

# **Administrative Office of the Courts**



## **INVESTIGATION SUMMARY, DETERMINATION, PROBABLE CAUSE REVIEW, AND RECOMMENDATION REPORT**

**Complaint No. 22-0067**

**License No. [REDACTED]**

**February 27, 2025**

**Certification and Licensing Division**

**ARIZONA SUPREME COURT  
ADMINISTRATIVE OFFICE OF THE COURTS  
INVESTIGATION SUMMARY, DETERMINATION, PROBABLE  
CAUSE REVIEW, AND RECOMMENDATION REPORT**

<b>LICENSE HOLDER INFORMATION</b>	<b>Business Name:</b> <b>License Number:</b> <b>Type of License:</b>	Fiduciary Solutions, LLC [REDACTED] Fiduciary Business Entity
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<b>COMPLAINANT</b>	<b>Names:</b>	Michael Mallett Patrick Mallett Thomas Mallett John Mallett Steven Mallett
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<b>INVESTIGATION INFORMATION</b>	<b>Complaint Number:</b> <b>Investigators:</b>	22-0067 Lorraine Brown Jared Arthur
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<b>Complaint Received:</b>	July 18, 2022
<b>Complaint Forwarded to the License Holder:</b>	September 30, 2022
<b>License Holder Received Complaint:</b>	October 21, 2022
<b>Response From License Holder:</b>	November 30, 2022
<b>Period of Active License:</b>	July 31, 2001-present
<b>Status of License:</b>	Active
<b>Availability of License Holder:</b>	Available
<b>Availability of Complainant:</b>	Available
<b>Report Date:</b>	February 27, 2025

**ALLEGATIONS:**

1. Fiduciary Solutions LLC, failed to comply with the terms of the court ordered settlement agreement.
2. Fiduciary Solutions, LLC abruptly closed bank and brokerage accounts in possible violation of Arizona Revised Statutes §14-1104.
3. Fiduciary Solutions, LLC, did not respond to and/or did not timely respond to communications and inquiries.

**ADDITIONAL FINDINGS:**

None.

**SUMMARY OF INVESTIGATIVE PROCEDURE:**

- Written complaint and documentation submitted by complainants John Mallett, Steven Mallett, Thomas Mallett and Patrick Mallett, collectively (“Mallett Brothers”)
- Written response and documentation submitted by Fiduciary Solutions, LLC (“Fiduciary Solutions”) and license holder Mario Martinez (“Martinez”)
- Review of applicable Certification and Licensing Division (“Division”) records
- Review of applicable sections of Arizona Revised Statutes (“A.R.S.”), Arizona Codes of Judicial Administration (“ACJA”) § 7-201 and § 7-202, and Arizona Supreme Court Rules

## **INTERVIEWS:**

1. Veronica Benech-Temesio
2. Nick Nero
3. Steven Mallett
4. Patrick Mallett
5. John Mallett

## **SUMMARY OF FACTUAL FINDINGS OF INVESTIGATION:**

By way of background, Martinez was owner and designated principal of Fiduciary Solutions. Martinez passed away on or about June 13, 2023.

Arizona Corporation Commission records show that Bri Mazza and Nick Niro (husband and wife) became the owners of Fiduciary Solutions on or about July 17, 2023.

On June 14, 2023, Fiduciary Solutions notified the Division that Veronica Benech-Temesio (“Temesio”) was acting as designated principal. Arizona Corporation Commission records show that Kelly Crane became an owner of Fiduciary Solutions on March 1, 2024. Temesio left Fiduciary Solutions in July 2024. On July 30, 2024, licensed fiduciary Kelly Crane became the designated principal of Fiduciary Solutions.

On August 17, 2021, Fiduciary Solutions and Martinez were appointed as temporary guardians of Jean Mallett in PB2020-071432. On November 3, 2021, Letters of Appointment were issued, naming Martinez Successor Trustee of the Mallett Family Revocable Trust dated March 20, 2015, and permanent Guardian of and Conservator for Jean Mallett.

