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1	KRISTIN K. MAYES		
2	Attorney General Firm State Bar No. 14000		
3			
4	DEANIE REH Assistant Attorney General		
5	State Bar No. 005170		
6	Licensing and Enforcement Section 2005 N. Central Ave.		
7	Phoenix, Arizona 85004		
8	Telephone: (602) 542-8322 Facsimile: (602) 542-4385		
_	LicensingEnforcement@azag.gov		
9	Attorney for the Arizona Board of Technical R	legistration	
10	BEFORE THE ARIZONA STATE		
11	BOARD OF TECHNIC	AL REGISTRATION	
12	To do Mario C	OATED 1 (AT ANY AYAA AAA DARD	
13	In the Matter of:	OAH Docket No.: 22F-HI22-027-BTR BTR Case No. HI22-027	
14	Ryan Delaney,		
15	Certified Home Inspector Registration No. 40752,	CONSENT AGREEMENT	
16	and		
17	anu		
18	GreenLight REI, Firm Registration No. 23883,		
19	i iiii Rogistiation 140. 25005,		
20	Respondents.		
21	In the interest of a prompt and judicious resolution of the above-captioned matter		
22	before the Arizona State Board of Technical Registration (the "Board") and consistent		
23	with the public interest, statutory requirements, and the responsibilities of the Board, and		
24	pursuant to Arizona Revised Statutes ("A.R.S.") § 32-101, et seq., and Arizona		
25	Administrative Code ("A.A.C.") R4-30-120(G), the Board and the undersigned party,		
26	Ryan Delaney ("Respondent"), on behalf of himself and GreenLight REI (Respondent		
27	Firm") (collectively, "Respondents"), enter into the following Recitals, Findings of Fact,		

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Conclusions of Law and Order ("Consent Agreement") as a final disposition of this matter.

RECITALS

- 1. The Board has not conducted a hearing nor made a determination on the merits contained herein. Instead, the Board and Respondents have agreed to a full and final settlement of this matter in lieu of formal disciplinary proceedings, pursuant to A.A.C. R4-30-123(B).
- 2. 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.
- 3. 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.
- 4. Respondent affirmatively agrees that this Consent Agreement shall be irrevocable.
- 5. 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 or Respondent Firm.
- 6. 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 records (as defined in A.R.S. § 41-151.18) upon acceptance by the Board of this Consent Agreement and may be retained in the Board's files pertaining to this matter.

- 7. Respondent understands this Consent Agreement deals with Board case number HI22-027 involving allegations that Respondents engaged in conduct that would subject Respondents to discipline under the Board's statutes and rules. The investigation into these allegations against Respondents shall be concluded upon the Board's adoption of this Consent Agreement.
- 8. Respondent understands that this Consent Agreement is solely to settle case number HI22-027, does not preclude the Board from instituting other proceedings as may be appropriate now or in the future, 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.
- 9. Respondent also understands that, with respect to the conduct that is the subject of this Consent Agreement, 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, investigating claims, or taking legal action as may be appropriate now or in the future relating to this matter or other matters concerning Respondents, including but not limited to violations of Arizona's Consumer Fraud Act. Respondent acknowledges that, other than with respect to the Board, this Consent Agreement makes no representation, implied or otherwise, about the views or intended actions of any other state agency or officer or political subdivision of the state relating to this matter or other matters concerning Respondents.
- 10. Respondent acknowledges and agrees that, upon signing this Consent Agreement and returning this document to the Board's Executive Director, Respondent may not revoke 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.

11.

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, shall be of no evidentiary value, and shall not be relied upon nor introduced in any action by any party. Respondent agrees 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.

effective only when accepted by the Board and signed on behalf of the Board. If the

This Consent Agreement is subject to the approval of the Board and is

- 12. 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.
- 13. Respondent agrees that any violation of this Consent Agreement may result in disciplinary action, including suspension or revocation of registration under A.R.S. § 32-150.
- 14. 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 the home inspection industry, and the firms under which registrants practice pursuant to A.R.S. § 32-101, et seq.
- 2. Respondent is registered as a certified home inspector under registration number 40752.
- 3. Respondent is the principal for Respondent Firm, currently registered under number 23883.

