

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF
ELECTRICAL CONTRACTORS

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

Administrative Action

RICHARDO PIRRO
License No. 13635

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Examiners of Electrical Contractors upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent is a licensed electrical contractor in the State of New Jersey..
2. On November 27, 2000, respondent obtained permits to perform electrical work on parking lot lighting poles and an electric sign, as well as other work on a site located in North Bergen, New Jersey.
3. Respondent indicated on his permit applications that he had contracted to perform this work for the Marcellis-Warner Corporation of Montclair, New Jersey, the owner of the North Bergen property.
4. At the time respondent obtained the permit, respondent's license and permit had expired.
5. Respondent did not renew his license and permit until December 6, 2000.

CONCLUSIONS OF LAW

1. Respondent's act of filing for a permit to perform electrical work indicated that he had offered to perform electrical work in the State of New Jersey without a valid license or permit in violation of N.J.S.A. 45:5A-9(a).

2. Respondent is therefore subject to sanctions pursuant to N.J.S.A. 45:1-25, as well as pursuant to N.J.S.A. 45:1-21(h) for having violated N.J.A.C. 13:31-1.6.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline imposing a civil penalty of \$500.00 was entered on March 2, 2001 and a copy served upon respondent. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied with a letter dated March 8, 2001, acknowledging the truth of the Findings of Fact, and explaining that he had not renewed his license because he had been misinformed about the renewal process at a continuing education class, and because he had failed to inform the Board that he had moved, and the renewal forms had been sent by the board to his old address. At its meeting of April 4, 2001, the Board evaluated this response. It concluded that respondent was, despite his misinformation, responsible for ascertaining the appropriate information about renewal of his license, and in addition was required by regulation to inform the Board to notify the Board within 10 days after a change of address. See N.J.A.C. 13:31-1.4. The Board had already presumed a lack of willfulness in respondent's conduct, based upon the fact that he had ultimately renewed his license and permit, and this had been reflected in the moderation of the penalty imposed. Thus the Board reaffirmed its earlier decision.

ACCORDINGLY, IT IS on this day of , 2001,

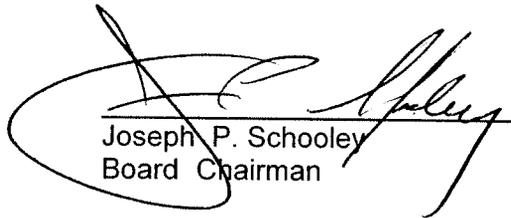
ORDERED that:

1. Respondent' is hereby assessed a civil penalty in the amount of \$500.00 for engaging in electrical contracting without a valid permit or license.

2. Respondent is to forward the amount of this penalty within fifteen days of the issuance of this Order, in the form of a certified check or money order made payable to the State of New Jersey, and directed to the attention of Barbara Cook, Executive Director, State Board of Examiners of Electrical Contractors, P.O. Box 45006, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

NEW JERSEY STATE BOARD OF
EXAMINERS OF ELECTRICAL CONTRACTORS

By:


Joseph P. Schooley
Board Chairman