FILED 5/25/06
BOARD OF EXAMINERS OF
MASTER PLUMBERS
Barbara A. Cook
Barbara A. Cook
Executive Director

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
WILLIAM E. WEBER JR. License No.36BI00628900	FINAL ORDER OF DISCIPLINE
TO PRACTICE MASTER 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 that the Board reviewed and on which it entered a Provisional Order of Discipline on December 15, 2005, preliminarily concluding that William Weber, Jr., ("respondent"), had violated Board regulations and engaged in professional misconduct when he failed to respond to Board inquiries regarding the his positive response to the question concerning arrests or convictions on his application for renewal of his license for the 2003-2005 biennial period.

In response to the Provisional Order, Mr. Weber submitted an undated letter enclosing information relating to his January 3, 2003 arrest and February 12, 2003, conviction for driving under the influence, and a copy of the notice restoring his driving privileges following a six month suspension. He did not offer any explanation for his failure

to respond to earlier Board inquiries seeking information, but he asked that the matter be dismissed.

The deputy attorney general replied to Mr. Weber's submission by letter dated March 10, 2006. He noted that Mr. Weber's failure to respond to the Board's letters of August 22, 2003 and January 13, 2004, provided a basis for sanctioning respondent. Because the information the Board had sought has now been received, the deputy stated that a suspension of license until that information is received would not be appropriate.

The Board considered this matter at its meeting on March 22, 2006, and agrees that the suspension provisionally ordered should not be imposed, however, because Mr. Weber has failed to provide evidence or information that would support mitigation of the civil penalty for his failure to cooperate with a Board inquiry, a penalty is appropriate. On finalizing the order, therefore, the Board makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. William E. Weber Jr. ("respondent") is a licensed master plumber licensed in the State of New Jersey and has been a licensee at all times relevant to this matter.

2. On his 2003-2005 license renewal application, respondent indicated that he had been charged with or convicted of a crime but failed to provide further detail. On August 22, 2003, respondent was sent a letter by the Board, via regular mail, inquiring as to the nature of the conviction. The letter was sent to respondent's address of record with the Board. In particular, the Board wanted to know the date, nature of conviction, offenses charged, the county/municipality/state where offense occurred, the name of the

agency/court where this matter was decided and what was the final outcome of the matter. The mailing was not returned to the Board office indicating receipt by respondent. Respondent failed to submit the requested information.

3. The Board sent another letter to respondent by certified mail, dated January 13, 2004, to his address of record with the Board. This letter was delivered and signed for on January 21, 2004.[1] As of December 15, 2005, the date of the Provisional Order, the requested information had not been provided to the Board.

4. In response to the Provisional Order of Discipline, Mr. Weber provided information related to his conviction for driving under the influence, but offered no explanation for his failure to have answered the prior inquiries.

CONCLUSIONS OF LAW

The above findings of fact provide grounds for disciplinary action against respondent pursuant to N.J.S.A. 45:1-21(h) (failing to comply with the provisions of an act or regulation administered by the Board, specifically N.J.A.C. 13:45C-1.3 (licensee duty to cooperate)) and N.J.S.A. 45:1-21(e) (professional misconduct), by failing to respond to Board inquiries, in particular the Board 's letters of August 22, 2003 and January 13, 2004.

ACCORDINGLY, IT IS on this 27th day of April, 2006,

ORDERED that respondent shall be assessed a penalty in the amount of $500 for failing to cooperate with the Board's requests for further information regarding his criminal conviction. The penalty shall be paid by money order or certified check made out to the

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[1] The Provisional Order recites the date of receipt as January 13, 2004. As evident from the return receipt card (which was appended to the Provisional Order as Exhibit D), the date of receipt was January 21, 2004. The correction has been made in this order.

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 thirty (30) days after entry of the Final Order of Discipline in this matter. In the event respondent fails to make a timely payment, a certificate of debt shall be filed.

NEW JERSEY STATE BOARD OF
EXAMINERS OF MASTER PLUMBERS

By: _____
Mark McManus
Board President