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BEFORE THE ARIZONA STATE
BOARD OF TECHNICAL REGISTRATION

In the Matter of:
Life Safety & Security
Non-Registrant Alarm Business

Respondent

Case No.: AL17-017

CONSENT AGREEMENT
and
ORDER OF DISCIPLINE

In the interest of a prompt and judicious resolution of the above-captioned matter before the Arizona State Board of Technical Registration (“Board”) and consistent with the public interest, statutory requirements, and the responsibilities of the Board, and pursuant to A.R.S. § 32-101 *et seq.*, and A.A.C. R4-30-120(G), the undersigned party, Life Safety & Security, Non-Registrant Alarm Business (“Respondent Alarm Business”) (“Respondent”) and the Board enter into the following Recitals, Findings of Fact, Conclusions of Law and Order (“Consent Agreement”) as a final disposition of this matter.

RECITALS

1. Respondent has read and understands this Consent Agreement and has had the opportunity to discuss this Consent Agreement with an attorney, or has waived the opportunity to discuss this Consent Agreement with an attorney.
2. Respondent understands that he has a right to a public administrative hearing concerning this case. He further acknowledges that at such formal hearing he could present evidence and cross-examine witnesses. By entering into this Consent Agreement, Respondent knowingly, voluntarily, and irrevocably waives his right to such an administrative hearing, as well as rights of rehearing, review, reconsideration, appeal, judicial review or any other administrative and/or judicial action concerning the matters set forth herein.
3. Respondent affirmatively agrees that this Consent Agreement shall be

1 irrevocable.

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

4 5. The Consent Agreement, any record prepared in this matter, all investigative
5 materials prepared or received by the Board and all related exhibits and materials, are
6 public records (as defined in A.R.S. § 41-158.18) upon acceptance by the Board of this
7 Consent Agreement and may be retained in the Board's files pertaining to this matter.

8 6. Respondent understands this Consent Agreement deals with Board case
9 number AL17-017 involving allegations that Respondent engaged in conduct that would
10 subject him to discipline under the Board's statutes and rules. The investigation into
11 these allegations against Respondent shall be concluded upon the Board's adoption of
12 this Consent Agreement.

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

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

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

27 10. This Consent Agreement is subject to the approval of the Board and is
28 effective only when accepted by the Board and signed on behalf of the Board. If the

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

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

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

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

16 **FINDINGS OF FACT**

17 1. The Board is the duly constituted authority for the regulation and control of
18 Alarm Business in the state of Arizona.

19 3. Board staff received information that Respondent Alarm Business employed
20 alarm technicians that are not certified with the Board as Alarm Agents.

21 4. Respondent Alarm Business acknowledged that their alarm technicians
22 perform work that falls under the Boards definition of an Alarm Agent.

23 5. Respondent Alarm Business is not registered with the Board.

24 6. Respondent Alarm Business does not have a Controlling Person registered
25 with the Board.

26 7. After being contacted by Board staff, Respondent Alarm Business expressed
27 intent to register with the Board as an Alarm Business with a Controlling Person and to
28 ensure its alarm technicians become registered as alarm agents.

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CONCLUSIONS OF LAW

- 1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq, including A.R.S. § 32-106.02(A).
- 2. The conduct alleged in the Findings of Fact, constitutes grounds for discipline pursuant to A.R.S. § 32-121 and A.R.S. 32-141(A), in that Respondent Alarm Business practiced as an Alarm Business without Board registration.
- 3. The conduct alleged in the Findings of fact, constitutes grounds for discipline pursuant to A.R.S. 32-122.05, in that Respondent Alarm Business practiced as an Alarm Business without a controlling person registered with the Board.

ORDER

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

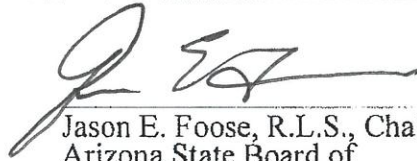
- 1. ASSURANCE OF DISCONTINUANCE. Respondent Alarm Business shall not practice, offer to practice, or by any implication hold itself out as qualified to practice as an Alarm Business as defined by A.R.S. § 32-101.B(4) until the Respondent Alarm Business is registered by the Board and is in full compliance with the Board’s Statutes and Rules.
- 2. CIVIL PENALTY. Within Ninety (90) days from the effective date of this Consent Agreement, Respondent shall pay a civil penalty of One Thousand Dollars (\$1,000.00) to be submitted to the Board by cashier’s check or money order made payable to the Arizona State Board of Technical Registration, per the provisions of A.R.S. § 32-106.02(A).
- 3. COST OF INVESTIGATION. Within Sixty (60) days from the effective date of this Consent Agreement, Respondent shall pay the cost of investigation of this case to the Board in the amount of Three Hundred and Seventy-Two Dollars (\$372.00) by certified check or money order made payable to the State of Arizona Board of Technical Registration, according to the provisions of A.R.S. § 32-128(H).
- 4. EFFECTIVE DATE. The effective date of this Consent Agreement is the

1 date the Respondent and Board sign the Consent Agreement. If the dates are different, the
2 effective date is the later of the two dates.

3 5. COSTS OF COMPLIANCE. Respondent shall pay all costs associated with
4 complying with this Consent Agreement.

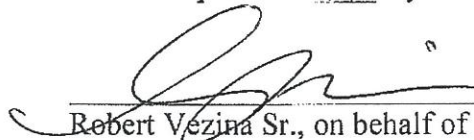
5 6. NONCOMPLIANCE. If Respondent violates this Order in any way or fails
6 to fulfill the requirements of this Order, the Board may seek a Petition for Injunction in
7 accordance with the provisions set forth in A.R.S. § 32-106.01.

8 ACCEPTED and ORDERED this 27TH day of AUGUST, 2019.

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11 Jason E. Foose, R.L.S., Chairman
12 Arizona State Board of
13 Technical Registration

14 Consent Agreement and Order, No. AL17-017 accepted this 12th day of
15 August, 2019.

16 

17 Robert Vezina Sr., on behalf of
18 Life Safety & Security, Respondent

19 ORIGINAL filed this 28 day of
20 August, 2019, with:

21 Arizona State Board of Technical Registration
22 1110 W. Washington, Suite 240
23 Phoenix, AZ 85007

24 COPY of the foregoing mailed via Certified Mail
25 No. 9214 8901 9434 4600 01605 14 and

26 First Class mail this 28 day of August, 2019, to:

27 Life Safety & Security
28 60 Sonwil Dr.
Buffalo, New York, 14225

By: 