

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

3 **In the Matter of:**

4 **Julia Gallardo**  
5 **Home Inspector**  
6 **Certification No. 69071**

7 **Respondent**

**Case No.: HI22-005**

**CONSENT AGREEMENT**  
**and**  
**ORDER OF DISCIPLINE**

8  
9 In the interest of a prompt and judicious resolution of the above-captioned matter  
10 before the Arizona State Board of Technical Registration (“Board”) and consistent with  
11 the public interest, statutory requirements, and the responsibilities of the Board, and  
12 pursuant to A.R.S. § 32-101 et seq., and A.A.C. R4-30-120(G), the undersigned party,  
13 Julia Gallardo (“Respondent”), holder of Certification No. 69071, and the Board enter  
14 into the following Recitals, Findings of Fact, Conclusions of Law and Order (“Consent  
15 Agreement”) as a final disposition of this matter.

16 **RECITALS**

17 1. Respondent has read and understands this Consent Agreement and has had  
18 the opportunity to discuss this Consent Agreement with an attorney, or has waived the  
19 opportunity to discuss this Consent Agreement with an attorney.

20 2. Respondent understands that he has a right to a public administrative hearing  
21 concerning this case. He further acknowledges that at such formal hearing he could  
22 present evidence and cross-examine witnesses. By entering into this Consent Agreement,  
23 Respondent knowingly, voluntarily, and irrevocably waives his right to such an  
24 administrative hearing, as well as rights of rehearing, review, reconsideration, appeal,  
25 judicial review or any other administrative and/or judicial action concerning the matters  
26 set forth herein.

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

1           4. Respondent understands that this Consent Agreement or any part of the  
2 agreement may be considered in any future disciplinary action by the Board against him.

3           5. The Consent Agreement, any record prepared in this matter, all investigative  
4 materials prepared or received by the Board and all related exhibits and materials, are  
5 public records (as defined in A.R.S. § 41-158.18) upon acceptance by the Board of this  
6 Consent Agreement and may be retained in the Board's files pertaining to this matter.

7           6. Respondent understands this Consent Agreement deals with Board case  
8 number HI22-005 involving allegations that Respondent engaged in conduct that would  
9 subject him to discipline under the Board's statutes and rules. The investigation into  
10 these allegations against Respondent shall be concluded upon the Board's adoption of  
11 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,  
14 and does not constitute any waiver, express or implied, of the Board's statutory authority  
15 or jurisdiction regarding any other pending or future investigation, action or proceeding.

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

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

26           10. This Consent Agreement is subject to the approval of the Board and is  
27 effective only when accepted by the Board and signed on behalf of the Board. If the  
28 Board does not accept this Consent Agreement, the Board retains its authority to hold a

1 formal administrative hearing pursuant to A.R.S. § 32-128(E). In the event that the  
2 Board does not approve this Consent Agreement, it is withdrawn and shall be of no  
3 evidentiary value and shall not be relied upon nor introduced in any action by any party,  
4 except that the parties agree that should the Board reject this Consent Agreement and this  
5 case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced  
6 by its review and discussion of this document or any records relating thereto.

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

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

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

15 **FINDINGS OF FACT**

16 1. The Board is the duly constituted authority for the regulation and control of  
17 the practice of Home Inspection in the State of Arizona.

18 2. Respondent is the holder of Arizona Home Inspector Certification No.  
19 69071.

20 3. On or about July 22, 2021, Respondent conducted a Home Inspection at 7115  
21 East Flamenco Drive in Tucson, Arizona.

22 4. On or about July 29, 2021, the Board received a complaint alleging that  
23 Respondent, after conducting a home inspection at 7115 E Flamenco Dr. in Tucson,  
24 Arizona, on or about July 22, 2021, failed to report on the correct age of an A/C unit,  
25 failed to correctly identify the materials of the walls inside the home, failed to report on  
26 an entire second electrical box, failed to accurately identify the type of piping in the  
27 home, and failed to report that most of the outlets in the home had false grounds.

28 5. On December 14, 2021, an Enforcement Advisory Committee Meeting

1 (“EAC”) convened to review the complaint against Respondent. After reviewing the  
2 evidence, the Committee unsubstantiated all of the initial allegations but determined that  
3 respondent’s Home Inspection Report failed to meet the Standards of Professional  
4 Practice for Arizona Home Inspectors (“S.O.P.”) in that:

- 5 a) Respondent failed to list the firm address in the agreement as required  
6 in S.OP. #2.2,
- 7 b) Respondent failed to report on the foundation condition as required in  
8 S.O.P. #4.1,
- 9 c) Respondent failed to report on the floor condition as required in S.O.P.  
10 #4.1,
- 11 d) Respondent failed to report on the floor’s/ceiling’s conditions as  
12 required in S.O.P. #4.1,
- 13 e) Respondent failed to report on the functional flow as required in  
14 S.O.P. #7.1,
- 15 f) Respondent failed to report on the service amperage/voltage as  
16 required in S.O.P. #8.2,
- 17 g) Respondent failed to report on the energy source type as required in  
18 S.O.P #9.2,
- 19 h) Respondent failed to accurately report on the operating controls  
20 condition as required in S.O.P. #9.1.

21 **CONCLUSIONS OF LAW**

- 22 1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq.
- 23 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline  
24 pursuant to A.R.S. § 32-128(C)(4) as it relates to A.A.C. R4-30-301.0.1, in that  
25 Respondent failed to conduct a Home Inspection in accordance with the Standards of  
26 Professional Practice for Arizona Home Inspectors.

27 **ORDER**

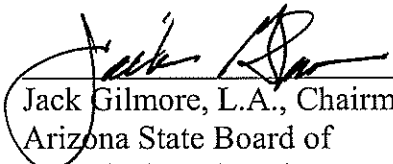
28 Based on the foregoing Findings of Fact and Conclusions of Law, the Board issues

1 the following Order:

2 1. **VOLUNTARY SURRENDER.** Respondent agrees to voluntarily surrender  
3 her Certified Home Inspector Registration No. 69071 in lieu of a formal hearing.

4 2. **EFFECTIVE DATE.** The effective date of this Consent Agreement is the  
5 date the Respondent and Board sign the Consent Agreement. If the dates are different, the  
6 effective date is the later of the two dates.

7  
8  
9 ACCEPTED and ORDERED this 22 day of ~~FEB~~, 2021.

10  
11   
12 Jack Gilmore, L.A., Chairman  
13 Arizona State Board of  
14 Technical Registration

15 Consent Agreement and Order, No. HI22-005 accepted this 31st day of  
16 January, 2021.

17   
18 Julia Gallardo, Respondent  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORIGINAL** filed this 23<sup>rd</sup> day of

February, 2021, with:

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

**COPY** of the foregoing mailed via Certified Mail  
No. 9214 8901 9434 4600 0867 43 and

First Class mail this 23<sup>rd</sup> day of February, 2021, to:

Julia Gallardo  
9942 E. Banister Dr.  
Tucson, AZ 85730

By: Daniel Carthel  
