

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

3 **In the Matter of:**)

Case No.: HI23-042

4 **Jovan Cirerol**)
5 **Certified Home Inspector**)
6 **Certification No. 73583**)

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 Jovan Cirerol (“Respondent”), holder of Certification No. 73583, and the Board enter
14 into 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 HI23-042 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 Certified Home Inspections in the State of Arizona.

18 2. Respondent is the holder of Home Inspector Certification No. 73583, which
19 expired on May 13, 2023.

20 3. On or about May 19, 2023, Respondent generated a pool inspection report for
21 a pool in Marana, AZ.

22 4. On or about May 24, 2023, the Board received a complaint regarding a pool
23 inspection conducted by Respondent at 12469 N. Blondin Dr. in Marana, AZ on May 19,
24 2023. Specifically, the complaint alleged Respondent:

- 25 a. inaccurately reported that the pool pump was inoperable/damaged
- 26 and recommended repairs/replacement for intended function;
- 27 b. operated the pump in a manner that was not the intended use; and
- 28 c. conducted the pool inspection while Respondent's home inspection

1 certification was in delinquent status.

2 5. On or about May 26, 2023, Respondent submitted a Home Inspector renewal
3 application and answered "No" to the question that asked if he had been investigated
4 and/or disciplined by any regulatory agency since his last renewal. According to Board
5 documents, Respondent entered into Board Order HI22-036 for failing to disclose
6 criminal history within his last renewal period.

7 5. On or about July 10, 2023, Respondent provided a written statement to the
8 Board acknowledging that he conducted the pool inspection while his home inspector
9 certification was delinquent. He reported that he was unaware that his certification had
10 been delinquent.

11 6. On or about July 10, 2023, Respondent acknowledged that he failed to report
12 the prior disciplinary action on his home inspector renewal application submitted on May
13 26, 2023. Respondent reported that he did not remember the disciplinary action at the
14 time of filling out the application.

15 CONCLUSIONS OF LAW

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

17 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
18 pursuant to ARS 32-128(C)(4) as it relates to R4-30-301(1), and A.R.S. 32-145(5), in that
19 Respondent may have submitted false statements and failed to disclose material facts
20 requested in connection with an application for registration.

21 3. The conduct alleged in the Findings of Fact constitutes grounds for discipline
22 pursuant to A.R.S. 32-127(D) and A.R.S. 32-145(1), in that Respondent may have
23 engaged in the practice of a Board regulated profession while his registration was in a
24 expired status.

25 ORDER

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

28 1. LETTER OF REPRIMAND. Respondent is hereby issued a Letter of

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 Seven Hundred and Fifty Dollars (\$750.00) by certified check or money order made
5 payable to the State of Arizona Board of Technical Registration.

6 3. COST OF INVESTIGATION. Within sixty (60) days from the effective
7 date of this Consent Agreement, Respondent shall pay the cost of investigation of this
8 case to the Board in the amount of One Hundred and Forty-Three Dollars (\$143.00) by
9 certified check or money order made payable to the State of Arizona Board of Technical
10 Registration.

11 4. OBEY ALL LAWS. Respondent shall obey all federal, state, and local
12 laws as well as all rules governing the practice of Certified Home Inspection in the State
13 of Arizona.

14 5. RENEWAL OF REGISTRATION. Respondent shall timely renew his
15 Arizona registration as a Certified Home Inspector, and timely pay all required
16 registration fees.

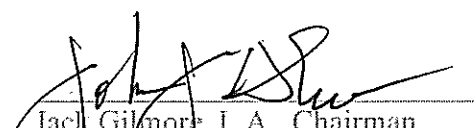
17 6. EFFECTIVE DATE. The effective date of this Consent Agreement is the
18 date the Respondent and Board sign the Consent Agreement. If the dates are different, the
19 effective date is the later of the two dates.

20 7. COSTS OF COMPLIANCE. Respondent shall pay all costs associated
21 with complying with this Consent Agreement.

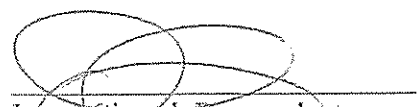
22 8. NONCOMPLIANCE. If Respondent violates this Order in any way or fails
23 to fulfill the requirements of this Order, the Board, after giving notice and the opportunity
24 to be heard, may revoke, suspend or take other disciplinary actions against the
25 registration pursuant to A.R.S. § 32-150. The issue at such a hearing will be limited
26 solely to whether this Order has been violated.

27 ACCEPTED and ORDERED this 7 day of NOVEMBER, 2023.
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Jack Gilmore, L.A., Chairman
Arizona State Board of
Technical Registration

Consent Agreement and Order, No. HI23-042 accepted this 6 day of
November, 2023.


Jovan Cirerol, Respondent

ORIGINAL filed this 8th day of
November, 2023, 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 0948 30 and
First Class mail this 8th day of November, 2023, to:

Jovan Cirerol
5018 East Scarlett Street
Tucson, AZ 85711

By: Kaitlyn Crawford