On October 25, 2021, a Settlement Conference was held in PB2020-071432. The corresponding Minute Entry was entered with the court on October 27, 2021. The parties reached an agreement which included the following terms: On July 18, 2022, the Mallett brothers collectively filed a complaint with the Division. Although both Fiduciary Solutions and Martinez were appointed as fiduciaries in these matters and are named in the complaint, the allegations pertain solely to the business license holder due to Martinez’s passing. The complaint alleges that Fiduciary Solutions and Martinez failed to comply with

two terms of the Settlement Conference. Specifically, the Mallett brothers claim that Martinez did not provide them with “read-only” access to the conservatorship and trust accountings. Additionally, they assert that Martinez failed to furnish Health Insurance Portability and Accountability Act (“HIPAA”) release forms, which would have allowed them to communicate with their mother’s medical providers. Their mother, Jean Mallett, passed away on or about January 9, 2023.

**Allegation 1: Fiduciary Solutions failed to comply with the terms of a court ordered settlement agreement**

Ready-Only Access to Accounts

According to the Mallett Brothers, they were not granted “read-only” access to any conservator or trust accounts. In both the complaint and subsequent interviews, they said they have consistently sought access to review the financial records but have encountered inconsistent responses and lack of follow through from the fiduciary.

The Division’s review indicated Fiduciary Solutions encountered challenges in accessing the accounts after being formally appointed as the permanent Conservator. The Division reviewed Maricopa County’s Superior Court records pertaining to PB2020-071432. In response to the difficulty of accessing the accounts from financial institutions, on January 14, 2022, Fiduciary Solutions petitioned the court for an Order Directing Release of Funds from Financial Accounts to Fiduciary Solutions, LLC.

On January 21, 2022, the court granted the petition, ordering Edward Jones, TD Ameritrade, and Western State Bank to release the funds to Fiduciary Solutions. Following this directive, on January 31, 2022, Fiduciary Solutions filed an inventory and appraisal with the court, detailing the account balances for each financial institution.

In the response to the complaint, Fiduciary Solutions, by and through Martinez, stated that the Mallett Brothers were provided with “read-only” access to the checking accounts. However, due to the sensitive nature of the information, this access was granted through time-sensitive invitations that required timely acceptance. Fiduciary Solutions further asserted, in its response that the Mallett Brothers allowed the access to expire on two separate occasions.

Fiduciary Solutions’ response showed that on June 30, 2022, Martinez (as Trustee, Guardian, and Conservator for Jean Mallett) was notified by Brian Elsey (“Elsey”) of L.C. Financial Services to register for access to a financial website/account. See below:

From:  
Sent:  
To:  
Subject:



Follow Up Flag: Follow up  
Flag Status: Flagged

## Register for Your Financial Website

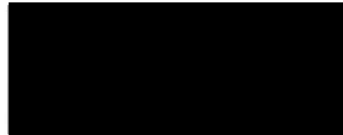
Jean Mallett:

Brian Elsey has sent you a one-time link to register for access to your financial website.

This link will expire on 7/7/2022.

NOTE: If the link expires before you can complete the registration process, contact your financial representative to request a new link.

[REGISTER NOW ►](#)



In addition, Martinez was notified that each of the Mallett Brothers were individually added to the account. One example is shown below:

From:  
Sent:  
To:  
Subject:





**User Added To Your Account**

Because we care about your security, we are informing you that Steven Mallett has been given access to your account. If you feel this access has been granted in error, please contact your financial representative.

[SIGN IN ►](#)

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On July 21, 2022 (after this complaint was filed but before Martinez received notice of the complaint), Elsey emailed Martinez informing him confirmation of the login information was sent to the Mallett Brothers and had expired since they did not complete the registration within 7 days. Elsey stated he would resend the links. See below:

From:  
Sent:  
To:  
Cc:  
Subject:



*Mario,*

*Here is confirmation of the login information was sent to the brothers and it expired since they did not complete the registration within 7 days. I will go ahead and resend the links.*

**John Mallett**

<b>Invitation Status</b> Expired Jul 07, 2022	<b>Actions</b> <a href="#">Resend Invitation</a> <a href="#">Cancel Invitation</a>
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[Redacted]

