

BEFORE THE ARIZONA STATE  
BOARD OF TECHNICAL REGISTRATION

<p><b>In the Matter of:</b></p> <p><b>Steven Callahan</b> <b>Certification No. 39079</b></p> <p><b>Canyon State Property Inspections</b> <b>Non-Registered Firm</b></p> <p><b>Respondents</b></p>	<p><b>Case No. HI20-035</b></p> <p><b>CONSENT AGREEMENT</b> <b>and</b> <b>ORDER OF DISCIPLINE</b></p>
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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, Steven Callahan (“Respondent”) , holder of registration #39079, and Canyon State Property Inspections (Non-Registrant Firm) 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.

1           3.       Respondent affirmatively agrees that this Consent Agreement shall be irrevocable.

2           4.       Respondent understands that this Consent Agreement or any part of the agreement  
3 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 public  
6 records (as defined in A.R.S. § 41-158.18) upon acceptance by the Board of this Consent  
7 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 number  
9 HI20-035 involving allegations that Respondent engaged in conduct that would subject him to  
10 discipline under the Board's statutes and rules. The investigation into these allegations against  
11 Respondent shall be concluded upon the Board's adoption of 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, and does  
14 not constitute any waiver, express or implied, of the Board's statutory authority or jurisdiction  
15 regarding any other pending or future investigation, action or proceeding.

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

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

24           10.      This Consent Agreement is subject to the approval of the Board and is effective  
25 only when accepted by the Board and signed on behalf of the Board. If the Board does not accept  
26 this Consent Agreement, the Board retains its authority to hold a formal administrative hearing  
27 pursuant to A.R.S. § 32-128(E). In the event that the Board does not approve this Consent  
28 Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor

1 introduced in any action by any party, except that the parties agree that should the Board reject  
2 this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that  
3 the Board was prejudiced by its review and discussion of this document or any records relating  
4 thereto.

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

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

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

#### 12 **FINDINGS OF FACT**

13 1. The Board is the duly constituted authority for the regulation and control of the  
14 practice of Home Inspection in the state of Arizona.

15 2. Respondent is the holder of Certification No. 39079, which was suspended on April  
16 10, 2020 due to failure to provide proof of financial assurances to the Board.

17 3. Respondent Firm's registration with the Board expired on May 1, 2019 and has not  
18 been renewed.

19 4. On May 8, 2020 Board staff received a complaint alleging that Respondent  
20 and Respondent Firm advertised home inspection services through Respondent Firm's  
21 website without firm registration with the Board. It was further alleged that Respondent's  
22 certification as a Home Inspector was suspended on April 10, 2020 for failure to provide  
23 proof of financial assurances to the Board.

24 5. On May 8, 2020 Board staff searched Canyon State Property Inspections on  
25 the internet and found an active website.

26 6. On May 11, 2020 Board staff received proof of Respondent's financial  
27 assurance.  
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1           7.     On May 12, 2020 Board staff received Respondent's renewal certification  
2 and his status as a Home Inspector was updated from "suspended" to "active."

3           8.     On June 17, 2020 Board staff attempted to reach Respondent at  
4 480-699-1651. The Respondent did not answer, however, the voicemail identified Canyon  
5 State Property Inspections.

6           9.     Board staff attempted to contact Respondent at 480-699-1651 on July 9,  
7 2020, July 31, 2020, August 4, 2020 and October 30, 2020. Respondent did not respond.

8           10.    On October 30, 2020 Board staff searched Canyon State Property Inspections  
9 on the internet and found an active website.  
10

11                                   **CONCLUSIONS OF LAW**

12           1.     The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq,  
13 including A.R.S. § 32-106.02(A).

14           2.     The conduct alleged in the Findings of Fact constitutes grounds for discipline  
15 pursuant to A.R.S. § 32-128(C)(4) as it relates to A.A.C. R4-30-301(4), in that Respondent failed  
16 to comply with state, municipal, and county laws, codes, ordinances and regulations, pertaining to  
17 his area of practice.

18           3.     The conduct alleged in the Findings of Fact constitutes grounds for discipline  
19 pursuant to A.R.S. 32-141 in that Respondent and Respondent Firm may have practiced or  
20 offered to practice a Board regulated profession without firm registration.

21                                   **ORDER**

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

24           1.     **CIVIL PENALTY.** Within Sixty (60) days from the effective date of this  
25 Consent Agreement, Respondent shall pay a civil penalty of One Thousand Dollars (\$1,000.00)  
26 by cashier's check or money order made payable to the Arizona State Board of Technical  
27 Registration, according to the provisions of A.R.S. § 32-106.02(A).

28           2.     **COST OF INVESTIGATION.** Within thirty (30) days from the effective date of  
this Consent Agreement, Respondent shall pay the cost of investigation of this case to the Board in

1 the amount of Ninety-Two Dollars (\$92.00) by certified check or money order made payable to  
2 the State of Arizona Board of Technical Registration, according to the provisions of A.R.S. §  
3 32-128(H).

4 3. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, related  
5 to the practice of Home Inspection in the State of Arizona. The Board shall consider any  
6 violation of this paragraph to be a separate violation of the statutes governing the Arizona Board  
7 of Technical Registration.

8 4. EFFECTIVE DATE. The effective date of this Consent Agreement is the date the  
9 Respondent and Board sign the Consent Agreement. If the dates are different, the effective date is  
10 the later of the two dates.

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

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

16  
17 ACCEPTED and ORDERED this 6 day of Jan, 2020.

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20 Jason E. Foose, R.L.S., Chairman  
21 Arizona State Board of  
22 Technical Registration

23  
24 Consent Agreement and Order, No. HI20-035 accepted this 6 day of January, 2020.

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27 Steven Callahan and Canyon State Property  
28 Inspections, Respondents

1 **ORIGINAL** filed this \_\_\_\_\_ day of  
2 \_\_\_\_\_, 2020, with:

3  
4  
5 Arizona State Board of Technical Registration  
6 1110 W. Washington, Suite 240  
7 Phoenix, AZ 85007

8 **COPY** of the foregoing mailed via Certified Mail  
9 No. \_\_\_\_\_ and  
10 First Class mail this \_\_\_\_\_ day of \_\_\_\_\_, 2020, to:

11 Steven Callahan  
12 Canyon State Property Inspections, LLC  
13 21599 E. Saddle CT  
14 Queen Creek, Arizona 85142

15 By: \_\_\_\_\_  
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