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**BEFORE THE DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSING
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF THE ISSUANCE OF)	MEMORANDUM OF
A PROBATIONARY LICENSE TO)	UNDERSTANDING AND ORDER
KEEPING IT GREEN MAINTENANCE, INC)	
TO PRACTICE AS A CONTRACTOR)	CASE NO. DOPL 2011- 69
IN THE STATE OF UTAH)	

KEEPING IT GREEN MAINTENANCE, INC (“Respondent”) submitted an application on or about January 20, 2011, for initial licensure to the Division of Occupational and Professional Licensing of the State of Utah (“Division”) to act as a contractor in the State of Utah. Daniel Robert Jensen is Respondent’s owner. For the purposes of this Memorandum and Order, “Respondent” shall mean Keeping It Green Maintenance, Inc., and Daniel Robert Jensen collectively and individually.

Respondent admits the following facts:

On or about July 19, 2002, Daniel Robert Jensen pleaded guilty to one count of retail theft, a class B misdemeanor, in a Utah District court.

On or about August 3, 2002, Daniel Robert Jensen pleaded guilty to one count of possession of drug paraphernalia, a misdemeanor, and one count of possession of a controlled substance, a misdemeanor, in a Utah District court.

On or about June 10, 2005, Daniel Robert Jensen pleaded guilty one count of reckless driving— alcohol/drug related, a Class B misdemeanor, in a Utah District court.

On or about November 1, 2007, Daniel Robert Jensen pleaded guilty to one count of stalking, a misdemeanor, in a Utah District court.

Respondent agrees that the conduct describe above has resulted in convictions with respect to a crime of moral turpitude and/or a crime that, when considered with the functions and duties of a contractor, bears a reasonable relationship to Respondent's ability to safely and/or competently practice as contractor.

Respondent, the Construction Services Commission, and the Division, as evidenced by the signatures on this Memorandum of Understanding and Order, agrees that Respondent shall be issued a probationary license to practice as contractor in the State of Utah, subject to the terms and conditions below. The Memorandum of Understanding shall become effective upon the date it is approved by the Commission as evidenced by the signature of its authorized representative. The term of probation shall be for a period of three years, beginning on the date the Commission signs the accompanying Order.

1. Respondent admits the jurisdiction of the Division over Respondent and over the subject matter of this action. Respondent admits that Respondents conduct described above is unprofessional conduct as defined in Utah Code Ann. § 58-1-501(2)(a) and (c). Respondent understands that the issuance of the Order in this matter is disciplinary action by the Division against Respondent's license pursuant to Utah Administrative Code R156-1-102(6) and Utah Code Ann. § 58-1-401(2).
2. Respondent acknowledges that Respondent enters into this Memorandum of Understanding and Order knowingly and voluntarily, and other than what is contained in this Memorandum of Understanding and Order, no promise or threat whatsoever has been made by the Division, or any member, officer, agent or representative of the Division to induce Respondent to enter into this agreement.
3. Respondent understands that Respondent has the right to be represented by an attorney in this matter, and the Respondent has either sought the advice of counsel or knowingly waives Respondent's right to counsel in this matter.
4. Respondent acknowledges that this Memorandum of Understanding and Order, if adopted by the Director of the Division, will be classified as a public document. The Division may release this Memorandum of Understanding, and will release other information about this disciplinary action against Respondent's license, to other persons and entities.
5. Respondent shall successfully complete and satisfy the following terms and conditions:
 - a. Respondent shall meet with the Commission at the first scheduled Commission meeting following the effective date of this Stipulation and Order. Respondent shall then meet with the Commission on a quarterly basis or at such other greater or lesser frequency as determined by the Commission and Division for the duration of the Stipulation and Order. Respondent agrees to meet with an assigned staff member prior to the first Commission meeting.