**Steven Mallett**

<b>Invitation Status</b> Expired Jul 07, 2022	<b>Actions</b> <a href="#">Resend Invitation</a> <a href="#">Cancel Invitation</a>
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[Redacted]

**Michael Mallett**

<b>Invitation Status</b> Expired Jul 07, 2022	<b>Actions</b> <a href="#">Resend Invitation</a> <a href="#">Cancel Invitation</a>
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[Redacted]

**Thomas Mallett**

<b>Invitation Status</b> Expired Jul 07, 2022	<b>Actions</b> <a href="#">Resend Invitation</a> <a href="#">Cancel Invitation</a>
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[Redacted]

Records show that on September 12, 2022 (approximately two weeks before Martinez was notified of this complaint), Martinez emailed four of the Mallett Brothers, in part, stating that Fiduciary Solutions sent out two requests for each of them to sign-up for access their mother's financial information and twice the Mallett Brothers let the time for the access to

expire. Martinez said if the Mallett Brothers were interesting in having the access, they needed to “act in a timely manner, otherwise the opportunity to approve your access will expire again.” See below:

**From:** Mario Martinez  
**Sent:** Monday, September 12, 2022 1:30 PM  
**To:** Tom Mallett; 'John Mallett'; Mike Mallett; Pat Mallett

We have sent out two requests for each of you to sign-up for access to Jean’s financial information and twice you have let the time for the access expire. If you are interested in having this access, then you need to act in a timely manner, otherwise the opportunity to approve your access will expire again.

Records demonstrate that Fiduciary Solutions made efforts to provide access to financial accounts, as required by the court’s October 25, 2021, order. However, the Division has concerns about the timeliness of the read only access to the Mallet Brothers. Records show that the access to accounts was set up on or about June 30, 2022, which was approximately six months after the court granted the January 21, 2022 order for the named financial institutions to release fund and after Fiduciary Solutions filed an inventory and appraisal with the court on January 31, 2022, detailing the balance on the accounts.

### HIPAA Release

In the complaint, and again when interviewed, the Mallett Brothers alleged they never received the HIPAA releases they requested. In the complaint, the Mallett Brothers provided a timeline which included when they contacted Fiduciary Solutions regarding the HIPAA release.

In both their complaint and subsequent interviews, the Mallett Brothers said they provided Fiduciary Solutions with their contact information and sent multiple email requests for access. Despite these efforts, they remained unable to communicate with their mother’s medical providers.

In its response to the complaint, Fiduciary Solutions stated that during its appointment as Guardian, Jean Mallett had three different medical providers, each requiring separate HIPAA authorization forms to be completed. Additionally, each provider expressed concerns about granting access to confidential information to five different individuals. According to Fiduciary Solutions, these challenges were the primary obstacle in fulfilling this requirement.

Records show that Martinez emailed the Mallett Brothers on September 12, 2022, stating that the HIPAA and access to their mother’s medical records “continued to be a challenge.” Martinez told the Mallett Brothers the facility is not accustomed to approving access to six different individuals at once and that Fiduciary Solutions was working with senior management to address the issue. Martinez’s message stated he would issue monthly reports as to Jean Mallett’s medical status. See below:

The HIPPA and access to Jean’s medical records continued to be a challenge. The facility is not accustomed to approving access to six different individuals at once. We are still working with senior management to address this. However, meanwhile we will issue monthly report as to Jean’s status.

As previously stated in this Investigation Summary, Jean Mallett passed away on or about January 9, 2023.

Fiduciary Solutions cited logistical challenges with getting the Mallett Brothers access to medical information, such as the need for separate authorization forms and concerns from medical providers regarding multiple individuals accessing confidential information. However, the fiduciary was obligated to comply with the terms of the court-ordered Settlement Agreement. The Division's review found no record that the fiduciary sought instructions from the court or took the steps necessary to timely resolve these issues or facilitate the required access.

Failure to provide the HIPAA release prevented the Mallett Brothers from exercising their wish to communicate with their mother's medical providers as stipulated in the court-ordered agreement.

