

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

<p><b>In the Matter of:</b></p> <p><b>Kent Lamb Home Inspector Registration No. 40585</b></p> <p><b>Arizona Inspections, Inc. Firm Registration No. 22763</b></p> <p style="text-align: center;"><b>Respondents</b></p>	<p style="text-align: center;"><b>Case No. HI21-002</b></p> <p style="text-align: center;"><b>CONSENT AGREEMENT and ORDER OF DISCIPLINE</b></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, Kent Lamb (“Respondent”), holder of Registration No. 40585, Arizona Inspections, Inc. (“Respondent Firm”), holder of Firm Registration No. 22763, 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.

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

2           4.       Respondent understands that this Consent Agreement or any part of the agreement  
3 may be considered in any future disciplinary action by the Board against him.

4           5.       The Consent Agreement, any record prepared in this matter, all investigative  
5 materials prepared or received by the Board and all related exhibits and materials, are public  
6 records (as defined in A.R.S. § 41-158.18) upon acceptance by the Board of this Consent  
7 Agreement and may be retained in the Board's files pertaining to this matter.

8           6.       Respondent understands this Consent Agreement deals with Board case number  
9 HI21-002 involving allegations that Respondent engaged in conduct that would subject him to  
10 discipline under the Board's statutes and rules. The investigation into these allegations against  
11 Respondent shall be concluded upon the Board's adoption of this Consent Agreement.

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

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

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

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

1 introduced in any action by any party, except that the parties agree that should the Board reject  
2 this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that  
3 the Board was prejudiced by its review and discussion of this document or any records relating  
4 thereto.

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

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

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

12 **FINDINGS OF FACT**

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

15 2. Respondent is the holder of Arizona Certified Home Inspector, Registration No.  
16 40585.

17 3. Respondent firm was renewed on August 7, 2020 and assigned Firm Registration  
18 No. 22763. Respondent is the firm principal and responsible charge of Respondent Firm.

19 4. On July 21, 2020, Respondents engaged in a home inspection located at 3045 W.  
20 Northview Avenue in Phoenix, Arizona. The Respondent Firm was not registered at the time of  
21 the home inspection.

22 5. On July 24, 2020, the Board received a complaint alleging that in his Home  
23 Inspection Report, Respondent included an opinion not based on any observable facts while  
24 reporting on the condition of the HVAC system during a home inspection he conducted at 3045  
25 W. Northview Avenue in Phoenix, Arizona, on or about July 21, 2020. It is further alleged that  
26 Respondent and Respondent Firm engaged in the practice of Home Inspection without firm  
27 registration with the Board. Board records show that Respondent Firm's registration with the  
28 Board expired on March 19, 2019, and had not been renewed at the time of the inspection on July

21, 2020.

6. An investigation into the allegation was conducted and through the investigation assessment process, it was determined that Respondent did accurately report on the items alleged in the complaint.

**CONCLUSIONS OF LAW**

1. The Board has jurisdiction in this matter pursuant to A.R.S. § 32-101, et seq.

2. The conduct alleged in the Findings of Fact constitutes grounds for discipline pursuant to A.R.S. § 32-32-121 and A.R.S. § 32-32-141, in that Respondent and Respondent Firm practiced or offered to practice a Board regulated profession without firm registration.

3. The conduct alleged in the Findings of Fact constitutes grounds for discipline pursuant to A.R.S. § 32-32-128(C)(4) as it relates to A.A.C. R4-30-301(4), in that Respondent failed to comply with state, municipal, and county laws, codes, ordinances and regulations pertaining to his area of practice.

**ORDER**

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

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

2. ADMINISTRATIVE PENALTY. Within thirty (30) days from the effective date of this Consent Agreement, Respondents shall pay an administrative penalty of Two Hundred Fifty Dollars (\$250.00) by certified check or money order made payable to the State of Arizona Board of Technical Registration.

3. COST OF INVESTIGATION. Within thirty (30) days from the effective date of this Consent Agreement, Respondents shall pay the cost of investigation of this case to the Board in the amount of One Hundred Eighty-Nine Dollars (\$189.00) 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).

4. OBEY ALL LAWS. Respondents shall obey all federal, state and local laws, as well as, all rules governing the practice of Home Inspection in the State of Arizona. The Board

1 shall consider any violation of this paragraph to be a separate violation of the rules and statutes  
2 governing the Arizona Board of Technical Registration. The Board may also consider  
3 Respondent's non-compliance with this Order as a separate violation of A.R.S. § 32-150.

4 5. RENEWAL OF REGISTRATION. Respondent and Respondent Firm shall timely  
5 renew their Arizona registration as an Home Inspector and Home Inspection Firm, and timely pay  
6 all required registration fees.

7 6. EFFECTIVE DATE. The effective date of this Consent Agreement is the date the  
8 Respondent and Board sign the Consent Agreement. If the dates are different, the effective date is  
9 the later of the two dates.

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


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

16  
17 ACCEPTED and ORDERED this 14th day of December, 2020.

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20 Jason E. Foose, R.L.S., Chairman  
21 Arizona State Board of  
22 Technical Registration

23 Consent Agreement and Order, No. HI21-002 accepted this 23 day of NOVEMBER, 2020.

24   
25 Kent Lamb, and on behalf of Arizona  
26 Inspections, Inc., Respondents

27 ORIGINAL filed this 14th day of  
28 December, 2020, with:

1 Arizona State Board of Technical Registration  
2 1110 W. Washington, Suite 240  
3 Phoenix, AZ 85007

4 **COPY** of the foregoing mailed via Certified Mail  
5 No. 9214 89019434 4600000076134 and  
6 First Class mail this 14<sup>th</sup> day of December, 2020, to:

7 Kent Lamb  
8 Arizona Inspections, Inc.  
9 769 W Aloe Pl  
10 Chandler, AZ 85248

11 By:   
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