

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

<p>In the Matter of:</p> <p>Juan Godinez Non-Registrant</p> <p style="text-align: center;">Respondent</p>	<p style="text-align: center;">Case No. AL21-003</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, Juan Godinez, Non-Registrant, (“Respondent”) 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 AL21-003 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 occupation of Alarm Agent in the State of Arizona.

14 2. Respondent is not registered with the Board as an alarm agent.

15 3. On or about April 2, 2020, Respondent engaged in the sale of an alarm system and
16 alarm monitoring services at 7555 W. Forest Grove Ave. in Phoenix, AZ.

17 4. On September 30, 2020, Board staff received a phone call from Respondent.
18 Respondent stated that he did work for Cransten, Inc. for a short time in March and April of
19 2020. Respondent stated that he no longer works for the alarm company. Respondent stated that
20 he did not know of the licensing requirements to sell alarm systems.

21 5. On October 1, 2020, Board staff received a written response from Respondent, in
22 which he admitted to selling an alarm system at 7555 W. Forest Grove Ave. in Phoenix, Arizona,
23 on or about April 2, 2020.

24 CONCLUSIONS OF LAW

25 1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq,
26 including A.R.S. § 32-106.02(A).

27 2. The conduct alleged in the Findings of Fact constitutes grounds for discipline
28 pursuant to A.R.S. § 32-121 and A.R.S. § 32-145(1), in that Respondent practiced a Board

1 regulated occupation by engaging in the occupation of Alarm Agent without Board registration.

2 **ORDER**

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

5 1. CIVIL PENALTY. Within Sixty (60) days from the effective date of this
6 Consent Agreement, Respondent shall pay a civil penalty of One Thousand Dollars (\$1,000.00).
7 Payments are to be submitted to the Board by cashier's check or money order made payable to
8 the Arizona State Board of Technical Registration, according to the provisions of A.R.S. §
9 32-106.02(A).

10 2. COST OF INVESTIGATION. Within thirty (30) days from the effective date of
11 this Consent Agreement, Respondent shall pay the cost of investigation of this case to the Board
12 in the amount of One Hundred Fifty-Eight Dollars (\$158.00) by certified check or money order
13 made payable to the State of Arizona Board of Technical Registration, according to the
14 provisions of A.R.S. § 32-128(H).

15 3. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, related
16 to the practice of Alarm Agent in the State of Arizona. The Board shall consider any violation of
17 this paragraph to be a separate violation of the statutes governing the Arizona Board of Technical
18 Registration.

19 4. EFFECTIVE DATE. The effective date of this Consent Agreement is the date the
20 Respondent and Board sign the Consent Agreement. If the dates are different, the effective date is
21 the later of the two dates.

22 5. COSTS OF COMPLIANCE. Respondent shall pay all costs associated with
23 complying with this Consent Agreement.

24 6. NONCOMPLIANCE. If Respondent violates this Order in any way or fails to
25 fulfill the requirements of this Order, the Board may seek a Petition for Injunction in accordance
26 with the provisions set forth in A.R.S. § 32-106.01.

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1 ACCEPTED and ORDERED this 27th day of October, 2020.

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4 Jason E. Foose, R.L.S., Chairman
5 Arizona State Board of
6 Technical Registration

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8 Consent Agreement and Order, No. AL21-003 accepted this 5th day of October, 2020.

9 
10 Juan Godinez, Respondent

11 ORIGINAL filed this 27 day of
12 OCTOBER, 2020, with:

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14
15 Arizona State Board of Technical Registration
16 1110 W. Washington, Suite 240
17 Phoenix, AZ 85007

18 COPY of the foregoing mailed via Certified Mail
19 No. 9214 8901 9434 4600 0746 41 and
20 First Class mail this 27 day of OCTOBER, 2020, to:

21 Juan Godinez
22 1515 E Indigo St
23 Mesa AZ 85203

24 By: 
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