Records demonstrate that Fiduciary Solutions made efforts to provide the Mallett Brothers with read-only access to financial accounts, and that the Mallett Brothers did not act timely to register or follow the requirements to access the accounts. However, the time it took the fiduciary after the court agreement to initiate the read-only access is problematic.

Likewise, Fiduciary Solutions' failure to resolve the HIPAA releases after the court order is also problematic. The Division did not find record of Fiduciary Solutions petitioning the court seeking instruction or updating the court regarding the HIPAA releases. The Mallet Brothers never received the releases which became moot after Jean Mallet passed away in January 2023.

ACJA § 7-201(F)(1):

1. Code of Conduct. Each individual certificate holder shall adhere to the code of conduct or standards of conduct, subsection (J) in the applicable section of the ACJA.

ACJA § 7-201(H)(6)(a):

6. Grounds for Discipline. A certificate holder is subject to disciplinary action if the board finds the certificate holder has engaged in one or more of the following:

a. Failed to perform any duty to discharge any obligation in the course of the certificate holder's responsibilities as required by law, court rules, this section or the applicable section of the ACJA;

ACJA § 7-201(H)(6)(k)(6) and (8):

k. Engaged in unprofessional conduct, including:

(6) Failed to practice competently by use of ...unacceptable practices;

(8) Failed to practice competently by reason of any cause on a single occasion or on multiple occasions by performing ...unacceptable client or customer care or failed to conform to the essential standards of acceptable and prevailing practice.

ACJA § 7-202 (J)(1)(a):

1. Duty to the Court.

a. The fiduciary must perform all duties and discharge all obligations in accordance with current Arizona law, federal law, administrative rules, court orders, court rules, administrative orders, and the Arizona Code of Judicial Administration.

Allegation 1 is substantiated.

**Allegation 2: Fiduciary Solutions, LLC abruptly closed bank and brokerage accounts in possible violation of Arizona Revised Statutes §14-1104.**

The Mallett Brothers allege that Martinez closed bank and brokerage accounts abruptly, resulting in delayed payments being added to the accounts and checks being uncashed. This led to Jean Mallett's monthly income not being received for at least three months.

Martinez's response stated the bank accounts had to be changed for him to gain access to Jean Mallett's financial information to be able to pay for her medical care and her bills. Martinez further stated that it takes time for a financial institution to make changes to bank accounts and to allow another party access to the accounts. Martinez stated the Mallet Brothers were not happy with the time it was taking to get the banking information from Martinez and that they alleged Martinez was removing money from the accounts.

Division staff reviewed an email provided by Martinez's counsel dated November 30, 2021, that stated, Martinez was working to take over control of the assets and caregiving and to ensure that the terms of the agreement reached by the parties are honored, which includes the access to financial information. The email continued that, unfortunately, this process takes time, and the banks are typically slow to move, including establishing accounts for Martinez to have access and to grant others access.

Martinez filed a Motion for Order Directing the Release of Funds to Fiduciary Solutions, LLC dated January 14, 2022.

On January 21, 2022, an Order Directing Release of Funds from Financial Accounts to Fiduciary Solutions, LLC was granted. The Order mandated that Edward Jones, TD Ameritrade, and Western State Bank close the designated accounts and release all funds to Fiduciary Solutions, LLC on behalf of Jean Mallett and the Mallett Family Revocable Trust within ten days of the Order's issuance.

Furthermore, the Order required Fiduciary Solutions, LLC to deposit all funds received from Edward Jones into a restricted account held at Folio Investments, while funds from TD Ameritrade and Western State Bank were to be deposited into an unrestricted account at Folio Investments.

01-21-2022 11:16 a.m.  
K. Summers, Deputy



3  
4  
5  
6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
7 IN AND FOR THE COUNTY OF MARICOPA

8  
9 In the Guardianship of and Conservatorship  
for:

10 **JEAN M. MALLET,**

11  
12 An Adult.

