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BOARD OF EXAMINERS OF
MASTER PLUMBERS
Barbara A. Cook
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Executive Director

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

IN THE MATTER OF
PAUL RICCOBONO, LMP
License No. 36BI00811900
LICENSED TO PRACTICE PLUMBING
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Examiners of Master Plumbers (the "Board") based upon receipt of a complaint alleging that Paul Riccobono ("respondent"), signed and sealed a plumbing permit for an apartment complex, whereby he indicated he was the bona fide representative for a plumbing contractor named "Master 2 Plumbing & Heating". At the time he signed and sealed the permit, respondent was not registered with the Board as "Master 2 Plumbing & Heating". Instead, respondent was registered with the Board to trade in his own name. The complaint further alleged respondent did not supervise the plumbing work in conformance with the regulations pertaining to the supervisory responsibilities of a bona fide representative.

On July 27, 2006 respondent appeared with counsel at an investigative inquiry into the matter held by the Board. During the inquiry, respondent acknowledged at the time he signed and sealed the permit, he was not registered with the Board as "Master 2 Plumbing & Heating." He acknowledged he was still registered to trade in his own name. Additionally, respondent testified "Master 2 Plumbing & Heating" had a total of fourteen employees on the particular job at issue. While there was a foreman on site, the foreman was not a licensed New Jersey master plumber. Respondent testified he went to the job site primarily on Monday mornings only, he did not provide constant on-site supervision, nor did he have daily telephonic contact with any of the workers on

the site as required by regulation. Respondent also acknowledged he was not present for every inspection concerning the plumbing work.

Having reviewed the entire record, including the testimony of respondent during the investigative inquiry, the Board finds that respondent signed and sealed a permit for "Master 2 Plumbing & Heating" when he was not registered with the Board to trade as this plumbing contracting entity. Additionally, the Board finds respondent did not supervise the plumbing work discussed above in conformance with the regulations pertaining to the supervisory responsibilities of a bona fide representative.

These facts establish a basis for disciplinary action, pursuant to N.J.A.C. 13:32-3.2(a)(1) & (2), in that respondent failed to register with the board and provide proof of his ownership interest in "Master 2 Plumbing & Heating" within 30 days of assuming the role as bona fide representative. These facts also establish a basis for disciplinary action, pursuant to N.J.A.C. 13:32-3.3(5), in that respondent served as a bona fide representative for more than one plumbing contractor. Finally, these facts establish a basis for disciplinary action, pursuant to N.J.A.C. 13:32-3.3(a)(3), in that respondent failed to ensure constant proper on-site supervision of the plumbing services being performed.

It appearing that respondent desires to resolve this matter without admissions and without recourse to formal proceedings and for good cause shown:

IT IS ON THIS *22nd* DAY OF *February*, 2007

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby reprimanded for the conduct outlined above.
2. Respondent is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of eight thousand dollars (\$8,000), for failing to properly supervise plumbing work in conformance with the regulations pertaining to the supervisory responsibilities of a bona fide representative, in violation of N.J.A.C. 13:32-3.3(a)(3). Additionally, respondent is assessed a civil penalty, in the amount of two thousand dollars (\$2,000), for signing and sealing a permit for "Master 2 Plumbing & Heating" when he was not registered with the Board to trade under this name, in violation of N.J.A.C. 13:32-3.3(5). Finally, respondent is assessed a civil penalty, in the amount of one thousand dollars (\$1,000), for failing to register with the Board as "Master 2 Plumbing and Heating" and failing to provide proof of his ownership in the company, within 30 days of assuming

the role of a bona fide representative, in violation of N.J.A.C. 13:32-3.3(a)(3). Payment of the aggregated civil penalties totaling eleven thousand dollars (\$11,000) shall be made simultaneously with the signing of this Consent Order. Payment shall be submitted by certified check or money order made payable to the State of New Jersey. Payment for the civil penalties shall be sent to Barbara Cook, Executive Director, New Jersey State Board of Examiners of Master Plumbers, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

3. 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 enhanced monetary penalties pursuant to N.J.S.A. 45:1-25. Failure to remit the penalties outlined in this order will result in the filing of a certificate of debt.

NEW JERSEY STATE BOARD OF MASTER PLUMBERS

By: Mark McManus
Mark McManus
Board President

I have read and understand this Consent Order and agree to be bound by its terms. I consent to the entry of this Order.

Paul Riccobono
Paul Riccobono, LMP

Date 1/24/07

I consent to the entry of this order as to form.

Andrew Kinsey
Andrew Kinsey, Esq.
Attorney for Paul Riccobono, Esq.