BEFORE THE ARIZONA STATE BOARD OF TECHNICAL REGISTRATION IN THE OFFICE OF ADMINISTRATIVE HEARINGS

4 In the Matter of:
5 Travis Stevens,
6 Non-Registrant, and
7 Triton Alarm, Non-Registered Fim1,

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Case No. AL19-008, AL19-010, and AL19-019

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

13 This matter came before the Arizona Board of Technical Registration ("Board") on 14 September 22, 2020 and October 27, 2020. Travis Stevens ("Respondent") was present 15 telephonically on behalf of himself and Triton Alarm ("Respondent Firm"). Neither Respondent 16 nor Respondent firm were represented by an attorney. Assistant Attorney General Deanie Reh 17 appeared on behalf of the State. The Board received independent legal advice from Assistant 18 Attorney General Mona Baskin. After hearing evidence and arguments from the State and 19 Respondent and Respondent Firm, the Board issues the following Findings of Fact, Conclusions 20 of Law and Order:

Respondents.

FINDINGS OF FACT

The Board adopts the Factual Allegations, paragraphs 5 through 11, of the
 Complaint and Notice of Hearing as Findings of Fact, attached and incorporated into this Order
 by this reference.

25 2. The Board modified the Factual Allegation in paragraph 12 of the Complaint and
26 Notice of Hearing by striking the words 'for four years,' and adopts, with modification, as
27 Findings of Fact, attached and incorporated into this Order by this reference.

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CONCLUSIONS OF LAW

3. The Board adopted the Allegations of Violations, paragraphs 13 through 14, of the Complaint and Notice of Hearing as Conclusions of Law, attached and incorporated into this Order by this reference.

ORDER

Based on the Board's adoption of the Findings of Fact and Conclusions of Law, the
Board issues the following Order:

8 1. CIVIL PENALTY. Within eighteen (18) months of the effective date of
9 this Order, Respondents shall pay a civil penalty in the amount of two-thousand dollars (\$2,000)
10 by certified check or money order made payable to the State of Arizona Board of Technical
11 Registration or by credit card. A.R.S. § 32-106.02(B).

Right to Petition for Rehearing or Review

Respondent and Respondent Firm are notified that they have the right to file a motion for
rehearing or review of this Order. Pursuant to A.R.S. § 41-1092.09(B) and A.A.C. R4-30126(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 thirty-five (35) days after it is mailed to Respondent and
Respondent Firm. Respondent and Respondent Firm are further advised that the filing of a
motion for rehearing or review is required to preserve any rights of appeal to Superior Court.

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3	Arizona State Board of Technical Registration
4	DITAT DE STATE
5	HITS RATIO
6	Jason Foose, Chairman
7	191× 1912
8	ORIGINAL filed this 2 day of Nover ber, 2020, with:
9	Arizona State Board of Technical Registration
10	1110 W. Washington, Ste. 240 Phoenix, AZ 85007
11	
12	COPY mailed via Certified Mail 9214 3901 9434 4600 0748 70
13	First Class mail this 2 day of November, 2020, to:
14	Arizona State Prison - Safford Graham Unit Travis Stevens ADC Inmate #336660
15	896 South Cook Road
16	18 Safford, AZ 85546
17	COPY of the foregoing emailed this 2 day of <u>November</u> , 2020, to:
18	Deanie Reh Deanie.reh@azag.gov
19	Mona Baskin
20	Mona.baskin@azag.gov
21	Bu brushistin lan
22	By: Kurthinler
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MARK BRNOVICH Attorney General Firm Bar No. 14000 DEANIE REH Assistant Attorney General State Bar No. 005170 Licensing and Enforcement Section 2005 N. Central Ave. Phoenix, Arizona 85004 Telephone: (602) 542-8322 Facsimile: (602) 542-8322 Facsimile: (602) 542-4385 LicensingEnforcement@azag.gov Attorney for the State	
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BEFORE THE ARIZONA STATE	
	ICAL REGISTRATION
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In the Matter of:	Case Nos. AL19-008, AL19-010, and AL19-019
Travis Stevens,	
Non-Registrant,	COMPLAINT AND NOTICE OF HEARING
and	
Triton Alarm,	
Non-Registered Firm,	
Respondents.	
YOU ARE NOTIFIED that pursuant to Arizona Revised Statutes ("A.R.S.") § 32	
128(E), and A.R.S. § 41-1092.03, the Arizona State Board of Technical Registration	
("the Board") will conduct an administrative hearing to determine whether grounds exis	
to impose disciplinary action against Travis Stevens ("Respondent"), and Triton Alarm	
("Respondent Firm") (collectively, "Respondents"). The hearing will take place at the	
Board, 1110 W. Washington Street, (Conference Room #240, Phoenix, Arizona
	In the Matter of: Travis Stevens, Non-Registrant, and Triton Alarm, Non-Registered Firm, <u>Respondents.</u> YOU ARE NOTIFIED that pursuar 128(E), and A.R.S. § 41-1092.03, the A ("the Board") will conduct an administrati to impose disciplinary action against Trav ("Respondent Firm") (collectively, "Respondent Firm")

85007, on September 22, 2020, beginning at 9:30 a.m., and continuing on successive
 days until concluding, concerning the matters set forth in this Complaint and Notice of
 Hearing, at which time and place, the State will present evidence, testimony, and
 argument in support of the charges set forth in this Complaint.