13 In the Matter of:

14 **THE MALLET FAMILY REVOCABLE  
15 TRUST,**

16 A Trust.

NO. PB 2020-071432

**ORDER DIRECTING RELEASE OF  
FUNDS FROM FINANCIAL ACCOUNTS  
TO FIDUCIARY SOLUTIONS, LLC**

(Commissioner Casey Newcomb)

17 Fiduciary Solutions, LLC, Conservator/successor Trustee, having filed a Motion for Order  
18 Directing the Release of Funds to Fiduciary Solutions, LLC, no objection having been made, and good  
19 cause appearing,

20 **IT IS HEREBY ORDERED:**

21 (1) Releasing the restriction on the Edward Jones account ending in [REDACTED] and directing  
22 Edward Jones to close and release all funds in the account to Fiduciary Solutions, LLC, on behalf of

20 IT IS HEREBY ORDERED:  
21 (1) Releasing the restriction on the Edward Jones account ending in [REDACTED] and directing  
22 Edward Jones to close and release all funds in the account to Fiduciary Solutions, LLC, on behalf of  
23  
24

1 Jean M. Mallett and the Mallett Family Revocable Trust, within 10 days of the date of this Court's  
2 signed order;  
3 (2) Directing TD Ameritrade to close and release all funds in the account ending in [REDACTED] to  
4 Fiduciary Solutions, LLC on behalf of Jean M. Mallett and the Mallett Family Revocable Trust, within  
5 10 days of the date of this Court's signed order;  
6 (3) Directing Western State Bank to close and release all funds in accounts ending [REDACTED]  
7 (checking) and [REDACTED] (savings), to Fiduciary Solutions, LLC on behalf of Jean M. Mallett and the Mallett  
8 Family Revocable Trust, within 10 days of the date of this Court's signed order;  
9 (4) Directing Fiduciary Solutions, LLC to deposit all funds received from Edward Jones into a  
10 restricted account held at Folio Investments, allowing reinvestments to be made and fees to be paid without  
11 further court order within the investment account, restricting any other funds from being removed from  
12 the investment account without further court order.  
13 (5) Directing Conservator/Trustee to file proof of restricted account with this Court;  
14 (6) Directing Conservator/Trustee to deposit all funds received from TD Ameritrade and  
15 Western State Bank into an unrestricted account held at Folio Investments and directing  
16 Conservator/Trustee to file proof of receipt of funds/deposit with this Court.  
17  
18 DATED: 1-31-22 [REDACTED]  
19  
20  
21

On January 31, 2022, a Notice of Filing of Inventory and Appraisement was filed by Fiduciary Solutions, LLC.

Division staff reviewed the court filings, Martinez's response, and a related email from Martinez's counsel. The Division did not find that Fiduciary Solutions abruptly closed bank and brokerage accounts. The accounts were closed and re-opened so that Martinez could have access to pay bills and handle Jean Mallett's day to day living. Once the accounts were switched to Fiduciary Solutions, checks were able to be deposited into the accounts as usual. Staff reviewed numerous documents presented in this complaint. There was no indication of a violation of A.R.S. §14-1104, as alleged. The statute cited involves prudent management of costs, preserve the assets of the estate and protecting against incurring costs that exceed probable benefits to the ward or estate.

Allegation 2 is not substantiated.

**Allegation 3: Fiduciary Solutions, LLC did not respond to and/or did not timely respond to communications and inquiries.**

The Mallett Brothers maintained that, despite their consistent efforts to seek information, their questions were not addressed as promptly as they expected.

In contrast, Fiduciary Solutions asserted that it remained communicative and responsive but acknowledged that the Mallett Brothers were often dissatisfied with the responses provided. Fiduciary Solutions attributed this dissatisfaction to logistical complexities beyond its control and its obligation to act in accordance with court expectations rather than the personal expectations of the Mallett Brothers.

The Division reviewed correspondence submitted by the complainants and the fiduciary, including an email dated November 29, 2022. The Mallett Brothers indicated the fiduciary's responses were not provided in the manner or timeframe they desired. The Division determined that the inquiries that were presented to Fiduciary Solutions were addressed and answered timely.

