1	MARK BRNOVICH	
2	Attorney General	
	Firm Bar No. 14000	
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4	Assistant Attorney General	
5	State Bar No. 005170	
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6	Phoenix, Arizona 85004	
7	Telephone: (602) 542-8322	
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	LicensingEnforcement@azag.gov	
9	Attorney for the Arizona State Board of Techn	ical Pagistration
10		icui Registration
11	BEFORE THE ARIZONA STATE	
12	BOARD OF TECHNIC	AL REGISTRATION
12	In the Matter of:	Case No.: AL20-004
14	Ronald Mitchell,	CONSENT AGREEMENT
15	Alarm Agent License # 70134, Controlling Person Certification # 70133,	AND ORDER OF DISCIPLINE
16	Controlling reison Certification # 70155,	
	and	
17		
18	The Alarm Crew, Inc.,	
19	Alarm Business Registration #22201	
	Respondents.	
20		
21	In the interest of a prompt and judicion	us 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 requirement	s, and the responsibilities of the Board, and

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with the public interest, statutory requirements, and the responsibilities of the Board, and
pursuant to Arizona Revised Statutes ("A.R.S.") § 32-101, *et seq.*, and Arizona
Administrative Code ("A.A.C.") R4-30-120(G), the Board and the undersigned party,
Ronald Mitchell ("Respondent"), for himself and as controlling person of The Alarm

Crew, enter into the following Recitals, Findings of Fact, Conclusions of Law and Order 2 ("Consent Agreement") as a final disposition of this matter.

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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 7 hearing concerning this case. He further acknowledges that, at such formal hearing, he 8 9 could present evidence and cross-examine witnesses. By entering into this Consent Agreement, Respondent knowingly, voluntarily, and irrevocably waives his right to such 10 an administrative hearing, as well as rights of rehearing, review, reconsideration, appeal, 11 judicial review or any other administrative and/or judicial action concerning the matters 12 set forth herein. 13

3. Respondent affirmatively agrees that this Consent Agreement shall be 14 15 irrevocable.

4. 16 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. 17

5. The Consent Agreement, any record prepared in this matter, all 18 19 investigative materials prepared or received by the Board and all related exhibits and 20 materials, are records (as defined in A.R.S. § 41-151.18) upon acceptance by the Board 21 of this Consent Agreement and may be retained in the Board's files pertaining to this 22 matter.

Respondent understands this Consent Agreement deals with Board case 6. 23 number AL20-004 involving allegations that Respondent engaged in conduct that would 24 25 subject him to discipline under the Board's statutes and rules. The investigation into 26 these allegations against Respondent shall be concluded upon the Board's adoption of 27 this Consent Agreement.

7. Respondent understands that this Consent Agreement 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.

8. Respondent also understands that 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 with respect to the conduct that is the subject of
this Consent Agreement.

9 9. Respondent acknowledges and agrees that, upon signing this Consent 10 Agreement and returning this document to the Board's Executive Director, Respondent 11 may not revoke acceptance of the Consent Agreement or make any modifications to the 12 document regardless of whether the Consent Agreement has been signed on behalf of the 13 Board. Any modification to this original document is ineffective and void unless 14 mutually agreed by the parties in writing.

15 10. This Consent Agreement is subject to the approval of the Board and is effective only when accepted by the Board and signed on behalf of the Board. If the 16 17 Board does not accept this Consent Agreement, the Board retains its authority to hold a 18 formal administrative hearing pursuant to A.R.S. § 32-128(E). In the event that the 19 Board does not approve this Consent Agreement, it is withdrawn, shall be of no 20 evidentiary value, and shall not be relied upon nor introduced in any action by any party. 21 Respondent agrees that should the Board reject this Consent Agreement and this case 22 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. 23

11. 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.

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1	12. Respondent agrees that any violation of this Consent Agreement may result	
2	in disciplinary action, including suspension or revocation of registration under A.R.S. §	
3	32-150.	
4	13. Respondent agrees that the Board will adopt the following Findings of Fact,	
5	Conclusions of Law and Order.	
6	FINDINGS OF FACT	
7	1. The Board is the duly constituted authority for the regulation and control of	
8	alarm business in the State of Arizona.	
9	2. Respondent is licensed with the Board as an alarm agent, under # 70134,	
10	and certified as the controlling person of Respondent Firm, under # 70133.	
11	3. Respondent Firm is registered with the Board as an alarm business, under #	
12	22201.	
13	4. Respondent Firm was previously registered as an alarm business under #	
14	18302, which registration expired on September 29, 2015.	
15	5. Respondent was previously certified as a controlling person for Respondent	
16	Firm, under # 56491, and licensed as an alarm agent, under # 64849.	
17	6. On September 29, 2016, Respondent's controlling person certification under	
18	# 56491 expired, which, in addition to the expiration of its business registration, nullified	
19	the ability of Respondent Firm to legally operate.	
20	7. Prior to January 7, 2019, Respondent's license as an alarm agent under	
21	#64849 expired due to non-payment of a renewal fee and was canceled by the Board.	
22	8. On or between January 7, 2019, and August 23, 2019, according to records	
23	provided by ASI Communications, Inc. ("ASI"), Respondent and Respondent Firm	
24	engaged in the sale of 46 alarm systems, while all licenses, registrations, or certifications	
25	of Respondents were invalid, expired, or cancelled.	
26	9. On August 7, 2019, Board staff received an anonymous complaint	
27	regarding one of the sales, and retrieved documentation that the sale did occur.	

