

**BEFORE THE OFFICE OF STATE ADMINISTRATIVE HEARINGS  
STATE OF GEORGIA**

**GEORGIA BOARD OF PRIVATE  
DETECTIVES AND SECURITY  
AGENCIES,**

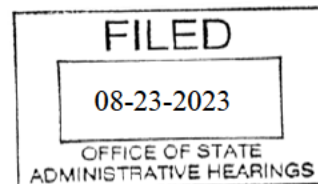
**Petitioner,**

v.

**CHRISTOPHER ULRICK FLEURY and  
PHOENIX GLOBAL SECURITY LLC,  
Respondents.**

**Docket No.: 2327767  
2327767-OSAH-PLBD-PDSA-60-Barnes**

**Agency Reference No.: SGE065855-  
PSC002430**



**INITIAL DECISION**

**I. INTRODUCTION**

Petitioner, the Georgia Board of Private Detectives and Security Agencies (“Board”) brought this action seeking the issuance of a Cease-and-Desist order against the Respondent Christopher Ulrick Fleury (“Respondent Fleury”) to enjoin him from the unlicensed practice of private security. The Board also seeks the revocation of Phoenix Global Security LLC’s (“Agency Respondent”) license as a private security company. The evidentiary hearing took place on July 14, 2023 before the undersigned administrative law judge. The Board was represented by Griffin W. Ingraham, Esq., Assistant Attorney General. The Court held the evidentiary record open for seven (7) days after the hearing to allow the Respondent Fleury to submit additional documentation, though no such documentation was submitted. After careful consideration of the evidence and arguments presented, and for the reasons stated below, Respondent Fleury is hereby **ORDERED to CEASE AND DESIST** from engaging in the practice of private security in Georgia—and from holding himself out as a licensed private security professional—unless and until he obtains a license to do so. Further, Agency Respondent’s license to operate as a private security company is hereby **REVOKED**.

## II. FINDINGS OF FACT

1. Respondent Fleury was previously licensed as a Security Guard Employee with secondary license to carry Exposed and Concealed Weapons and Shotguns. His license was lapsed at all times relevant to the instant case.

2. Respondent Fleury is the owner and supervisor of Agency Respondent. Agency Respondent is licensed as a Private Security Company and was so licensed at all times relevant to the instant case.

3. Agency Respondent was previously known as SWATA LLC, a company licensed in Florida. On or about April 21, 2017, Agency Respondent received authorization from the Secretary of State of Georgia to transact business in Georgia. On or about January 8, 2021, Agency Respondent changed its company name from SWATA LLC to Phoenix Global Security, LLC.

4. On or about January 22, 2021, the Board received a complaint alleging that Respondent Fleury was engaging in the private security business without a license and that Agency Respondent was employing unlicensed armed security guards, specifically at 2479 Abner Terrace NW, Atlanta, GA 30318. The complaint alleged that Respondent Fleury and Agency Respondent had claimed to be licensed and had posted advertisements for employment as “Special Police Officers.”

5. An agent of the Board conducted an investigation into allegations involving Respondent Fleury and Agency Respondent between September 7, 2021 and September 8, 2021. The investigator spoke with an apartment complex employee who notified the investigator of a security contract between the complex and Agency Respondent. On September 7, 2021, the investigator also encountered two armed security guards, named Fabian Arredondo and “William”, who were working at the complex. Mr. Arredondo confirmed that both security guards worked

for Agency Respondent and were armed. However, Mr. Arredondo declined to provide any additional information to the investigator.

6. The Board investigator contacted Respondent Fleury, who sent various documents to the investigator via email on September 9, 2021. Documents included a written statement as well as the Agency Respondent's name change and change of address. Additionally, Respondent Fleury provided a list of the security guards, including Mr. Arredondo, assigned to work at the apartment complex.

7. Respondent Fleury was licensed as a Security Guard Employee from August 16, 2018 until August 31, 2021, when his license lapsed.

8. Agency Respondent became a licensed Security Company on August 16, 2018, with its license in "Lapsed – Late Renewal Period" status as of June 30, 2023.

9. Mr. Arredondo was licensed as a Security Guard Employee from October 16, 2014 until August 31, 2021, when his license lapsed. Thus, his license had lapsed at the time the investigator observed him working at the apartment complex. Additionally, none of the other individuals Respondent Fleury listed as security guards in his written statement hold a license with the Board as private Security Employees. According to the Secretary of State's records, all Private Security Employees listed as employees of Agency Respondent have lapsed licenses.

10. At the hearing, Respondent Fleury testified that he is licensed as a private security guard in ten states and that he has not worked in Georgia since February 10, 2022. He testified that he was in the process of renewing his private security license in Georgia. The undersigned held the record open until July 21, 2023 to allow Respondent Fleury to complete his application and inform the Court. The Court has not received any supplemental documentation regarding Respondent Fleury's license. However, a search of the Board database as of the date of this Order

shows the Respondent Fleury's license as "Lapsed."

