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

<p>In the Matter of:</p> <p>Robert Crum Certified Home Inspector Registration No. 62694</p> <p style="text-align: center;">Respondent</p>	<p style="text-align: center;">Case No. HI20-023</p> <p style="text-align: center;">CONSENT AGREEMENT and ORDER OF DISCIPLINE</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, Robert Crum (“Respondent”), holder of Registration No. 62694, 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.

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

1 4. Respondent understands that this Consent Agreement or any part of the agreement
2 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 public
5 records (as defined in A.R.S. § 41-158.18) upon acceptance by the Board of this Consent
6 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 number
8 HI20-023 involving allegations that Respondent engaged in conduct that would subject him to
9 discipline under the Board's statutes and rules. The investigation into these allegations against
10 Respondent shall be concluded upon the Board's adoption of this Consent Agreement.

11 7. Respondent understands that this Consent Agreement does not constitute a
12 dismissal or resolution of any other matters currently pending before the Board, if any, and does
13 not constitute any waiver, express or implied, of the Board's statutory authority or jurisdiction
14 regarding any other pending or future investigation, action or proceeding.

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

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

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

1 this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that
2 the Board was prejudiced by its review and discussion of this document or any records relating
3 thereto.

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

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

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

11 **FINDINGS OF FACT**

12 1. The Board is the duly constituted authority for the regulation and control of the
13 practice of Home Inspectors in the State of Arizona.

14 2. Respondent is the holder of Arizona Certified Home Inspector, Registration No.
15 62694.

16 3. On November 28, 2018, Respondent conducted a home inspection at 5302 Alexis
17 Pl. Show Low, Arizona.

18 4. On January 13, 2020, the Board received a complaint alleging the Respondent
19 failed to make the client aware of the condition of the roof.

20 5. On June 2, 2020, the Board's Enforcement Advisory Committee convened to
21 review the complaint against Respondent. After reviewing the evidence, the Committee
22 determined Respondent failed to conduct a home inspection in accordance with the Standards of
23 Professional Practice for Arizona Home Inspectors and found that:

24 a. Respondent failed to get an agreement signed that would have included his address,
25 registration number, purpose and scope and refer to the Arizona Standards of Professional
26 Practice. (S.O.P. #2.2)

27 b. Respondent failed to report on columns. S.O.P #4.1
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- 3 c. Respondent failed to mention the method of observation of crawl space. (S.O.P. #4.2)
- 4 d. Respondent failed to report on automatic safety reversing mechanism on garage door
- 5 (S.O.P. #5.2)
- 6 e. Respondent failed to adequately report on the roof other than covered. (S.O.P. #5.1)
- 7 f. Respondent failed to describe the patio. (S.O.P. #5.1)
- 8 g. Respondent failed to report on flashing around the chimney. (S.O.P. #6.1)
- 9 h. Respondent failed to report on plumbing supports and insulation. (S.O.P. #7.1)
- 10 i. Respondent failed to report on the presence of GFCI protection on the jet tub.
- 11 (S.O.P. #7.2)
- 12 j. Respondent failed to report on functional drainage. (S.O.P. #7.1)
- 13 k. Respondent failed to report on combustion air vents. (S.O.P. #7.1)
- 14 l. Respondent failed to report on electrical service type. (S.O.P. #8.2)
- 15 m. Respondent failed to report on OCPD compatibility. (S.O.P. #8.1)
- 16 n. Respondent failed to report on the operation of a representative number of light
- 17 fixtures.
- 18 (S.O.P. #8.1)
- 19 o. Respondent failed to report on the polarity and ground of receptacles. (S.O.P. #8.1)
- 20 p. Respondent failed to report on the automatic safety controls. (S.O.P. #9.1)
- 21 q. Respondent failed to report on interior steps and stairways. (S.O.P. #11.1)
- 22 r. Respondent failed to report on fire separation walls and ceilings. (S.O.P. #11.1)
- 23 s. Respondent failed to report on the type of insulation. (S.O.P. #12.1)
- 24 t. Respondent failed to report on vapor retarder. (S.O.P. #12.1)
- 25 u. Respondent failed to report on laundry room ventilation. (S.O.P. #12.1)

26 **CONCLUSIONS OF LAW**

- 27 1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq.
- 28 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline

1 pursuant to A.R.S. § 32-128(C)(4) as it relates to A.A.C. R4-30-30.301.1, in that Respondent
2 failed to conduct a Home Inspection in accordance with the Standards of Professional Practice for
3 Arizona Home Inspectors.

4 **ORDER**

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

7 1. LETTER OF REPRIMAND. Respondent is hereby issued a Letter of Reprimand.
8 2. STAYED SUSPENSION AND PROBATION. Respondent's registration as
9 Certified Home Inspector, No. 62694, shall be suspended for Six (6) Months; however, the
10 suspension is stayed for as long as Respondent remains in compliance with this Order. During
11 the stay of suspension, Respondent's registration as a Certified Home Inspector, is placed on
12 probation for Six (6) Months. If Respondent is non-compliant with any terms of this Order
13 during the Six (6) Month stayed suspension and probation period, the stay of the suspension shall
14 be lifted and Respondent's registration as a Certified Home Inspector shall be automatically
15 suspended without a formal hearing, and remain suspended until Respondent is compliant with all
16 terms of this Order.

17 3. RESTITUTION. Within Thirty (30) days from the effective date of this Consent
18 Agreement, Respondent shall pay restitution to the Client (Alleger) Sharon Richards, in the
19 amount of Three Hundred Fifty Dollars (\$350.00), for the cost of the home inspection in case
20 HI20-023. Respondent shall provide proof of payment to the client (copy of the check) to the
21 Board of Technical Registration showing payment was made.