Based on the information reviewed, the Division could not determine that Fiduciary Solutions failed to respond or was unreasonably delayed in its communications with the Mallett Brothers. While the Mallett Brothers maintained that responses were not provided in a timely manner, Fiduciary Solutions asserted that it remained communicative and engaged throughout the process.

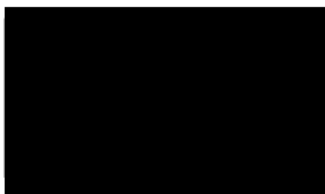
The Division did not find evidence that Fiduciary Solutions did not respond to and/or did not timely respond to communications and inquiries such that the fiduciary's actions constituted misconduct or rose to the level of a violation.

Allegation 3 is not substantiated.

**DISCIPLINARY HISTORY:**

None.

**SUBMITTED BY:**



February 27, 2025

Jared Arthur, Investigator  
Certification and Licensing Division

Date

[Redacted]

February 27, 2025

Investigator  
Certification and Licensing Division

Date

**REVIEWED BY:**

[Redacted]

2/28/2025

Pasquale Fontana, Manager  
Certification and Licensing Division

Date

**REVIEWED BY:**

[Redacted]

2/28/2025

Aaron Nash, Director  
Certification and Licensing Division

Date

**ARIZONA SUPREME COURT  
ADMINISTRATIVE OFFICE OF THE COURTS  
REVIEW AND DECISION OF THE PROBABLE CAUSE  
EVALUATOR**

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**REVIEW AND DECISION OF THE PROBABLE CAUSE EVALUATOR:**

Under ACJA § 7-201(H)(5)(a), the deputy director, serving in the capacity of probable cause evaluator under ACJA § 7-201(D)(3)(a), having conducted an independent review of the facts and evidence gathered during the course of the investigation of complaint number 22-0067:

- Directs division staff to investigate further.
- Determines probable cause does not exist demonstrating the certificate holder has committed any acts of misconduct or violations of the statutes, court rules, this section, or the applicable section of the ACJA and enters a written finding to that effect as to Allegation(s):

2 and 3

- Determines probable cause exists demonstrating the certificate holder has committed one or more acts of misconduct or violations of the statutes, court rules, this section, or the applicable section of the ACJA and enters a written finding to that effect as to Allegation(s):

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	3/4/2025
Jeffrey Schrade	Date
Probable Cause Evaluator	

**ARIZONA SUPREME COURT  
ADMINISTRATIVE OFFICE OF THE COURTS  
RECOMMENDATION TO THE BOARD**

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<b>LICENSE HOLDER INFORMATION</b>	<b>Business Name:</b>	Fiduciary Solutions, LLC.
	<b>License Number:</b>	██████████
	<b>Type of License:</b>	Fiduciary Business Entity

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**RECOMMENDATION TO THE BOARD FIDUCIARY (“BOARD”):**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Fiduciary Solutions, LLC, has committed the alleged act(s) of misconduct regarding allegation 1 but has not committed the alleged acts of misconduct regarding allegations 2 and 3 as detailed in the Investigation Summary, Determination, Probable Cause Review, and Recommendation Report in complaint number 22-0067.

It is further recommended the Board enter a finding ground for informal disciplinary action exists under Arizona Code of Judicial Administration (“ACJA”) § 7-201(H)(6) for act(s) of misconduct involving ACJA §§ 7-201(F)(1), 7-201(H)(6)(a), § 7-201(H)(6)(k)(6),(8); and ACJA § 7-202 (J)(1)(a)

Mitigating factors under ACJA § 7-201(H)(22)(b)(1):

- The absence of a prior disciplinary record;
- The absence of a dishonest motive;
- The absence of a selfish motive;
- Personal or emotional problems;
- A timely good faith effort to make restitution or to rectify consequences of misconduct;
- Full and free disclosure to the division staff, the board or the hearing officer;
- A cooperative attitude toward any proceedings;
- Inexperience in the practice of the profession or occupation;
- Character or reputation;
- Physical or mental disability;
- Physical or mental impairment;
- Delays in the disciplinary proceedings;
- Interim rehabilitation;
- Imposition of other penalties or sanctions;
- Remorse;
- The remoteness of prior offenses;
- Other: **Owner/Designated Principal, Mario Martinez, died on or about June 13, 2023. The business is under new ownership.** \_\_\_\_\_

