

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

C#490.3

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

Administrative Action

BRIAN J. TAYLOR
License No.36BI00918700

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 Brian J. Taylor ("respondent") had violated Board regulations and had engaged in professional misconduct by failing to respond to inquiries from the Board concerning his positive response to the question relating to arrests or convictions on his application for renewal of his license for the 2003-2005 biennial period. The Provisional Order was mailed by certified and regular mail on December 30, 2005, to respondent at his address of record. The certified mail was returned to the Board office unopened after two attempts at delivery. The regular mail was not returned.¹

¹ The information that the certified mail was returned to the Board office and the regular mail was not returned to the Board office was supplied by the deputy attorney general in his letter of March 10, 2006. The Board accepts those representations as accurate based on his review of and familiarity with the file in this matter.

Respondent did not respond to the Provisional Order of Discipline. By letter dated March 10, 2006, the deputy attorney general cited to the Board's regulation that states service of process at the licensee's address of record is adequate notice for the commencement of disciplinary proceedings. N.J.A.C. 13:32:4.4(b). He noted Mr. Taylor had again failed to respond and reiterated that the Board could find a basis for discipline and finalize the provisional order.

The Board considered this matter at its meeting on March 22, 2006, and is satisfied that mailing the Provisional Order to respondent's address of record is adequate notice of this matter. While the certified mail was not claimed, the regular mail is presumed to have been received. Respondent had not responded to the Board's initial inquiries and now, even in the face of suspension of his license for failing to provide information to the Board, he again has not responded. As such, the Board's preliminary determination that he has failed to cooperate with a Board inquiry and, having so failed, has engaged in professional misconduct is supported by the record here. On finalizing the order, therefore, the Board makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. Brian J. Taylor ("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 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. On February 11, 2004, the letter was returned to the Board due to an inability to obtain a signature. The requested information has never been provided to the Board.

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, specifically the Board's request for information by letters dated August 22, 2003 and January 13, 2004.

ACCORDINGLY, IT IS on this 9th day of April, 2006,

ORDERED that:

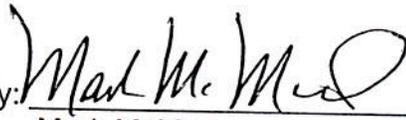
1. Respondent's license to practice master plumbing in the State of New Jersey is hereby suspended unless or until he furnishes the Board with the information requested in the Board's letters dated August 22, 2003 and January 13, 2004.

2. Respondent is assessed a penalty in the amount of \$500 for failing to cooperate with the Board's requests for further information regarding his affirmative response on the 2003-2005 renewal application regarding arrests or criminal convictions.

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 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.

3. 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.

NEW JERSEY STATE BOARD OF
EXAMINERS OF MASTER PLUMBERS

By: 
Mark McManus
Board President

VERIFY THE AUTHENTICITY OF THIS MULTI-TONE SECURITY DOCUMENT.

PERSONAL MONEY ORDER

CHECK BACKGROUND AREA CHANGES COLOR GRADUALLY FROM TOP TO BOTTOM.

ANTI-FRAUD PROTECTION - FEDERAL RESERVE SYSTEM, 12/19/99

801-023197

SS-136/312

PAY TO THE ORDER OF

New Jersey Board of Master Plumbers

NOT VALID FOR MORE THAN \$1,000 DOLLARS

\$ 500.00



TD Bank, N.A.
106 N MAIN ST
FORKED RIVER, NJ 08731

THE SUM 500 DOLLARS

Signature of Remitter

12 WAREH AVENUE

LAUREA HARBO NJ 08734

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