



1           4. Respondent understands that this Consent Agreement or any part of the  
2 agreement 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  
5 public records (as defined in A.R.S. § 41-158.18) upon acceptance by the Board of this  
6 Consent 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  
8 number HI22-003 involving allegations that Respondent engaged in conduct that would  
9 subject him to discipline under the Board's statutes and rules. The investigation into  
10 these allegations against Respondent shall be concluded upon the Board's adoption of  
11 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,  
14 and does not constitute any waiver, express or implied, of the Board's statutory authority  
15 or jurisdiction regarding any other pending or future investigation, action or proceeding.

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

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

26           10. This Consent Agreement is subject to the approval of the Board and is  
27 effective only when accepted by the Board and signed on behalf of the Board. If the  
28 Board does not accept this Consent Agreement, the Board retains its authority to hold a

1 formal administrative hearing pursuant to A.R.S. § 32-128(E). In the event that the  
2 Board does not approve this Consent Agreement, it is withdrawn and shall be of no  
3 evidentiary value and shall not be relied upon nor introduced in any action by any party,  
4 except that the parties agree that should the Board reject this Consent Agreement and this  
5 case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced  
6 by its review and discussion of this document or any records relating thereto.

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

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

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

15 **FINDINGS OF FACT**

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

18 2. Respondent is the holder of Arizona Home Inspector, Certification No.  
19 51896.

20 3. On or about December 28, 2020, Respondent conducted a Home Inspection  
21 at 4025 West Country Gables Drive in Phoenix, Arizona.

22 4. On or about August 4, 2021, the Board received a complaint alleging that  
23 Respondent, after conducting a home inspection at 4025 West Country Gables Drive in  
24 Phoenix, Arizona, on or about December 28, 2020, failed to report on the potential fire  
25 hazard of aluminum wiring that was present throughout the home, and failed to report on  
26 the fence gate having been built over the electrical meter, creating a code violation.

27 5. On November 17, 2021, an Enforcement Advisory Committee Meeting  
28 (“EAC”) convened to review the complaint against Respondent. After reviewing the

1 evidence, the Committee opined that Respondent failed to identify the circuit branch  
2 wiring as aluminum and failed to recommend correction for it. The Committee further  
3 found that Respondent's Home Inspection Report failed to meet the Standards of  
4 Professional Practice for Arizona Home Inspectors ("SOP") in that:

- 5 a. Respondent failed to list the date of the inspection in a written  
6 agreement as required in S.O.P 2.2,
- 7 b. Respondent failed to recommend correction on the aluminum branch  
8 circuit wiring as required in S.O.P #2.2,
- 9 c. Respondent failed to report on the condition of the supports and  
10 insulation as required in S.O.P #7.1,
- 11 d. Respondent failed to properly report on the condition of the branch  
12 circuit conductors as required in S.O.P #8.1,
- 13 e. Respondent failed to report on the condition of the electrical  
14 compatibility as required in S.O.P #8.1,
- 15 f. Respondent failed to report on the condition of the automatic safety  
16 controls as required in S.O.P #9.1,
- 17 g. Respondent failed to report on the type of pool and or spa as  
18 required in S.O.P #3.2,
- 19 h. Respondent failed to report on the condition of the decks, steps, and  
20 coping as required in S.O.P #3.1,
- 21 i. Respondent failed to report on the entrapment prevention  
22 components as required in S.O.P #3.1.

23 6. During the EAC meeting, Respondent acknowledged his failure to identify  
24 and report on the aluminum branch circuit wiring, calling it an "oversight on his part".  
25 Respondent also acknowledged his failure to report on the pool's entrapment prevention  
26 components, calling it an "oversight on his part".

### 27 CONCLUSIONS OF LAW

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



1 Affidavit and Agreement to Conduct Peer Reviews with the Board affirming that the Peer  
2 Reviewer has met the Peer Review selection criteria prior to conducting any Peer  
3 Reviews. At the conclusion of each peer reviewed Home Inspection, Respondent will  
4 submit his work product, specifically a Home Inspection Report, to the Peer Reviewer  
5 who will review and make all corrections to the Respondent's Home Inspection Report  
6 necessary for the report to meet the Standards of Professional Practice for Arizona Home  
7 Inspectors. Respondent shall not perform any Home Inspections or provide any client  
8 with a Home Inspection Report for a fee, until all Peer Reviews are completed.  
9 Respondent shall ensure that the Peer Reviewer provides a written report to the Board  
10 after each peer reviewed Home Inspection, detailing any deficiencies in Respondent's  
11 practice, and certifying that the deficiencies have been explained and corrected, in so far  
12 as the peer reviewed Home Inspection is concerned. Respondent shall retain the Peer  
13 Reviewer at his own expense.

14 4. ADMINISTRATIVE PENALTY. Within sixty (60) days from the effective  
15 date of this Consent Agreement, Respondent shall pay an administrative penalty of Five  
16 Hundred Dollars (\$500.00) by certified check or money order made payable to the State  
17 of Arizona Board of Technical Registration.

18 5. COST OF INVESTIGATION. Within sixty (60) days from the effective date  
19 of this Consent Agreement, Respondent shall pay the cost of investigation of this case to  
20 the Board in the amount of Seven Hundred Four Dollars (\$704.00) by certified check or  
21 money order made payable to the State of Arizona Board of Technical Registration,  
22 according to the provisions of A.R.S. § 32-128(H).

23 6. RESTITUTION. Within thirty (30) days from the effective date of this  
24 Consent Agreement, Respondent shall pay restitution to Noel Hartshorne, in the amount  
25 of Four Hundred Thirty Dollars (\$430.00), for the cost of the Home Inspection in case  
26 HI22-003. Respondent shall provide proof of the payment made to the client (copy of the  
27 check) to the Board of Technical Registration showing payment was made.

28 7. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws,

1 as well as, all rules governing the practice of Home Inspection in the State of Arizona.  
2 The Board shall consider any violation of this paragraph to be a separate violation of the  
3 rules and statues governing the Arizona Board of Technical Registration. The Board may  
4 also consider Respondent's non-compliance with this Order as a separate violation of  
5 A.R.S. § 32-150.

6 8. RENEWAL OF REGISTRATION. Respondent shall timely renew his  
7 Arizona certification as a Home Inspector, and timely pay all required registration fees.

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

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

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

18 ACCEPTED and ORDERED this 25 day of January, 2022.

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21   
22 Jack Gilmore, L.A., Chairman  
23 Arizona State Board of  
24 Technical Registration

25 Consent Agreement and Order, No. HI22-003 accepted this 10<sup>th</sup> day of  
DECEMBER, 2021.

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28 Steven Anderson, Respondent

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**ORIGINAL** filed this 26 day of

January, 2022, with:

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

**COPY** of the foregoing mailed via Certified Mail  
No. 9214 8901 9434 4600 0864 53 and

First Class mail this 26 day of January, 2022, to:

Steven Anderson  
National Property Inspections  
14175 W. Indian School Rd. Suite B4-541  
Goodyear, AZ 85395

By: Daniel Carthel 