



balance of \$1,614.92 on the original penalty and costs assessed against him by the July 11, 2002 Final Order. The letter was sent by certified and regular mail to respondent's address of record. Certified mail was returned unclaimed. Regular mail was not returned. No response was received.

4. On August 9, 2004, the Board wrote to respondent again reminding him of the \$1,614.92 balance on the penalty and costs still outstanding. The letter was sent by certified and regular mail to respondent's address of record. Certified mail was returned unclaimed. Regular Mail was not returned. No response was received.

5. On October 4, 2004, a copy of the August 9, 2004 letter was sent to respondent by the Board, asking for a response within ten days. The letter was sent by certified and regular mail. Certified mail was returned unclaimed. Regular mail was not returned. No response was received.

#### CONCLUSIONS OF LAW

1. Respondent's failure to comply with the Board's July 11, 2002 Order constitutes a violation of N.J.A.C. 13:45C-1.4, thus subjecting him to sanctions pursuant to N.J.S.A. 45:1-21 (e) and (h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on December 1, 2004, provisionally imposing a civil penalty in the amount of \$1000 upon respondent for failure to comply with a Board Order, and provisionally suspending respondent's license and business permit until he brings himself into compliance. Copies of the Order were forwarded to respondent at this address of record by certified and regular mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> 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.

Although the Provisional Order sent by means of certified mail was returned as "unclaimed," the regular mail was not returned. Because the Order was forwarded to respondent's address of record, the Board deems service to have been effected. Accordingly, in light of the fact that no written response was received within 30 days of the entry of the Order, the Board determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this *2nd* day of *March*, 2005,

ORDERED that:

1. Respondent is hereby assessed a civil penalty in the amount of \$1000 for the violation of N.J.A.C. 13:45C-1.4. this sum is separate and apart from the sum of \$1,614.92 which respondent still owes pursuant to the July 11, 2002 Final Order.

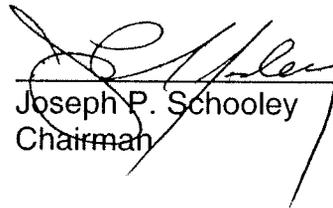
Payment is to be sent in the form of a certified check, money order or attorney trust account check made payable to the State of New Jersey, and forwarded to the attention of Barbara A. Cook, Executive Director, Board of Examiners of Electrical Contractors, P.O. Box 45006, 124 Halsey Street, Sixth Floor, Newark, NJ 07101.

2. Respondent's license and business permit are hereby suspended until responded has complied with the terms of the Board's July 11, 2002 Order.

Respondent is to forward his pressure seal to the attention of Barbara A. Cook,

Executive Director, at the address indicated in paragraph #1, immediately following receipt of this Order.

STATE BOARD OF EXAMINERS  
OF ELECTRICAL CONTRACTORS



Joseph P. Schooley  
Chairman