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**BEFORE THE ARIZONA STATE  
BOARD OF TECHNICAL REGISTRATION  
IN THE OFFICE OF ADMINISTRATIVE HEARINGS**

**In the Matter of:**

) **Case No. AL14-009**

5 **CHRISTOPHER BOUTHNER**

6 Alarm Agent no. 55019,

) Respondent;

) **FINDINGS OF FACT,  
CONCLUSIONS OF LAW  
AND ORDER**

7 and

8 **DESERT DEFENSE SECURITY  
SERVICES, INC.**

9 Alarm Firm no. 18067

) Respondent Firm. )

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This matter came before the Arizona Board of Technical Registration ("Board") on September 24, 2019. Christopher Bouthner ("Respondent") was present. Neither Respondent nor Desert Defense Security Services, Inc. ("Respondent Firm") were represented by an attorney. Assistant Attorney General Deanie Reh appeared on behalf of the State. The Board received independent legal advice from Assistant Attorney General Marc Harris. After hearing evidence and arguments from the State, the Board issues the following Findings of Fact, Conclusions of Law and Order:

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**FINDINGS OF FACT**

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1. The Board is the duly constituted authority for the regulation and control of the practice of alarm agents, controlling persons, and alarm firms. A.R.S. § 32-101, et seq.
  2. Respondent, Christopher B. Bouthner, holds Arizona Controlling Person Registration No. 55019 and No. 65199, issued by the Board.
  3. Respondent, Christopher B. Bouthner, holds Arizona Alarm Agent Registration No. 61333, issued by the Board.
  4. Respondent Firm, Desert Defense Security Services, Inc. holds Alarm Firm Registration No. 18067, which expired July 9, 2015.

1 5. Respondent's Controlling Person Registration No. 55019 was closed September 14,  
2 2017, after Respondent applied for registration under the Board's new alarm agent rules.

3 6. Respondent's Controlling Person registration No. 65119 became active September 14,  
4 2017.

5 7. Respondent's Firm, Night Watch Security, LLC, with Firm registration No. 20493,  
6 became active September 14, 2017.

7 8. On or about October 8, 2013, Shae Hensley, an unlicensed salesperson for Desert  
8 Defense Security Services, controlled by Respondent, sold monitoring equipment to June Modlin  
9 ("Modlin") for her residence at 2054 N. Thorton Road, Space 138, Casa Grande, Arizona 85122.

10 9. At the time of the sale, Shae Hensley was not a registered alarm agent with the State of  
11 Arizona.

12 10. On or about April 23, 2014, a separate alarm monitoring company (the "Competitor")  
13 sold Modlin another alarm system, and she was billed for both accounts.

14 11. On or about June 16, 2014, Modlin filed a complaint with the Board about the double  
15 billing, bringing to light the violation of the first non-registered alarm agent, Shae Hensley.

16 12. On August 4, 2014, Board Staff offered Respondent a Consent Agreement. Staff gave the  
17 Respondent 30 days to sign the Consent Agreement. Respondent did not sign the Consent  
18 Agreement.

19 13. At its December 16, 2014 meeting the Board amended the Consent Agreement,  
20 increasing the Administrative Penalty. The Board gave the Respondent 30 days to sign the  
21 Consent Agreement.

22 14. To date, the Respondent has not signed the Consent Agreement, and the case was ordered  
23 to proceed to a formal hearing.

24 15. Upon knowledge and belief, both of the Consent Agreement documents contained some  
25 incorrect factual assertions, in which the actions of Shae Hensley and the Competitor were  
26 reversed.

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**CONCLUSIONS OF LAW**

16. The conduct alleged above constitutes grounds for discipline pursuant to A.R.S. § 32-128(C)(3) in that Respondent aided and abetted unregistered or uncertified persons by employing or contracting with an uncertified Alarm Agent to conduct the business of selling and installing alarm services.

**ORDER**

Based on the Board's adoption of the Findings of Fact and Conclusions of Law, the Board issues the following Order with the understanding that Respondent and Respondent Firm are jointly and severally liable for the following:

- 1. **ADMINISTRATIVE PENALTY.** Within ninety (90) days of the effective date of this Order, Respondent(s) shall pay a administrative penalty in the amount of one-thousand dollars (\$1,000) by certified check or money order made payable to the State of Arizona Board of Technical Registration. Respondent and Respondent Firm shall be jointly and severally liable for the administrative penalty.
- 2. **COST OF INVESTIGATION –** Within ninety (90) days of the effective date of this Order, Respondent(s) shall pay the costs of investigation in the amount of five-hundred and sixty-seven dollars (\$567) by certified check or money order made payable to the State of Arizona Board of Technical Registration.
- 3. **COST OF ATTORNEY'S FEES AND HEARING. -** Within ninety (90) days of the effective date of this Order, Respondent(s) shall pay attorney's fees in the amount of eight-hundred ninety-eight dollars and seventy-seven cents (\$898.77) by certified check or money order made payable to the State of Arizona Board of Technical Registration.
- 4. **STAYED SUSPENSION.** The Board suspends Respondent's Alarm Agent certification No. 55019, however, the suspension shall be stayed. If Respondent fails to comply with any term or condition of this Order, the stay of revocation shall be lifted and Respondent's registration suspended until such time that Respondent complies.

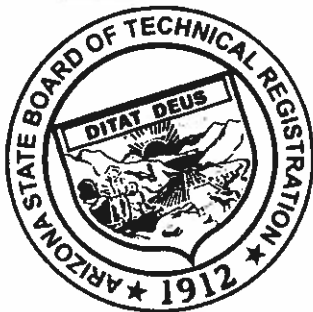
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**Right to Petition for Rehearing or Review**

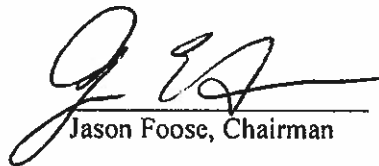
Respondent and Respondent Firm are notified that they have the right to file a motion for rehearing or review of this Order. Pursuant to A.R.S. § 41-1092.09(B) and A.A.C. R4-30-126(A), the motion for rehearing or review must be filed with the Board's Executive Director within 30 days after service of this Order. Service of this Order is defined as five calendar days after mailing.

The motion for rehearing or review must set forth legally sufficient reasons for granting a rehearing or review. A.A.C. R4-30-126(C). If a petition for rehearing or review is not filed, the Board's Order becomes effective thirty-five (35) days after it is mailed to Respondent and Respondent Firm. Respondent and Respondent Firm are further advised that the filing of a motion for rehearing or review is required to preserve any rights of appeal to Superior Court.

DATED this 30 day of OCTOBER, 2019.



Arizona State Board of  
Technical Registration

  
Jason Foose, Chairman

ORIGINAL filed this 3 day of October, 2019, with:

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

COPY mailed via Certified Mail  
First Class mail this 3 day of October, 2019, to:

Christopher Bouthner  
12932 W. Estero Lane  
Litchfield Park AZ 85340

1 Christopher Bouthner  
2 14266 W. Harvard Street  
3 Goodyear, AZ 85395

4 Christopher Bouthner  
5 nightwatchaz@gmail.com

6 Christopher Bouthner  
7 pvhomeaz@gmail.com

8 **COPY** of the foregoing mailed this 3 day of October, 2019, to:

9 Deanie Reh  
10 Deanie.reh@azag.gov

11 **COPY** of the foregoing mailed this 3 day of October, 2019, to:

12 Marc Harris  
13 marc.harris@azag.gov

14 By: Kurt Winter

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