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FILED 6/23/06
BOARD OF EXAMINERS OF MASTER PLUMBERS
Barbara A. Cook
Barbara A. Cook
Executive Director

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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 RANDY KENNY L.M.P. License No. 11100 TO PRACTICE AS A PLUMBER IN THE STATE OF NEW JERSEY	Administrative Action CONSENT ORDER

This matter was opened to the New Jersey State Board of Master Plumbers ("the Board") upon receipt of information alleging that Randy Kenny ("respondent") performed work and charged in excess of the amount quoted in his original signed estimate provided to consumer S.R. Respondent never entered into a written contract with S.R. for the work to be performed. As a result, respondent performed work in addition to the work quoted in the signed estimate and charged S.R. in excess of the original estimate. On June 23, 2005 respondent and S.R. appeared at an investigative inquiry into the matter held by the Board.

The facts of this matter are as follows. S.R. was instructed by the Township of Willingboro to correct certain health and sanitation violations pertaining to the repair of her sewer line. The township provided S.R. with the names of three plumbing contractors routinely utilized by the township. All three contractors provided estimates to S.R. Respondent was one of the contractors. Respondent quoted S.R. an estimate of $880.00 to perform the work. S.R. was unable to afford the price quoted by any of the contractors. As a result, S.R. authorized the Township of

Willingboro to pay to correct the cited violations and S.R. would reimburse the township at a later date. S.R. chose respondent to make the repairs because respondent provided the cheapest estimate.

Respondent began work on S.R.'s sewer line on August 23, 2003. During the course of making the repairs, it was determined by respondent that more extensive work would be required beyond the work identified in respondent's original estimate. Respondent attempted to reach S.R. by telephone to advise her of the need for additional work and consequently, additional cost. Respondent was unable to contact S.R. As a result, the Township of Willingboro authorized respondent to perform the additional work. Respondent completed the work and charged the township the sum of $3,730.00. The township in return added an administrative fee and billed S.R. the total sum of $4,103.00. The township has established a lien against S.R.'s house in order to ensure payment.

According to respondent's testimony at the investigative inquiry, he never entered into a written contract with S.R. The only document signed by respondent and S.R. was the estimate for $880.00. Respondent also testified that he never entered into a written contract with the Township of Willingboro for the repair of S.R.'s sewer line. Additionally, respondent admitted that he never received written or verbal consent from S.R. for the additional work that was undertaken and the additional cost that was charged.

These facts establish a basis for disciplinary action pursuant to N.J.S.A. 45:1-21 (e) in that respondent's conduct, in failing to obtain a written contract from S.R. or from the Township of Willingboro, as well as failing to obtain S.R.'s permission to perform the additional work at an additional cost, constitutes professional misconduct. It appearing that respondent desires to resolve this matter without recourse to formal proceedings, and for good cause shown:

IT IS ON THIS 23rd DAY OF Feb , 2006

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall pay a civil penalty in the amount of $1,500 for having engaged in professional misconduct in violation of N.J.S.A. 45:1-21(e) by failing to obtain a signed contract from S.R., or from the Township of Willingboro, as well as failing to obtain S.R.'s

permission to perform additional work at an additional cost.

2. Respondent shall pay restitution to S.R. in the amount of $1,000. Payment shall be by certified check or money order made payable to S.R. and delivered to the Office of the Board of Master Plumbers simultaneously with the signing of this order.

3. Respondent shall cease and desist from the violations described herein. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

4. Respondent shall simultaneously with the signing of this order pay the penalty provided in paragraph 1 above by certified check or money order payable to the State of New Jersey and delivered to the Board of Examiners of Master Plumbers, 124 Halsey Street, Sixth Floor, Newark, NJ 07101.

