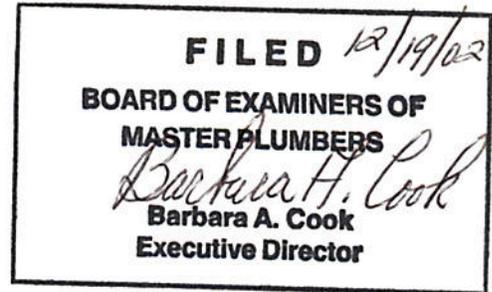


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF MASTER PLUMBERS

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

Administrative Action

MICHAEL D'AMICO
License No.7175

PROVISIONAL ORDER
OF DISCIPLINE

TO PRACTICE PLUMBING
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Examiners of Master Plumbers ("Board") upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a licensed master plumber licensed in the State of New Jersey and has been a licensee at all times relevant hereto.
2. By letter dated July 11, 2002, the Board wrote to respondent by regular mail at the address on record with the Board, requesting a written response concerning a consumer complaint from C.G. The regular mail was returned to the Board Office with a yellow sticker labeled "notify sender of new address" indicating a new address for respondent. No written response was received from respondent.

3. On or about October 2, 2002, the Board re-sent the July 11, 2002 letter by certified mail to the address set forth on the label of the return envelope referenced in numbered paragraph 2 above. The certified letter was returned to the Board as "not deliverable as addressed, unable to forward." No written response was received from respondent.

4. By letter dated October 15, 2002, the Board wrote to respondent by certified and regular mail to the address set forth on the label of the return envelope referenced in paragraph number 2 above, requesting a written response concerning a consumer complaint from J.S.&D.S. The regular mail and certified mail were returned as "undeliverable as addressed, unable to forward." No written response was received from respondent.

CONCLUSIONS OF LAW

1. The above conduct constitutes failure to cooperate with the Board in violation of N.J.A.C. 13:45C-1.3(a)(1), in that he failed to timely respond to an inquiry to provide information in response to two pending consumer complaints received by the Board office concerning his conduct.

2. The above conduct constitutes failure to provide timely notice of a change of address from the official address of record with the Board in contravention of N.J.A.C. 13:45C-1.3(a)(7) and N.J.A.C. 13:32-4.4.

3. Respondent is subject to sanctions pursuant to N.J.S.A. 45:1-21(h), in that respondent failed to comply with an act or regulation administered by the Board.

ACCORDINGLY, IT IS on this 19th day of December, 2002,

ORDERED that:

1. Respondent's license to practice plumbing in the State of New Jersey shall be and hereby is suspended unless or until he furnishes the Board with a written response to the two pending consumer complaints.

2. Respondent shall be assessed a civil penalty in the aggregate amount of \$10,000 consisting of \$5,000 per consumer complaint, for his failure to timely cooperate with the Board's initial requests for a response to the two pending consumer complaints requiring the filing of this

Provisional Order of Discipline. The penalty shall be paid by money order or certified check made out to the State of New Jersey and delivered to the Board of Examiners of Master Plumbers, P.O. Box 45008, 124 Halsey Street, Sixth Floor, Newark, NJ 07101, no later than 15 days after the entry of any Final Order of Discipline in this matter. In the event respondent fails to make a timely payment, a certificate of debt shall be filed.

3. Respondent shall pay a penalty in the amount of \$200 for failure to keep the Board apprized of his current address. Such payment shall be made in accordance with numbered paragraph 2 above.

4. Any practice in this State prior to formal reinstatement of license by the Board shall constitute grounds for a charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on respondent's practice should his license be reinstated.

5. The within Order shall be subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry hereof unless respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) Submitting a written request for modification or dismissal to Barbara Cook, Executive Director, State Board of Examiners of Master Plumbers, P.O. Box 45008, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

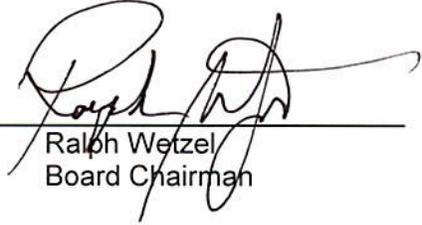
c) Submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

6. Any submissions will be reviewed by the Board, and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that submitted materials merit further consideration, a Final Order of Discipline will be entered.

7. In the event that respondent's submissions establish a need for further proceedings, including, but not limited to, an evidentiary hearing, respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding.

NEW JERSEY STATE BOARD OF
EXAMINERS OF MASTER PLUMBERS

By: _____


Ralph Wetzel
Board Chairman