BEFORE THE ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

In the Matter of:) Case No.: H121-017
Antone Goetz Non-Registrant	CONSENT AGREEMENT and ORDER OF DISCIPLINE
B-4 You Buy Home Inspection	
Non-Registered Firm)
Respon	dent

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. Antone Goetz, Non-Registrant, ("Respondent") and owner of B-4 You Buy Home Inspection Services (Non Registered 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.

 Respondent affirmatively agrees that this Consent Agreement shall be irrevocable.

- Respondent understands that this Consent Agreement or any part of the agreement may be considered in any future disciplinary action by the Board against him.
- 5. The Consent Agreement, any record prepared in this matter, all investigative materials prepared or received by the Board and all related exhibits and materials, are public records (as defined in A.R.S. § 41-158.18) upon acceptance by the Board of this Consent Agreement and may be retained in the Board's files pertaining to this matter.
- 6. Respondent understands this Consent Agreement deals with Board case number H121-017 involving allegations that Respondent engaged in conduct that would subject him to discipline under the Board's statutes and rules. The investigation into these allegations against Respondent shall be concluded upon the Board's adoption of this Consent Agreement.
- 7. Respondent understands that this Consent Agreement does not constitute a dismissal or resolution of any other matters currently pending before the Board, if any, and does not constitute any waiver, express or implied, of the Board's statutory authority or jurisdiction regarding any other pending or future investigation, action or proceeding.
- 8. Respondent also understands that acceptance of this Consent Agreement does not preclude any other agency, subdivision, or officer of this State from instituting any other civil or criminal proceedings with respect to the conduct that is the subject of this Consent Agreement.
- 9. Respondent acknowledges and agrees that, upon signing this Consent Agreement and returning this document to the Board's Executive Director, he may not revoke his acceptance of the Consent Agreement or make any modifications to the document regardless of whether the Consent Agreement has been signed on behalf of the Board. Any modification to this original document is ineffective and void unless mutually agreed by the parties in writing.

- 10. This Consent Agreement is subject to the approval of the Board and is effective only when accepted by the Board and signed on behalf of the Board. If the Board does not accept this Consent Agreement, the Board retains its authority to hold a formal administrative hearing pursuant to A.R.S. § 32-128(E). In the event that the Board does not approve this Consent Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced in any action by any party, except that the parties agree that should the Board reject this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its review and discussion of this document or any records relating thereto.
- 11. If a court of competent jurisdiction rules that any part of this Consent Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement shall remain in full force and effect.
- 12. Respondent understands that any violation of this Consent Agreement may result in disciplinary action, including suspension or revocation of the registration under A.R.S. § 32-150.
- 13. Respondent agrees that the Board will adopt the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

- 1. The Board is the duly constituted authority for the regulation and control of Home Inspectors in the State of Arizona.
 - 2. Respondent is not registered with the Board as a Home Inspector.
- 3. Respondent's Firm, B-4 You Buy Home Inspection Services, is not registered with the Board.
- 4. On February 4, 2021, Board Staff received a complaint regarding a sub-par inspection and report, Respondent had performed on January 19, 2021, at 5005 N. Coronado Vistas Pl. in Tucson, Arizona.
- Staff discovered Respondent's registration (38572) had expired on July 31,
 and cancelled by the Board on August 28, 2018.

 6. Respondent's Firm registration (14979) had expired on January 6, 2017 and cancelled on February 27, 2020.

7. Multiple attempts to contact the Respondent have gone unanswered.

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. § 32-145(1), in that Respondent practiced or offered to practice a Board regulated profession without Board registration.
- 3. 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, in that Respondent Firm practiced or offered to practice a Board regulated profession without Board registration.

ORDER

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

- 1. CIVIL PENALTY. Within Six (6) months from the effective date of this Consent Agreement, Respondent shall pay a civil penalty of One Thousand Five Hundred Dollars (\$1,500.00), to be submitted to the Board by cashier's check or money order and made payable to the Arizona State Board of Technical Registration, according to the provisions of A.R.S. § 32-106.02(A).
- 2. COST OF INVESTIGATION. Within Six (6) months 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 Dollars (\$300.00) 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).
- 3. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws. related to the practice of Home Inspecting in the State of Arizona. The Board shall consider any violation of this paragraph to be a separate violation of the statutes

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Antone Goetz 9089 E. Arbor St. Tucson, Arizona 85730