5. Failure to comply with any of the terms of this Order may constitute the basis for further disciplinary action by the Board, including but not limited to, suspension or revocation of respondent's master plumbing license and imposition of monetary penalties. Failure to remit any and all payments required by this Order will result in the filing of a certificate of debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

BOARD OF EXAMINERS OF MASTER PLUMBERS

By: _____
Mark McManus
Board President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

_____ 11/00
Randy Kenny, L.M.P.

OFFICIAL CHECK

NOTICE TO CUSTOMERS
THE PURCHASE OF AN INDEMNITY BOND WILL BE REQUIRED BEFORE THIS CHECK WILL BE REPLACED OR REFUNDED IN THE EVENT IT IS LOST, MISPLACED, STOLEN OR DESTROYED

Commerce Bank
55 S WHITE HORSE PIKE
STRATFORD, NJ 08084

040-31014
55-136/312

1/13/2008

PAY ***SHIRLEY REYNOLDS***
TO THE ORDER OF

$1,000.00

One Thousand DollarsAND 00 Cents

DOLLARS

VALID FOR 3 YEARS ONLY

PAY EXACTLY 1,000.00CS

RE: File ID# 29863

⑈040310144⑈ ⑆031201360⑆ 90 0140 5⑈

UPS Next Day Air
UPS Worldwide Express℠
Shipping Document

1A92 6/00

See instructions on back. Call 1-800-PICK-UPS (800-742-5877) for additional information.

TRACKING NUMBER 1Z F04 2E8 22 1001 070 0

1B92 6/00

1 SHIPMENT FROM

SHIPPER'S UPS ACCOUNT NO.: UPS ACCOUNT NO. F 0 4 2 E 8

REFERENCE NUMBER

NAME TELEPHONE 973-504-6420

COMPANY MASTER PLUMBERS

STREET ADDRESS 124 HALSEY ST 6TH FLOOR

CITY AND STATE NEWARK NJ ZIP CODE 07102

2 EXTREMELY URGENT DELIVERY TO:

NAME Shirley Reynolds TELEPHONE

COMPANY Consumer #29863

STREET ADDRESS 12 BALLAD LANE DEPT./FLR. Residential ☐

CITY AND STATE (INCLUDE COUNTRY IF INTERNATIONAL) Willingboro NJ ZIP CODE 08046

3 WEIGHT — WEIGHT (ENTER "LTR" IF LETTER): LTR — DIMENSIONAL WEIGHT (If Applicable)

SHIPPER'S COPY

		CHARGES
4 TYPE OF SERVICE	[X] NEXT DAY AIR ☐ EXPRESS (INT'L)	
	FOR WORLDWIDE EXPRESS SHIPMENTS Mark an "X" in this box if shipment only contains documents of no commercial value. ☐ DOCUMENTS ONLY	$
5 OPTIONAL SERVICES	☐ SATURDAY PICKUP See instructions. ☐ SATURDAY DELIVERY See instructions.	$
	☐ INSURED VALUE Contents are automatically protected up to $100. For insured value over $100, see instructions. $ AMOUNT	$
	☐ C.O.D. If C.O.D., enter amount to be collected and attach completed UPS C.O.D. tag to package. $ AMOUNT	$
6 ADDITIONAL HANDLING CHARGE	☐ An Additional Handling Charge applies for certain items. See instructions.	$
TOTAL CHARGES		$

7 METHOD OF PAYMENT

BILL SHIPPER	BILL RECEIVER (NEXT DAY AIR ONLY)	BILL THIRD PARTY	CREDIT CARD	CHECK
X	☐	☐	☐ American Express, Diner's Club, MasterCard, Visa	☐

RECORD ACCOUNT NO. IN SECTION 8

8 RECEIVER'S / THIRD PARTY'S UPS ACCT. NO. OR MAJOR CREDIT CARD NO. EXPIRATION DATE

THIRD PARTY'S COMPANY NAME

STREET ADDRESS

CITY AND STATE ZIP CODE

The shipper authorizes UPS to act as forwarding agent for export control and customs purposes. The shipper certifies that these commodities, technology or software were exported from the United States in accordance with the Export Administration Regulations. Diversion contrary to U.S. law is prohibited.