Aggravating factors under ACJA § 7-201(H)(22)(b)(2):

- A prior disciplinary record;
- A dishonest motive;
- A selfish motive;

- Multiple offenses;
- Bad faith obstruction of the disciplinary proceedings by intentionally failing to comply with this section, the applicable section of ACJA, court rules or orders of the hearing officer; (Failure to respond to Division requests sent to a valid point of contact reflects an uncooperative attitude toward the investigation)
- Submission of false evidence, false statements or other deceptive practices during the discipline process;
- Refusal to acknowledge wrongful nature of the conduct;
- Vulnerability of the victim;
- Substantial experience in the profession or occupation;
- Indifference to making restitution;
- Other: \_\_\_\_\_

It is further recommended the Board direct the Division to issue a Letter of Concern to Fiduciary Solutions, LLC.

**SUBMITTED BY:**



3/4/2025

Aaron Nash, Director      Date  
Certification and Licensing Division

**ARIZONA SUPREME COURT  
ADMINISTRATIVE OFFICE OF THE COURTS  
DECISION AND ORDER OF THE BOARD**

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**DECISION AND ORDER:**

The Board having reviewed the above Investigation Summary, Determination, Probable Cause Review, and Recommendation Report, regarding complaint number 22-0067 and **Fiduciary Solutions, LLC, license number [REDACTED]**, makes a finding of facts and this decision, based on the facts, evidence, and analysis as presented and:

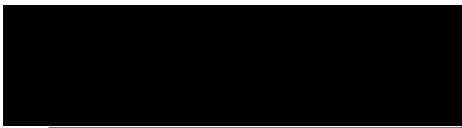
- Request division staff to conduct further investigation;
- Refer the complaint to another entity with jurisdiction;

Referral to: \_\_\_\_\_

- Determine no violation exists and dismiss the complaint
  - with prejudice
  - without prejudice
- Determine no acts of misconduct or violation occurred and no discipline is warranted; however the certificate holder's actions need modification or elimination and issue an advisory letter pursuant to subsection (D)(5)(c)(1)(g);
- Enter a finding the certificate holder has violated any provisions of the statutes, court rules, this section, or the applicable ACJA specific sections or subsection (H)(6) and order an emergency summary suspension, pursuant to subsection (H)(9)(d);
- Enter a finding the certificate holder has violated any of the provisions of the statutes, court rules, this section, the applicable ACJA sections or subsection (H)(6) and issue an order imposing any or a combination of the following information or formal disciplinary sanctions:
  - Issue a letter of concern
  - Issue a censure
  - Resolve any found acts of misconduct or violations by consent order or other negotiated settlement
  - Place specific restrictions on a certificate
  - Place the certificate holder on probation or a set period of time under specified conditions
- Mandate additional training for the certificate holder
- Issue a cease and desist order pursuant to subsection (E)(6)

- Order suspension of a certificate for a set period of time with specific conditions for reinstatement
- Order revocation of a certificate with specific conditions for reinstatement
- Assess costs associated with the investigation and disciplinary proceedings; or
- Impose civil penalties associated with the investigation and disciplinary proceedings.
  
- Order the preparation of documents necessary for informal or formal disciplinary actions under subsection (H)(7)(b), (H)(8)(b) or (H)(9)(b)
- Request the license holder appear before the Board to participate in a Formal Interview, pursuant to ACJA § 7-201(H)(8).
- Enter a finding the public health, safety or welfare is at risk, requires emergency action, and orders the immediate emergency suspension of the license and sets an expedited hearing for:  
  
Date, Time, and Location: \_\_\_\_\_
- Order the filing of Notice of Formal Charges, pursuant to ACJA § 7-201(H)(10).
- Adopts the recommendations of the Division Director.
- Does not adopt the recommendations of the Division Director and orders:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



The Hon. Jennifer Perkins, Chair  
 Fiduciary Board

03/13/2025

Date