- b. All reports or documentation required in this Stipulation and Order shall be submitted to the Commission on a quarterly basis or such other greater or lesser frequency as determined by the Division for the remainder of probation.
 - c. If Respondent is arrested or charged with a criminal offense by any law enforcement agency, in any jurisdiction, inside or outside the State of Utah, for any reason, or should Respondent be admitted as a patient to any institution in this state or elsewhere for treatment regarding the abuse of or dependence on any chemical substance, or for treatment for any emotional or psychological disorder, Respondent agrees to cause the Division and Commission to be notified immediately. If Respondent at any time during the period of this agreement is convicted of a criminal offense of any kind, or enters a plea in abeyance to a criminal offense of any kind, including a pending criminal charge, the Division may take appropriate action against Respondent, including imposing appropriate sanctions, after notice and opportunity for hearing. Such sanctions may include revocation or suspension of Respondent's license, or other appropriate sanctions.
 - d. Respondent shall maintain a current license at all times during the period of this agreement.
 - e. Respondent shall provide to the Division a current criminal history report obtained from the State of Utah, Department Public Safety or any other state requested by the Division, on an annual basis or whenever directed by the Division.
 - f. Respondent shall immediately notify the Division in writing of any change in Respondent's residential or business address.
6. Respondent agrees to abide by all applicable federal and state laws, regulations, rules or orders related to Respondent's licensed field of practice.
 7. Respondent understands that the issuance of a license pursuant to this Memorandum of Understanding and Order is a partial denial of licensure, and Respondent hereby waives the right to any administrative review of that partial denial of licensure.
 8. If Respondent successfully completes the terms of this Memorandum of Understanding and Order, the conditions on Respondent's license to practice in Respondent's licensed field will be lifted and Respondent's license will not be subject to further restriction.
 9. If Respondent violates any term or condition of this Memorandum of Understanding, the Division may take action against Respondent, including imposing appropriate sanction, in the manner provided by law. Such sanction may include revocation or suspension of Respondent's license, or other appropriate sanction.
 10. The terms and conditions of this Memorandum of Understanding and Order become effective immediately upon the approval of this Memorandum of Understanding and signing of the Order by the Division Director. Respondent must comply with all the terms and conditions of this Memorandum of Understanding and Order immediately after the Division Director signs the Order page of this Memorandum of Understanding and Order.

Respondent shall complete all the terms and conditions contained in the Memorandum of Understanding and Order in a timely manner. If a time period for completion of a term or condition is not specifically set forth in this Memorandum of Understanding and Order, Respondent agrees that the time period for completion of that term or condition shall be set by the Board. Failure to complete a term or condition in a timely manner shall constitute a violation of the Memorandum of Understanding and Order and may subject Respondent to revocation or other sanctions.

11. This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties. There are no verbal agreements that modify, interpret, construe or affect this Memorandum of Understanding and Order.
12. Respondent understands that the disciplinary action taken by the Division in this Memorandum of Understanding and Order may adversely affect any license that Respondent may possess in another state or any application for licensure Respondent may submit in another state.
13. If the Division files a Petition alleging that Respondent has engaged in new misconduct or files an Order to Show Cause Petition alleging that Respondent has violated any of the terms and conditions contained in this Stipulation and Order, the period of Respondent's probation shall be tolled during the period that the Petition or Order to Show Cause Petition has been filed and is unresolved.
14. Respondent has read each and every paragraph contained in this Memorandum of Understanding and Order. Respondent understands each and every paragraph contained in this Memorandum of Understanding and Order. Respondent has no questions about any paragraph or provision contained in this Memorandum of Understanding and Order.

DIVISION OF OCCUPATIONAL &
PROFESSIONAL LICENSING

RESPONDENT

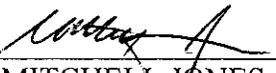
BY: 
DAN S. JONES
Bureau Manager

BY: 
DANIEL ROBERT JENSEN
Keeping It Green Maintenance, Inc

DATE: 2-16-11

DATE: 2/16/2011

MARK L. SHURTLEFF
ATTORNEY GENERAL

BY: 
L. MITCHELL JONES
Counsel for the Division

DATE: 15 Feb 2011

ORDER

THE ABOVE MEMORANDUM OF UNDERSTANDING, in the matter of **KEEPING IT GREEN MAINTENANCE, INC.**, is hereby approved by the Construction Services Commission. This issuance of this Order is disciplinary action pursuant to Utah Administrative Code Section R156-1-102(7) and Utah Code Ann. § 58-1-401(2). The terms and conditions of the Memorandum of Understanding are incorporated herein and constitute the Commission's final Order in this case.

DATED this 23 day of Feb, 2011.



Commission Representative.

I concur with the above Memorandum of Understanding, which the Construction Services Commission has approved.

DATED this 23 day of Feb, 2011.



MARK B. STEINAGEL
Director
Division of Occupational &
Professional Licensing