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

In the Matter of:

**Tyson Landon,**  
Non-Registrant,

Respondent.

Case Nos.: AL18-004 and AL19-001

**CONSENT AGREEMENT AND  
ORDER**

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In the interest of a prompt and judicious resolution of the above-captioned matters before the Arizona State Board of Technical Registration (the "Board") and consistent with the public interest, statutory requirements, and the responsibilities of the Board, and pursuant to Arizona Revised Statutes ("A.R.S.") § 32-101, *et seq.* and Arizona Administrative Code ("A.A.C.") R4-30-120(G), the undersigned party, Tyson Landon, (Respondent") and the Board enter into the following Recitals, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") as a final disposition of these matters.

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**I. RECITALS**

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

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2. 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.

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3. 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

1 an administrative hearing, as well as rights of rehearing, review, reconsideration, appeal,  
2 judicial review or any other administrative and/or judicial action concerning the matters  
3 set forth herein.

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

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

9 6. The Consent Agreement, any record prepared in this matter, all  
10 investigative materials prepared or received by the Board and all related exhibits and  
11 materials, are public records (as defined in A.R.S. § 41-151.18) upon acceptance by the  
12 Board of this Consent Agreement and may be retained in the Board's files pertaining to  
13 this matter.

14 7. Respondent understands this Consent Agreement deals with Board case  
15 numbers AL18-004 and AL19-001 involving allegations that Respondent engaged in  
16 conduct that could subject him to discipline under the Board's statutes and rules. The  
17 investigation into these allegations against Respondents shall be concluded upon the  
18 Board's adoption of this Consent Agreement.

19 8. Respondent understands that this Consent Agreement is solely to settle case  
20 numbers AL18-004 and AL19-001, does not preclude the Department from instituting  
21 other proceedings as may be appropriate now or in the future, does not constitute a  
22 dismissal or resolution of any other matters currently pending before the Board, if any,  
23 and does not constitute any waiver, express or implied, of the Board's statutory authority  
24 or jurisdiction regarding any other pending or future investigation, action or proceeding.

25 9. Respondent also understands that, with respect to the conduct that is the  
26 subject of this Consent Agreement, acceptance of this Consent Agreement does not  
27 preclude any other agency, subdivision, or officer of this State from instituting any other  
28 civil or criminal proceedings, investigating claims, or taking legal action as may be

1 appropriate now or in the future relating to this matter or other matters concerning  
2 Respondent, including but not limited to violations of Arizona's Consumer Fraud Act.  
3 Respondent acknowledges that, other than with respect to the Board, this Consent  
4 Agreement makes no representations, implied or otherwise, about the views or intended  
5 actions of any other state agency or officer or political subdivision of the state relating to  
6 this matter or other matters concerning Respondent.

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

13 11. This Consent Agreement is subject to the approval of the Board and is  
14 effective only when accepted by the Board and signed on behalf of the Board. If the  
15 Board does not accept this Consent Agreement, the Board retains its authority to hold a  
16 formal administrative hearing pursuant to A.R.S. § 32-128(D). In the event that the  
17 Board does not approve this Consent Agreement, it is withdrawn, shall be of no  
18 evidentiary value, and shall not be relied upon nor introduced in any action by any party.  
19 Respondent agrees that should the Board reject this Consent Agreement and this case  
20 proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by  
21 its review and discussion of this document or any records relating thereto.

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

25 13. Respondent agrees that any violation of this Consent Agreement may result  
26 in disciplinary action.

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

1 **II. FINDINGS OF FACT**

2 1. On May 1, 2018, Board staff executed a Consent Agreement and Order in  
3 Case No. AL18-004, which was signed by Respondent and which included an Assurance  
4 of Discontinuance that Respondent would not conduct alarm system sales in Arizona  
5 without registration. The Consent Agreement containing the Order was effective May 22,  
6 2018.

7 2. On or between May 22, 2018, and May 29, 2018, Respondent conducted  
8 six (6) alarm system sales in Arizona without Board registration at the following  
9 locations:

- 10 a. Montiel residence, 4803 W Desert Ln., Laveen, Arizona;
- 11 b. Jimenez residence, 6823 W. Carter Rd., Laveen, Arizona;
- 12 c. Yang residence, 7138 W. Carter Rd., Laveen, Arizona;
- 13 d. Koller residence, 7340 W. Valencia Dr., Laveen, Arizona;
- 14 e. Seamster residence, 7352 W. Beverly Rd., Laveen, Arizona;
- 15 f. Pfitzer residence, 2012 S. Sierra Vista Dr., Tempe, Arizona.

16 3. The Board opened the current investigation of Respondent in July, 2018, as  
17 Case No. AL19-001. After several attempts to contact Respondent, Board staff received  
18 an email from him and spoke with him about this complaint in September, 2018. During  
19 the conversation, Respondent admitted that he had conducted the alarm sales at the end of  
20 May 2018, after he signed the previous consent agreement in Complaint No. AL18-004,  
21 because he needed the money. He told staff that he did not receive the final executed  
22 consent agreement because he had moved and that he was unaware of the due dates to  
23 pay the required fines.