5 If you desire to make a defense to the charges at the hearing, you must file an Answer to this Complaint pursuant to A.R.S. § 32-128(F) within thirty (30) days of its 6 7 service. Failure to respond to the Complaint and Notice of Hearing within the 8 allotted time shall constitute an admission that you have violated Board statutes and 9 rules as stated in this document and discipline may be imposed against you. If you 10 file an answer, you may also appear at the hearing in person and may be represented by legal counsel (admitted to practice in Arizona) and may at that time cross-examine the 11 12 witnesses against you and present testimony of witnesses, evidence, and legal argument 13 on your own behalf. If you file an answer but fail to appear for the hearing, the hearing 14 may proceed in your absence and discipline may be imposed against you. If you would 15 like to waive the hearing on the Complaint and do not contest the facts alleged, you may file an answer consisting of a declaration that the material allegations of the Complaint 16 17 are admitted. Your answer should be sent to Kurt Winter, Arizona State Board of 18 Technical Registration, 1110 W. Washington, Ste. 240, Phoenix, AZ 85007.

Pursuant to A.R.S. §§ 32-106.02(B) and 32-128(H), if it is determined that you
have violated a Board statute or rule, discipline against you can include a civil penalty of
up to \$2,000 per violation; and you may also be charged for the costs of its investigation,
including the Board's attorney fees.

Pursuant to A.R.S. § 41-1092.06(A), you have the right to request an informal
settlement conference to attempt to negotiate a settlement of your case. Such request
must be filed in writing no later than twenty (20) days before the scheduled hearing.
Such request may be filed by mail or email with the attorney for the Board who is listed
herein, or by regular mail to Kurt Winter, Arizona State Board of Technical Registration,

1110 W. Washington, Ste. 240, Phoenix, AZ 85007. The conference will be held within 1 fifteen (15) days after the Board receives your request. Please note that you waive any 2 right to object to the participation of the Board's representative in the final administrative 3 decision of the matter if it is not settled at the conference. 4 5 I. PARTIES AND JURISDICTION 6 1. The Board is the duly constituted authority for the regulation and control of the alarm industry, and the firms under which registrants practice pursuant to A.R.S. § 7 8 32-101, et seq. 9 2. The Board issues this Complaint and Notice of Hearing pursuant to A.R.S. 10 § 32-128(E). 11 3. Respondent and Respondent Firm are not registered with the Board. 12 4. Pursuant to A.R.S. § 32-106, the Board possesses jurisdiction over the 13 subject matter and over Respondents. 14 II. FACTUAL ALLEGATIONS 15 5. Respondent has never been registered with the Board as an alarm agent or 16 controlling person of Respondent Firm; and Respondent Firm has never been registered 17 with the Board as an alarm business. 6. 18 Respondent submitted applications for alarm agent and controlling person 19 in June, 2014, but he did not complete the application process. He did not submit the required photo, driver's license, or corporation documents. He did not respond to staff 20 requests when a "hit" came back on his background check. Respondent's application was 21 22 closed at the August, 2014, board meeting due to incompleteness. 23 7. On January 24, 2019, the Board received a complaint alleging that the 24 Respondent and Respondent Firm advertised and engaged in alarm-business activities 25 without registration with the Board. 26 27 3

8. On February 11, 2019, the Board received a complaint alleging that the
 Respondent and Respondent Firm engaged in door-to-door sales of alarm systems
 without Board registration.

9. On March 20, 2019, Respondent and Respondent Firm maintained an
internet webpage offering the sale and installation of alarm systems in Arizona.

6 10. On March 20, 2019, Respondent and Respondent Firm offered the sale and
7 installation of an alarm system in Glendale, AZ.

8 11. On June 20, 2019, the Board received a complaint alleging that the
9 Respondent conducted an alarm system sale and installation without registration as an
10 alarm agent at 14802 Yerba Buena Way Apt. C, in Fountain Hills, Arizona.

11 12. On July 25, 2019, Respondent told staff that he was operating an alarm
12 business and employed people installing alarm systems for four years without being
13 registered with the Board.

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III. ALLEGATIONS OF VIOLATIONS

15 13. The conduct alleged in the Factual Allegations constitutes grounds for
16 discipline pursuant to A.R.S. §§ 32-121 and 32-145(1) in that Respondent engaged in the
17 occupation of alarm agent without Board registration.

18 14. The conduct alleged in the Factual Allegations constitutes grounds for
19 discipline pursuant to A.R.S. §§ 32-121, 32-122.05, and 32-141, in that Respondent Firm
20 conducted alarm-business activities in Arizona without alarm-business and controlling21 person registrations with the Board.

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_ day of July, 2020. **RESPECTFULLY SUBMITTED this** 1 2 3 ARIZONA BOARD OF TECHNICAL TEC REGISTRATION 4 5 By: 6 MELISSA CORNELIUS 7 **Executive Director** Arizona Board of Technical Registration 8 9 **ORIGINAL** Complaint and Notice of Hearing filed this <u>Z</u> day of July, 2020, with the: 10 11 Arizona State Board of Technical Registration 1110 W. Washington, Suite 240 12 Phoenix, AZ 85007 13 **COPY** of the Complaint and Notice of Hearing mailed by First Class Mail and U.S. Certified Mail No. <u>9214 890194344660071596</u> 14 this **<u>77</u>** day of July, 2020, to: 15 16 Arizona State Prison – Safford Graham Unit Travis Stevens ADC Inmate #336660 17 896 South Cook Road Safford, AZ 85546 18 19 COPY of the Complaint and Notice of Hearing e-mailed this $\underline{77}$ day of July, 2020, to: 20 21 Deanie Reh Assistant Attorney General 22 deanie.reh@azag.gov Attorney for the State of Arizona 23 24 By: Kurt Winler 25 26 #8837483 27 5