### III. CONCLUSIONS OF LAW

1. The Board seeks a cease-and-desist order against Respondent Fleury and revocation of Agency Respondent's license pursuant to the Georgia Private Detective and Security Agencies Act, O.C.G.A. §§ 43-38-1, *et seq.*, the rules of the Georgia Board of Private Detectives and Security Agencies, found at Ga. Comp. R. & Regs., Title 509, as well as the general statutory provisions related to professional licensing boards, O.C.G.A. §§ 43-1-1, *et seq.* The Board's burden of proof in this matter is a preponderance of the evidence. Ga. Comp. R. & Regs. 616-1-2-.07 and 616-1-2-.21(4).

2. O.C.G.A. § 43-1-19(a) states, in part, that:

(a) A professional licensing board shall have the authority to refuse to grant a license to an applicant therefor or to revoke the license of a person licensed by that board or to discipline a person licensed by that board, upon a finding by a majority of the entire board that the licensee or applicant has:

\*\*\*

(5) Had his or her license to practice a business or profession licensed under this title revoked, suspended, or annulled by any lawful licensing authority other than the board; had other disciplinary action taken against him or her by any such lawful licensing authority other than the board; was denied a license by any such lawful licensing authority other than the board, pursuant to disciplinary proceedings; or was refused the renewal of a license by any such lawful licensing authority other than the board, pursuant to disciplinary proceedings;

\*\*\*

(7) Knowingly performed any act which in any way aids, assists, procures, advises, or encourages any unlicensed person or any licensee whose license has been suspended or revoked by a professional licensing board to practice a business or profession licensed under this title or to practice outside the scope of any disciplinary limitation placed upon the licensee by the board;

(8) Violated a statute, law, or any rule or regulation of this state, any other state, the professional licensing board regulating the business or profession licensed under this title, the United States, or any other lawful authority without regard to whether the violation is criminally punishable when such statute, law, or rule or regulation

relates to or in part regulates the practice of a business or profession licensed under this title and when the licensee or applicant knows or should know that such action violates such statute, law, or rule; or violated a lawful order of the board previously entered by the board in a disciplinary hearing, consent decree, or license reinstatement[.]

3. “When a professional licensing board finds that any person is unqualified to be granted a license or finds that any person should be disciplined pursuant to subsection (a) [or other relevant laws, regulations, or rules], the board may . . . [r]evoke any license.” O.C.G.A. § 43-1-19(d)(5).

4. O.C.G.A. § 43-1-20.1(a) provides, “[A]fter notice and hearing, a professional licensing board may issue a cease and desist order prohibiting any person from violating the provisions of this title by engaging in the practice of a business or profession without a license.”

5. The Board has the authority “to issue, renew, deny, suspend, or revoke licenses, certificates, registrations, or permits in a manner consistent with [Chapter 38].” O.C.G.A. § 43-1-20.1(a).

6. O.C.G.A. § 43-38-11 states, in part, that:

(a) The board shall have the authority to refuse to grant a license or registration to an applicant therefor or to revoke the license or registration of a person licensed or registered by the board or to discipline a person licensed or registered by the board upon a finding by a majority of the entire board that the licensee, registrant, or applicant has:

(2) Made any false statement or given any false information in connection with an application for license or registration, including an application for renewal or reinstatement thereof;

(3) Knowingly violated this chapter or violated any rule or regulation promulgated by the board pursuant to the authority contained in this chapter;

\*\*\*

(8) Engaged in, or permitted any employee to engage in, the private detective or private security business without a valid license or registration issued under this chapter[.]

7. “If, after notice and hearing, the board finds that the license or registration of any holder thereof should be revoked or otherwise sanctioned, the board may . . . [r]evoke or suspend a license or registration.” O.C.G.A. § 43-38-11(b)(2)(8).

8. Under O.C.G.A. § 43-38-16:


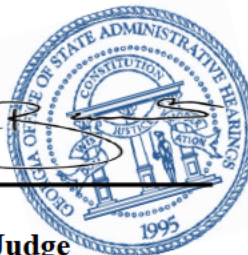
Any person who engages in the private detective business or private security business or offers, pretends, or holds himself out as eligible to engage in the private detective business or private security business and who is not legally licensed or registered under this chapter shall be guilty of a misdemeanor. Each day or fraction of a day that he practices in violation of this chapter shall constitute a separate offense.

9. The Board has proven by a preponderance of the evidence that Respondent Fleury has violated the above provisions and engaged in the practice of private security without a license. The Board has also proven that Agency Respondent has operated in violation of the rules governing licensees and that the revocation of Agency Respondent’s license is proper.

#### IV. DECISION

In accordance with the foregoing Findings of Fact and Conclusions of Law, this Court hereby **ORDERS** Respondent Fleury to **CEASE AND DESIST** engagement in the practice of private security in Georgia—and from holding himself out as a licensed private security professional in Georgia—unless and until he obtains a valid license to do so. Further, Agency Respondent’s license to operate as a private security company is hereby **REVOKED**. This Cease-and-Desist Order may be enforced by the Board through any and all means provided by law.

**SO ORDERED**, this 23<sup>rd</sup> day of August, 2023.

  
  
**Shakara M. Barnes**  
**Administrative Law Judge**