
24 along with the 78 alarm accounts was purchased by Stephen Lopez, Victoria Lopez, and
25 Waylon Dillon.

26 11. On or about March 22, 2023, Respondent Alarm Business was registered
27 with the Board under Registration No. 24669, under a new Controlling Person, Victoria
28 Lopez, Registration No. 78380.

1 3. **COST OF INVESTIGATION.** Within sixty (60) 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 Six Hundred Forty Nine Dollars (\$649.00) by certified
4 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. **OBEY ALL LAWS.** Respondent shall obey all federal, state and local
7 laws, as well as, all rules governing the practice of Alarm Industry in the State of
8 Arizona. The Board shall consider any violation of this paragraph to be a separate
9 violation of the rules and statues governing the Arizona Board of Technical Registration.
10 The Board may also consider Respondent’s non-compliance with this Order as a separate
11 violation of A.R.S. § 32-150.

12 5. **RENEWAL OF REGISTRATION.** Respondent and Respondent Firm shall
13 timely renew their Arizona registration as a Controlling Person and an Alarm Business,
14 and timely pay all required registration fees.


15 6. **EFFECTIVE DATE.** The effective date of this Consent Agreement is the
16 date the Respondent and Board sign the Consent Agreement. If the dates are different, the
17 effective date is the later of the two dates.

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


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

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1 ACCEPTED and ORDERED this 22 day of August, 2023.

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5 Jack Gilmore, L.A., Chairman
6 Arizona State Board of
7 Technical Registration

8 Consent Agreement and Order, No. AL23-002 accepted this 11 day of
9 August, 2023.

10 
11 Kim Johns, on behalf of herself and on
12 behalf of Casa Linda Security,
13 Respondents

14 ORIGINAL filed this 22 day of
15 August, 2023, with:

16 Arizona State Board of Technical Registration
17 1110 W. Washington, Suite 240
18 Phoenix, AZ 85007

19 COPY of the foregoing mailed via Certified Mail
20 No. 92148901943446000938 02 and
21 First Class mail this 24th day of August, 2023, to:

22 Kim Johns
23 Casa Linda Security
24 19332 W. Colter Street
25 Litchfield Park, AZ 85340

26
27 By: 