9 SHIPPER'S SIGNATURE X [signature] DATE OF SHIPMENT 4/17/08

0101911202609 6/00 MW

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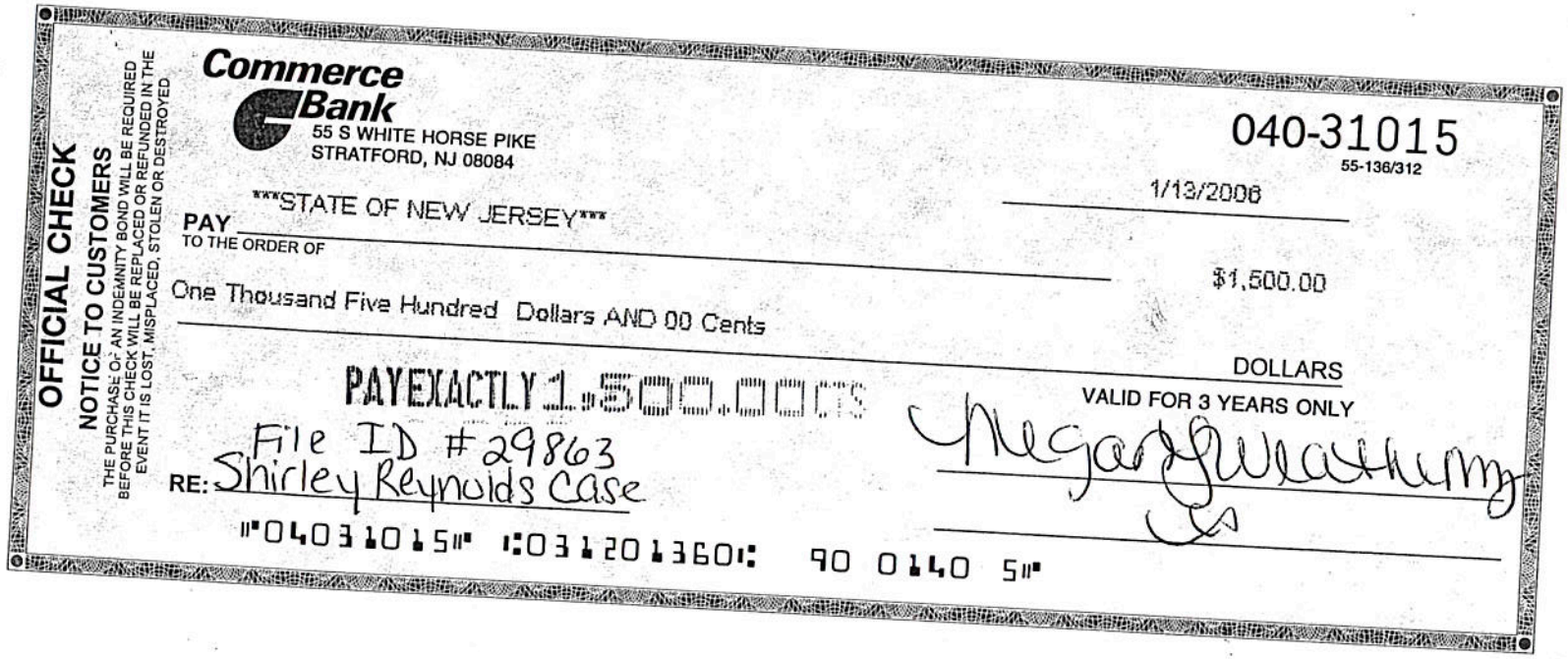

OFFICIAL CHECK

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Commerce Bank
55 S WHITE HORSE PIKE
STRATFORD, NJ 08084

040-31015
55-136/312

1/13/2006

PAY ***STATE OF NEW JERSEY***
TO THE ORDER OF

$1,500.00

One Thousand Five Hundred Dollars AND 00 Cents

DOLLARS

PAY EXACTLY 1,500.00 CTS

VALID FOR 3 YEARS ONLY

File ID #29863

RE: Shirley Reynolds Case

Megan J Weatherby

⑈04031015⑈ ⑆031201360⑆ 90 0140 5⑈

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