

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

3 **In the Matter of:**)

4)
5 **Theodore Gossard, Non-Registrant,**)

6 **Fine Tooth Home Inspection, L.L.C,**)
7 **Unregistered Firm,**)

8 **Respondents.**)
9)
10)

Cases No. HI18-021

**FINDINGS OF FACT
CONCLUSIONS OF LAW
AND FINAL BOARD ORDER**

11 On July 23, 2019 this matter came before the Arizona Board of Technical Registration
12 (“Board”) for consideration of the State’s Motion to Deem Allegations Admitted regarding the
13 Complaint and Notice of Hearing and the imposition of disciplinary action pursuant to A.R.S
14 §32-128(F). Theodore Gossard and Fine Tooth Home Inspection, LLC, Respondents, were not
15 present and were not represented by legal counsel. The State was represented by the Office of
16 the Attorney General, Assistant Attorney General Deanie Reh. The Board received independent
17 legal advice from Assistant Attorney General Michael Raine. The Board, after due consideration
18 of the issues before it, granted the State’s Motion to Deem the Allegations Admitted and adopted
19 the Factual allegations and Alleged Violations in the State’s Complaint and Notice of Hearing as
20 its Findings of Fact and Conclusions of Law, and now issues the following Order:

21 **FINDINGS OF FACT**

22 1. The Board is the duly constituted authority for the regulation and control of the practice
23 of home inspection, etc., and the firms under which registrants practice pursuant to A.R.S. §32-
24 101, et seq.

25 2. Respondents, Theodore Gossard and Fine Tooth Home Inspection, do not hold
26 registrations to practice home inspection in Arizona.
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1 3. Theodore Gossard held Home Inspection certificate number 39084, which expired on
2 March 31, 2016. On April 25, 2017, the Board cancelled the certificate pursuant to A.R.S. § 32-
3 127.

4 4. Fine Tooth Home Inspection, L.L.C., held registered firm number 12387, which expired
5 on March 31, 2014.

6 5. On January 3, 2017, Respondent Gossard performed a home inspection and prepared a
7 home inspection report through his firm, Fine Tooth Home Inspection, L.L.C. for the property
8 located at 4401 Meadowview, Flagstaff, Arizona.

9 6. On January 16, 2018, the Board received a complaint alleging that Respondent
10 Gossard failed to conduct the home inspection at 4401 Meadowview in accordance with the
11 Standards of Professional Practice for Arizona Home Inspectors, and that he performed the
12 inspection while his certificate and that of his firm were in expired status.

13 7. On March 30, 2018, Board staff received a Response to the complaint from
14 Respondent in which he knowingly admitted that his home inspector certificate, number
15 39084, and his firm registration, number 12387, were expired at the time he performed the
16 inspection at 4401 Meadowview, Flagstaff, Arizona.

17 8. In or about June 2018, Board staff informed Respondent that if he intended to
18 continue to perform home inspections in Arizona he had to become re-certified pursuant to
19 A.R.S. § 32-122.02 and § 32-141.

20 9. On June 4, 2018, Board staff accessed Respondent's website on the internet,
21 www.finetoothhomeinspections.com. Staff observed that Respondent and Respondent firm
22 were actively offering home inspection services to the public without required registrations.

23 **CONCLUSIONS OF LAW**

24 10. The conduct alleged above constitutes grounds for discipline pursuant to A.R.S.
25 §32-106.02, in that Respondent, Theodore Gossard, is not registered with the Board to
26 practice home inspection in Arizona, as required pursuant to A.R.S. § 32-121 and A.R.S. §
27 32-145.

1 11. The conduct alleged above constitutes grounds for discipline pursuant to A.R.S.
2 §32-106.02, in that Respondent Firm, Fine Tooth Home Inspection, L.L.C., is not registered
3 with the Board to practice home inspection in Arizona, as required pursuant to A.R.S. §32-
4 121 and A.R.S. § 32-141.

5 **ORDER**

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

8 1. **REVOCATION OF REGISTRATION.** As of the effective date of this Order,
9 Respondent Theodore Gossard's Arizona Registered Home Inspector Registration No. 39084
10 and Respondent Firm Fine Tooth Home Inspections, Inc.'s Firm Registration No. 12387 shall be
11 revoked.

12 **Right to Petition for Rehearing or Review**

13 Respondents are hereby notified that they have the right to file a motion for rehearing or
14 review. Pursuant to A.R.S. § 41-1092.09(B) and A.A.C. R4-30-126(A) the motion for rehearing
15 or review must be filed with the Board's Executive Director within 30 days after service of this
16 Order. Service of this Order is defined as five calendar days after mailing.

17 The motion for rehearing or review must set forth legally sufficient reasons for granting a
18 rehearing or review. A.A.C. R4-30-126(C). If a petition for rehearing or review is not filed, the
19 Board's Order becomes effective 35 days after it is mailed to Respondents. Respondents are
20 further advised that the filing of a motion for rehearing or review is required to preserve any
21 rights of appeal to Superior Court.
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1 **DATED** this 29th day of July 2019.

Arizona Board of Technical Registration

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6 _____
Jason Foose RLS, Chairman

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8 **ORIGINAL** filed this 29 day of July 2019, to:

9 Board of Technical Registration
10 1110 West Washington, Suite 240
11 Phoenix, Arizona 85007

12 **COPY** mailed via Certified Mail
13 First Class mail this 29 day of July, 2019, to:

14 Theodore Gossard
15 Fine Tooth Home Inspection, LLC
16 PO Box 50644
Parks, AZ 86018

17 Theodore Gossard
18 Fine Tooth Home Inspection, LLC
19 PO Box 373
Flagstaff, AZ 86002

20 **COPY** of the foregoing mailed this 29 day of July, 2019, to: _

21
22 Deanie Reh
23 deanie.reh@azag.gov

24 Michael Raine
25 michael.raine@azag.gov

26 By: Kurt Winter
27
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