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1	10. Board staff received from ASI an installer/dealer agreement that		
2	Respondents entered with ASI.		
3	11. On September 10, 2019, Board staff spoke to Respondent and advised him		
4	of the requirement to maintain current licenses, registrations, or certifications.		
5	12. On October 9, 2019, Respondent brought all licenses, registrations, or		
6	certifications to current status, and was issued new identification numbers as indicated		
7	above.		
8	13. On October 28, 2019, Respondent executed, on behalf of himself and		
9	Respondent Firm, a consent agreement ("First Consent Agreement").		
10	14. On December 10, 2019, Board met, rejected the First Consent Agreement,		
11	instructed Board staff to offer Respondents a different consent agreement ("Second		
12	Consent Agreement") to be signed within 30 days, and referred the case for complaint		
13	and hearing if Respondents did not accept the Second Consent Agreement by January 15,		
14	2020.		
15	15. Respondents did not accept the Second Consent Agreement.		
16	CONCLUSIONS OF LAW		
17	1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et		
18	seq., including A.R.S. § 32-106.02(A).		
19	2. The conduct alleged in the Factual Allegations constitutes grounds for		
20	discipline pursuant to A.R.S. §§ 32-121 and 32-145(1) in that Respondent engaged in the		
21	occupation of alarm agent without Board registration.		
22	3. The conduct alleged in the Factual Allegations constitutes grounds for		
23	discipline pursuant to A.R.S. §§ 32-121, 32-122.05, and 32-145(4) in that Respondent		
24	acted as a controlling person of Respondent Firm when his certification as a controlling		
25	person was expired.		
26	4. The conduct alleged in the Factual Allegations constitutes grounds for		
27	discipline pursuant to A.R.S. §§ 32-121, 32-122.05, and 32-145(1) in that Respondent		

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Firm conducted alarm business activities in Arizona without alarm business registration or controlling person certification.

ORDER

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

6 1. LETTER OF REPRIMAND. Respondent is hereby issued a Letter of
7 Reprimand.

2. STAYED SUSPENSION AND PROBATION. Respondent's registrations 8 as Controlling Person #70133 and Alarm Agent #70134, shall be suspended for (Ninety 9 (90) days); however, the suspension is stayed for as long as Respondent remains in 10 11 compliance with this Order. During the stay of suspension, Respondent's registrations as a Controlling Person #70133 and Alarm Agent #70134 are placed on probation for 12 13 (Ninety (90) days). If Respondent is non-compliant with any terms of this Order during the (Ninety (90) days) stayed suspension and probation period, the stay of the suspension 14 shall be lifted and Respondent's registrations as a Controlling Person and Alarm Agent 15 shall be automatically suspended without a formal hearing, and remain suspended until 16 17 Respondent is compliant with all terms of this Order.

ADMINISTRATIVE PENALTY. Within thirty (30) days from the
 effective date of this Consent Agreement, Respondent shall pay an administrative penalty
 of Three Thousand Five Hundred Dollars (\$3500.00) by certified check or money order
 made payable to the State of Arizona Board of Technical Registration.

4. COST OF INVESTIGATION. Within thirty (30) days from the effective
date of this Consent Agreement, Respondent shall pay the cost of investigation of this
case to the Board in the amount of One Hundred Seventy-Seven Dollars (\$177.00) 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).

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5. OBEY ALL LAWS. Respondent shall obey all federal, state and local
 laws, as well as, all rules governing alarm business 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.

6. RENEWAL OF REGISTRATION. Respondent and Respondent Alarm
Business shall timely renew their Arizona registration as an Alarm Business, Alarm
7 Agent and Controlling Person certification, and timely pay all required registration fees.

8 7. NON-COMPLIANCE. If Respondent violates this Order in any way or 9 fails to fulfill the requirements of this Order, the Board, after giving notice and the 10 opportunity to be heard, may revoke, suspend or take other disciplinary actions against 11 the registration. The issue at such a hearing will be limited solely to whether this Order 12 has been violated.

8. EFFECTIVE DATE. The effective date of this Consent Agreement is the
date it was last executed by the Respondent or the Board.

9. COSTS OF COMPLIANCE. Respondent shall pay all costs associated
 with complying with this Consent Agreement.

ACCEPTED and ORDERED this \mathscr{C}^{7} day of December, 2020.

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Tason E. Foose, RLS, Chairman Arizona State Board of Technical Registration

CONSENT AGREEMENT and Order, Number AL20-004 accepted this <u>*llo*</u> day of November, 2020.

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Ronald Mifchell, on behalf of himself and The Alarm Crew, Inc., Respondents

ORIGINAL of the foregoing filed 1 this <u>81</u> day of <u>Occumber</u>, 2020, with: Certofred tracking # 92149 89019434 4600 0759 76 Arizona State Board of Technical Registration 2 3 1110 W. Washington, Suite 240 4 Phoenix, AZ 85007 5 **COPY** of the foregoing e-mailed and mailed this <u>10</u> day of <u>December</u>, 2020, to: 6 7 **Ronald Mitchell** The Alarm Crew Inc. 8 3218 East Bell Road #207 9 Phoenix, AZ 85032 ron@thealarmcrew.com 10 Respondent 11 **COPY** of the foregoing e-mailed 12 this _____ day of _____, 2020, to: 13 Deanie Reh Assistant Attorney General 14 deanie.reh@azag.gov 15 Attorney for the State of Arizona 16 17 By: 18 #9072859 19 20 21 22 23 24 25 26 27