DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
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BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING OF THE DEPARTMENT OF COMMERCE OF THE STATE OF UTAH

IN THE MATTER OF THE LICENSE OF ANTHONY SANTOS TO PRACTICE AS AN ARMED PRIVATE SECURITY OFFICER IN THE STATE OF UTAH	**FINDINGS OF FACT, CONCLUSIONS OF LAW, RECOMMENDATION, AND DEFAULT ORDER** Case No DOPL-OSC-2010-412

FINDINGS OF FACT

1 Respondent was initially licensed in Utah as an Armed Private Security Officer on or about November 23, 2010

2 The Division of Occupational and Professional Licensing (the "Division") entered into order 2010-412 placing the license of Anthony Santos ("Respondent") on probation on November 23, 2010

3 Respondent's license expired on November 30, 2012 Respondent has not submitted an application for renewal of licensure

4 On or about December 13, 2012, the Division did a file review to determine whether Respondent is in compliance with the probationary order. That review shows that Respondent is <u>out of compliance</u> with the probationary order as follows

(a) Paragraph number 5a of the probationary order requires Respondent to meet with the Security Services Licensing Board ("Board") as determined by the Board and Division The evidence shows that Respondent failed to meet with the Board on November 7, 2012 and December 13, 2012
(b) Paragraph number 5f of the probationary order requires Respondent to maintain a current license at all times. The evidence shows that Respondent has failed to renew his license as an Armed Private Security Officer as required

(c) Paragraph number 5j of the probationary order requires Respondent to submit quarterly employer reports. Respondent has failed to submit employer reports from April 2012 to December 2012 as required

5 On January 28, 2013, the Division filed a Notice of Agency Action and Order to Show Cause ("Notice") alleging that Respondent failed to comply with his probationary order as described The Notice alleges that by so doing Respondent engaged in unprofessional conduct in violation of Utah Code Annotated § 58-1-501(2)(a) The Notice seeks further disciplinary action against Respondent pursuant to Utah Code Annotated § 58-1-401(2).

6 This matter is classified as an informal proceeding pursuant to Utah Administrative Code § R156-46b-202(2)(c).

7 A written response was required in this matter pursuant to Utah Administrative Code § R156-46b-402 and the Notice filed herein Respondent did not file a written response to the Notice as required

8 This Notice was place on the agenda of the April 11, 2013, meeting of the Board for its recommended action Respondent was not notified of the meeting due to Respondent's failure to file a written response

9. The Bureau Manager over Security Licensing summarized Respondent's unprofessional conduct as described above for the Board at its meeting The Bureau Manager recommended that Respondent's license be revoked

10 The Board considered the information presented and recommended that Respondent's license be revoked

CONCLUSIONS OF LAW

12 A review of relevant information supports a conclusion that Respondent violated his disciplinary order as set forth above constituting unprofessional conduct in violation of Utah Code Annotated § 58-1-501(2)(a)

13 Respondent's failure to comply with his probationary order constitutes a sufficient basis for further disciplinary action against Respondent in accordance with Utah Code Annotated § 58-1-401(2)

DEFAULT ORDER

The Respondent's default is entered herein. After a careful consideration of this matter, the Findings of Fact and Conclusions of Law herein are hereby adopted by the Director. The Director concurs with the order recommended by the Board

WHEREFORE, IT IS ORDERED Respondent's residual rights to reinstate his expired Armed Private Security Officer license in this state shall be revoked and he may not reapply for licensure as an Unarmed Private Security Officer for five years

Dated this 12th day of April, 2013

MARK B STEINAGEL
Director

NOTICE OF RIGHT TO ADMINISTRATIVE REVIEW

Agency review of this order may be obtained by filing a request for agency review with the Executive Director of the Department of Commerce, 160 East 300 South, Box 146701, Salt Lake City UT 84114-6701, within thirty (30) days after the date of this order A motion to set aside the order may also be filed with the presiding officer The agency action in this case was An informal proceeding The laws and rules governing agency review of this proceeding are found in Section 63G-4-101 et seq of the Utah Code, and Rule 151-4 of the Utah Administrative Code