

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

3 **In the Matter of:**

4
5 **Fabian A. Orozco Gomez**
6 Alarm Certification No 65655

7 **Respondent,**
8
9
10

Cases No. AL20-002

**FINDINGS OF FACT
CONCLUSIONS OF LAW
AND FINAL BOARD ORDER**

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12 On September 22, 2020 this matter came before the Arizona Board of Technical
13 Registration ("Board") for consideration of the State's Motion to Deem Allegations Admitted
14 regarding the Complaint and Notice of Hearing and the imposition of disciplinary action pursuant
15 to A.R.S §32-128(F). Respondent was not present and was not represented by legal counsel. The
16 State was represented by Assistant Attorney General Scott Donald. The Board received
17 independent legal advice from Assistant Attorney General Mona Baskin. The Board, after due
18 consideration of the issues before it, granted the State's Motion to Deem the Allegations Admitted
19 and adopted the Findings of Fact, Conclusions of Law, and Order:

20 **FINDINGS OF FACT**

21 1. The Board is the duly constituted authority for the regulation and control of the
22 practice of several professions and the firms under which registrants practice, including that of
23 alarm agent. A.R.S. §32-101, *et seq.*

24 2. Respondent Fabian A. Orozco Gomez ("Respondent") holds Alarm Agent
25 Certification No. 65655 issued by the Board, and held such in good standing at all times relevant
26 to the allegations of this Complaint.

27 3. On or about July 19, 2019, Board staff received notification from the Arizona
28 Department of Public Safety ("DPS") that Respondent had been arrested by Tempe Police

1 Department for misdemeanor assault, misdemeanor endangerment, and misdemeanor disorderly
2 conduct all involving domestic violence.

3 4. As a result of this arrest, DPS suspended Respondent's fingerprint clearance card,
4 effective upon receipt by DPS of the notification by Tempe Police.

5 5. Between July and October, Board staff attempted to contact Respondent pursuant
6 to the Board investigation into this notification at multiple addresses including his address of
7 record, but was unsuccessful.

8 6. On December 10, 2019, the Board voted to forward the matter to a formal hearing
9 for potential violation of Board statutes.

10 CONCLUSIONS OF LAW

11 7. The Board possesses jurisdiction over the subject matter hereof and over
12 Respondents pursuant to A.R.S. § 32-101, et seq.

13 8. A.R.S. § 32-128(C)(4) provides that the Board may take disciplinary action as
14 provided in A.R.S. § 32-128(A), "in combination or alternatively" including revocation or
15 suspension as well as any other disciplinary action, including imposition of an administrative
16 penalty of no more than two thousand dollars for each violation, with regards to a holder of a
17 certificate or registration for "[v]iolation of this chapter or board rules."

18 9. A.R.S. § 32-122.06(B) states, in part, that "[a]n alarm agent certificate remains
19 valid only if the person maintains a valid fingerprint clearance card."

20 10. The conduct and circumstances in the Factual Allegations above constitute a
21 violation of A.R.S. § 32-128(C)(4) by Respondent through A.R.S. § 32-122.06(B).

22 ORDER

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

25 1. **REVOCATION OF REGISTRATION.** As of the effective date of this Order,
26 Respondent's Arizona Alarm Agent Certification No. 65655 shall be revoked.

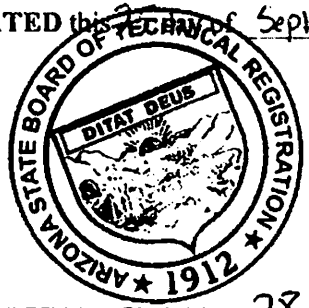
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Right to Petition for Rehearing or Review

Respondent is hereby notified that he has the right to file a motion for rehearing or review. 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 35 days after it is mailed to Respondent. Respondent is 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 28th of September 2020.



Arizona Board of Technical Registration

[Handwritten Signature]
Jack Gilmore
Acting Chairman

ORIGINAL filed this 28 day of September 2020, to:

Board of Technical Registration
1110 West Washington, Suite 240
Phoenix, Arizona 85007

1 COPY mailed via Certified Mail
2 No. 9214 890194344600673637
3 and First Class mail this 28 day of September, 2020, to:

4 FABIAN A. OROZCO GOMEZ
5 1155 West Grove Parkway
6 Apt. 165
7 Tempe, AZ 85283
8 kodeswift@gmail.com
9 Respondent

10 COPY of the foregoing emailed this 28 day of September, 2020 to:

11 Scott Donald
12 Assistant Attorney General
13 Scott.donald@azag.gov

14 Mona Baskin
15 Assistant Attorney General
16 Mona.baskin@azag.gov

17 By: Kurt Winter

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