22 4. PEER REVIEW. Within three (3) months of the effective date of this Consent
23 Agreement. Respondent shall accompany a supervising Certified Home Inspector (Peer
24 Reviewer) for one home inspection, and perform an inspection at the same time and location as
25 the Peer Reviewer. Respondent shall prepare a Home Inspection Report , and submit the written
26 report to the Peer Reviewer for review.

27 The Respondent may select his Peer Reviewer, who shall be in good standing with the Board and
28 shall not have received any disciplinary action from the Board within the last 3-years. The Peer

1 Reviewer shall have been continuously certified by the Board as a Home Inspector for at least
2 five (5) years and shall have conducted at least two hundred and fifty (250) home inspections in
3 the State of Arizona.

4 The Respondent shall cause the Peer Reviewer to sign an Affidavit and Agreement to conduct
5 peer review with the Board affirming that the Peer Reviewer has met the peer Review selection
6 criteria prior to conducting any peer review.

7 At the conclusion of the peer review, Respondent will submit his work product, specifically a
8 home inspection report, to the peer Reviewer who will review and make all corrections to the
9 Respondent's home inspection report necessary for the report to meet the Standards of
10 Professional Practice for Arizona Home Inspectors. Respondent shall not perform any home
11 inspections or provide any client with a home inspection report for a fee, until all peer reviews are
12 completed.

13 Respondent shall ensure that the Peer Reviewer provides a written report to the Board after each
14 peer reviewed home inspection, detailing any deficiencies in the Respondent's practice, and
15 certifying that the deficiencies have been explained and corrected, in so far as the peer reviewed
16 home inspection is concerned. Respondent shall retain the peer Reviewer at his own expense.

17 5. REMEDIAL TRAINING. Within sixty (60) days from the effective date of this
18 Consent Agreement, Respondent shall provide proof to the Board that he has successfully
19 completed Board Staff approved remedial training in Home Inspection Report Writing.

20 6. ADMINISTRATIVE PENALTY. Within Six (6) months from the effective
21 date of this Consent Agreement, Respondent shall pay an administrative penalty of Five Hundred
22 Dollars (\$500.00) by certified check or money order made payable to the State of Arizona Board
23 of Technical Registration.

24 7. COST OF INVESTIGATION. Within Six (6) months from the effective date of this
25 Consent Agreement, Respondent shall pay the cost of investigation of this case to the Board in
26 the amount of Six Hundred Sixty Dollars (\$660.00) by certified check or money order made
27 payable to the State of Arizona Board of Technical Registration, according to the provisions of
28 A.R.S. § 32-128(H).

1 8. OBEY ALL LAWS. During the probationary period, Respondent shall obey all
2 federal, state and local laws, as well as, all rules governing the practice of Home Inspectors in the
3 State of Arizona. The Board shall consider any violation of this paragraph to be a separate
4 violation of the rules and statutes governing the Arizona Board of Technical Registration. The
5 Board may also consider Respondent's non-compliance with this Order as a separate violation of
6 A.R.S. § 32-150.

7 9. RENEWAL OF REGISTRATION. Respondent and Respondent Firm shall timely
8 renew their Arizona registration as a Home Inspector and Home Inspection Firm, and timely pay
9 all required registration fees.

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

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

15 12. NONCOMPLIANCE. If Respondent violates this Order in any way or fails to
16 fulfill the requirements of this Order, the Board, after giving notice and the opportunity to be
17 heard, may revoke, suspend or take other disciplinary actions against the registration. The issue
18 at such a hearing will be limited solely to whether this Order has been violated.

19
20 ~~ACCEPTED and ORDERED this~~ _____ day of _____, 2020. 

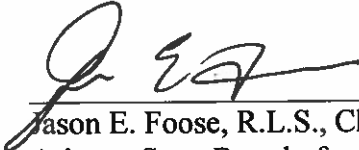
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23 ~~Jason E. Foote, R.L.S., Chairman~~
24 ~~Arizona State Board of~~
25 ~~Technical Registration~~

26 ~~Consent Agreement and Order No. HI20-023 accepted this~~ _____ day of _____, 2020.

27
28 ~~Robert Gram, Respondent~~

1 12. NONCOMPLIANCE. If Respondent violates this Order in any way or fails to
2 fulfill the requirements of this Order, the Board, after giving notice and the opportunity to be
3 heard, may revoke, suspend or take other disciplinary actions against the registration. The issue
4 at such a hearing will be limited solely to whether this Order has been violated.

5
6 ACCEPTED and ORDERED this 28th day of July, 2020.

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8 
9 Jason E. Foose, R.L.S., Chairman
10 Arizona State Board of
11 Technical Registration

12 Consent Agreement and Order, No. HI20-023 accepted this 15 day of June,
13 2020.

14 
15 Robert Crum, Respondent

16 ORIGINAL filed this 3 day of
17 August, 2020, with:

18 Arizona State Board of Technical Registration
19 1110 W. Washington, Suite 240
20 Phoenix, AZ 85007

21 COPY of the foregoing mailed via Certified Mail
22 No. 9214 8901 9434 4600 0000 072005 and
23 First Class mail this 3 day of August, 2020, to:

24 Robert Crum
25 White Mountain Inspections
26 P.O. Box 3149
27 Show Low, AZ 85902

28 By 

Received B.T.R.	
JUN 17 2020	
<input type="checkbox"/> Allegor	<input type="checkbox"/> Respondent
<input type="checkbox"/> Other	