- 4. Respondent Firm was previously registered with the Board as Limitless Property Services Inc., doing business as Greenlight REI, under firm registration No. 15371.
- 5. On or about November 30, 2019, Respondent Firm's registration, No. 15371, expired, and remained in delinquent status.
- 6. On or about February 26, 2020, Respondent Firm's registration, No. 15371, and was placed in "closed" status.
- 7. On or about March 16, 2022, the Board received a complaint that Respondent Firm offered the services of home inspection without being registered with the Board.
- 8. On or about March 21, 2022, Board staff observed Respondent Firm's website and confirmed that the website offered the services of home inspection under Respondent Firm's name while Respondent Firm's registration was closed.
- 9. When contacted by Board staff regarding this violation, Respondent reregistered Respondent Firm under firm registration No. 23883, on or about March 23, 2022.

CONCLUSIONS OF LAW

- 1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq.
- 2. The conduct alleged in the Factual Allegations constitutes grounds for discipline pursuant to A.R.S. §§ 32-121, 32-128(C)(4), 32-141, and 32-145, and Arizona Administrative Code R4-30-301(4), in that Respondent and Respondent Firm practiced or offered to practice a Board regulated profession without valid firm registration.

ORDER

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

1. LETTER OF REPRIMAND. Respondent shall be issued a Letter of

Reprimand.

- 2. **ADMINISTRATIVE PENALTY.** Within sixty (60) days from the effective date of this Consent Agreement, Respondent shall pay an administrative penalty of Three Hundred and Fifty Dollars (\$350.00) by certified check or money order made payable to the State of Arizona Board of Technical Registration.
- 3. **COST OF INVESTIGATION.** No later than April, 15, 2024, Respondent shall pay to the Board the combined costs of investigation and attorney's fees related to this case in the amount of One Thousand Nine Hundred Eight Dollars (\$1,908.00) 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).
- 4. **OBEY ALL LAWS.** Respondent shall obey all federal, state and local laws, as well as, all rules governing 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 rules and statues governing the Arizona Board of Technical Registration. The Board may also consider Respondent's non-compliance with this Order as a separate violation of A.R.S. § 32-150.
- 5. **RENEWAL OF REGISTRATION.** Respondent and Respondent Firm shall, in a timely manner, obtain and/or renew Arizona registration as a Home Inspector and a Home Inspection Firm and pay all required registration fees.
- 6. **EFFECTIVE DATE**. The effective date of this Consent Agreement and Order is the date it was last executed by the Respondent or the Board.
- 7. **COSTS OF COMPLIANCE**. Respondent shall pay all costs associated with complying with this Consent Agreement.

ACCEPTED and ORDERED this ______ day of April, 2023.

John Gilmore, Board Chair Arizona State Board of

Technical Registration

1	CONSENT AGREEMENT and ORDER, Number H122-027, accepted this
2	<u>12th</u> day of April, 2023.
3	REQUE
4	
5	Ryan Delaney, Respondent
6	
7	ORIGINAL of the foregoing filed this day of, 2023, with:
8	Arizona State Board of Technical Registration
9	1110 W. Washington, Suite 240 Phoenix, AZ 85007
10	
11	COPY of the foregoing emailed, delivery and read receipts requested, and mailed by First Class Mail and Certified Mail No
12	day of, 2023, to:
13	Ryan Delaney
14	2036 W. Virginia Ave Phoenix, AZ 85009
15	ryan@greenlightaz.com
16	COPY of the foregoing e-mailed this day of, 2023, to:
17	Deanie Reh
18	Assistant Attorney General
19	deanie.reh@azag.gov Attorney for the State of Arizona
20	
21	By:
22	11150953
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