24 4. On September 18, 2018, Respondent made a payment to the Board in the  
25 amount of \$500.00 toward the Civil Penalty required by the Consent Agreement in Case  
26 No. AL18-004. Respondent failed to pay the remainder of the civil penalty owed in Case  
27 No. AL-18-004, and that case was referred to the Attorney General's Office for collection.  
28 Respondent paid another \$200.00 as result of the collection action initiated by the

1 Attorney General's Office, but still owes a remainder of \$787.00 on the civil penalty  
2 imposed by the Consent Agreement in AL18-004.

3 5. Respondent has since contacted the Assistant Attorney General assigned to  
4 Case No. AL19-001, and has indicated his desire to enter into a global settlement of both  
5 Case. No. AL18-004 and Case No. AL19-001.

6 **III. CONCLUSIONS OF LAW**

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

9 2. Respondent's conduct alleged above constitutes grounds for discipline, and  
10 the Board has jurisdiction over Respondent, pursuant to A.R.S. §§ 32-101, et seq.,  
11 including A.R.S. §§ 32-106.02(A), 32-121, 32-145, and 32-150, because:

- 12 a. Respondent conducted alarm system sales in Arizona without alarm agent  
13 registration; and
- 14 b. Respondent failed to comply with a Board order.

15 **IV. ORDER**

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

18 1. **ASSURANCE OF DISCONTINUANCE.** Respondent shall not practice,  
19 offer to practice, or by any implication hold itself out as qualified to practice as an alarm  
20 agent as defined in A.R.S. § 32-101.B(3), until such time as the Respondent is registered  
21 by the Board and is in full compliance with the Board's Statutes and Rules.

22 2. **CASE NO. AL18-004 CIVIL PENALTY.** Within Thirty (30) days from  
23 the effective date of this Consent Agreement, Respondent shall pay the entire remainder  
24 of the amount owed in Case No. AL18-004, totaling Seven Hundred Eighty Seven  
25 Dollars (\$787.00) (the "AL18-004 Remainder"). Payments shall be by cashier's check or

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1 money order and made payable to the **Arizona Attorney General** and mailed to the  
2 following:

3 **Office of the Attorney General**  
4 **Bankruptcy & Collection Enforcement**  
5 **2005 N. Central Ave., Suite 100**  
6 **Phoenix, Arizona 85004**  
7 **Reference File No.: BCE19-00647**

8 3 ADMINISTRATIVE CLOSURE. The Board orders that Case No. AL18-  
9 004 shall be administratively closed, and the Board will take no further disciplinary  
10 action on that case, provided that Respondent pays the entire amount of AL18-004  
11 Remainder as ordered and continues to comply with this Consent Agreement.  
12 Respondent shall provide proof to the Board of payment to the Office of the Attorney  
13 General.

14 4. CASE NO. AL19-001 CIVIL PENALTY. Within sixty (60) days from the  
15 effective date of this Consent Agreement, Respondent shall pay a civil penalty of Three  
16 Hundred Dollars (\$300.00). Payments are to be submitted to the Board by cashier's  
17 check or money order made payable to the Arizona State Board of Technical  
18 Registration, according to the provisions of A.R.S. § 32-106.02(A), and the directions of  
19 the Board.


20 5. COST OF INVESTIGATION. Within sixty (60) days from the effective  
21 date of this Consent Agreement, Respondent shall pay the cost of investigation of this  
22 case to the Board in the amount of Four Hundred Dollars (\$400.00) by certified check or  
23 money order made payable to the State of Arizona Board of Technical Registration,  
24 according to the provisions of A.R.S. § 32-128(H), and the directions of the Board.

25 6. EFFECTIVE DATE. The effective date of this Consent Agreement is the  
26 date it was last executed by the Respondent or the Board.

27 7. NONCOMPLIANCE. If Respondent violates this Order in any way or fail  
28 to fulfill the requirements of this Order, the Board, after giving notice and the opportunity  
to be heard, may seek an injunction or take other disciplinary actions against Respondent.

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ACCEPTED and ORDERED this 28<sup>th</sup> day of July, 2020.

  
Jason E. Foose, RLS, Chairman  
Arizona State Board of Technical Registration

Consent Agreement and Order, Numbers Case. Nos. AJ18-004 and AL19-001  
accepted this 23 day of July, 2020.

  
Tyson Landon, Respondent

**ORIGINAL** of the foregoing filed  
this 28 day of July, 2020, with:

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

**COPY** of the foregoing mailed and e-mailed  
this 28 day of July, 2020, to:

Tyson Landon  
4054 E. Ranch Rd.  
Gilbert, AZ 85296  
tlandon04@gmail.com

9214 8901 9454 1600 6718 67

**COPY** of the foregoing e-mailed  
this 29 day of July, 2020, to:

Deanie Reh  
deanie.reh@azag.gov  
Counsel for the State

By: 

#8814129