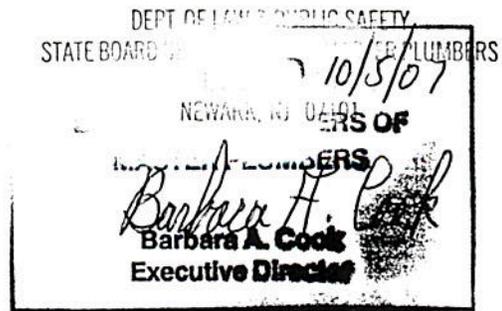


ANNE MILGRAM  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law 5th Floor  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101



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

IN THE MATTER OF

TODD RANSON, L.M.P.  
Expired License # 36BI00834500

TO PRACTICE PLUMBING  
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER  
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Examiners of Master Plumbers upon receipt of information which the Board has reviewed, and on which the following preliminary findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Todd Ranson ("respondent") was previously licensed to practice plumbing in the State of New Jersey. However, respondent failed to renew his license prior to its expiration on June 30, 2001. As a result, respondent's license is currently suspended, pursuant to N.J.S.A. 45:1-7.1(b), for failing to renew within 30 days of the expiration date of the license.

2. The New Jersey State Board of Examiners of Master Plumbers (the "Board") received a letter from the Office of Consumer Affairs, County of Mercer, dated November 9, 2004. The letter indicated that respondent had contracted with consumer C.K. for the installation of a 120K BTU boiler. The letter further indicated that respondent incorrectly installed a 105K BTU boiler unit. According to the letter, respondent acknowledged he installed the wrong boiler and agreed to purchase and install the correct unit. However, respondent failed to do so.

3. The Board received a complaint from consumer C.K. dated February 14, 2005. The complaint alleged that C.K. originally filed a complaint with the County of Mercer, Office of Consumer Affairs on April 15, 2004 in an effort to work with respondent in resolving the issue. However, respondent either ignored or lied about his desire to resolve the matter. C.K. alleged that respondent committed fraud, engaged in professional misconduct and unlicensed practice by introducing himself to her as a licensed plumber despite the fact that his plumbing license had been suspended.

4. The Board also received a copy of the complaint filed by consumer C.K. with the County of Mercer, Department of Consumer Affairs. In that complaint, C.K. alleged that she paid for a 120K BTU boiler but a 105K BTU boiler was installed. A load analysis conducted by a third party air conditioning & heating contractor indicated that the unit was providing insufficient heat output for the home. Although respondent acknowledged he installed the wrong unit, he indicated he would rectify the situation. However, respondent failed to rectify the situation and repeatedly ignored C.K.'s attempts to resolve the matter.

5. On March 30, 2005 the Board sent a letter to the respondent, via certified mail, requesting that he immediately cease and desist from engaging in the practice of plumbing contracting in the State of New Jersey, and also requesting that he return his Master Plumber's pressure seal to the Board. The letter also requested that respondent resolve C.K.'s complaint with Mercer County, Department of Consumer Affairs as soon as possible. The letter was sent to respondent's address of record with the Board. The green certified postcard was returned to the Board office bearing a signature and indicating the date of delivery as April 6, 2005. However, respondent failed to surrender his Master Plumber's pressure seal nor did he provide any response to the Board's letter.

6. On April 4, 2005, the Board sent another copy of the March 30, 2005 letter to respondent, via certified mail. Once again the letter was sent to respondent's address of record with the Board. The green certified postcard was returned to the board office bearing a signature,

but the date of delivery is illegible. However, respondent failed to surrender his Master Plumber's pressure seal nor did he provide any response to the Board's letter.

7. On October 25, 2005, the Board attempted to contact the respondent via telephone. Respondent's telephone answering machine attached to his business telephone number has a recorded message in which respondent identifies himself and states he is a plumbing contractor. The Board left a message on the answering machine requesting respondent to return the call in an effort to resolve the complaint by C.K.. Respondent failed to return the call. The Board tried to contact the respondent again by telephone on December 5, 2005. Again, the answering machine attached to the business telephone number played a recorded message in which respondent identifies himself and states he is a plumbing contractor. Once again, the Board left a message on the answering machine requesting respondent to return the call. However, respondent failed to return the call.

#### CONCLUSIONS OF LAW

1. The above preliminary findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-7.1(c), in that respondent engaged in the unlicensed practice of plumbing by providing plumbing services to C.K., as well as holding himself out and representing himself as a licensed master plumber and retaining his seal press although his license was suspended by application of N.J.S.A. 45:1-7.1(b) for failing to renew his license within 30 days following its expiration on June 30, 2001.

2. The above preliminary findings of fact also provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(e) in that respondent engaged in professional or occupational misconduct by failing to cooperate with the Board's request for a response to the complaint from C.K. in contravention of N.J.A.C. 13:45C-1.3(a)(1). Additionally, the above preliminary findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(h), in that respondent failed to comply with a regulation

administered by the Board by failing to return his pressure seal to the Board within 30 days of his license suspension in contravention of N.J.A.C. 13:32-4.1(e).

#### DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on September 21, 2006, provisionally suspending respondent's license until he successfully complete the examination required for initial licensure pursuant to N.J.S.A. 45:1-7.1(d), as well as N.J.A.C. 13:32-2.6(f); complying with all the requirements of N.J.S.A. 45:1-7.2 and N.J.A.C. 13:32-2.6(f) and appear before the Board (or a committee thereof) to demonstrate fitness to resume practice. The Board reserved the right to place restrictions on respondent's practice should his license be reinstated.

The Provisional Order of Discipline also provisionally imposed a civil penalty totaling \$5,500.00 for respondent's violations of N.J.A.C. 45:1-7.1(c), N.J.S.A. 45:1-21(e) and N.J.S.A. 45:1-21(h). Respondent was also required to immediately make restitution to consumer C.K. in the amount of \$4,000.00. Finally, respondent was to immediately cease and desist from practicing plumbing in the State of New Jersey and immediately return his pressure seal to the Board.

A copy of the Provisional Order was forwarded to respondent by certified and regular mail at his address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th 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.

The Provisional Order sent by means of certified mail was returned marked "Unclaimed" and indicating three attempts to serve the certified mail on 9/27, 10/01 and 10/11. The regular mail was not returned. No written response from respondent was received by the Board. Because the

Provisional Order was forwarded to respondent's address of record and the regular mail was not returned, the Board deems service to have been effected. Accordingly, it is determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this      day of      , 2007,

ORDERED that:

1. Respondent is assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$2,500.00 in that he engaged in the unlicensed practice of plumbing, pursuant to N.J.A.C. 45:1-7.1(c), by providing plumbing services to C.K., and continuing to hold himself out and representing himself as a licensed master plumber although his license was suspended by application of N.J.S.A. 45:1-7.1(b). Additionally, respondent is assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$2,500.00 in that he engaged in professional or occupational misconduct, pursuant to N.J.S.A. 45:1-21(e), by failing to cooperate with the Board's request for a response to the complaint from C.K. in contravention of N.J.A.C. 13:45C-1.3(a)(1). Finally, respondent is assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$500.00 for violating N.J.S.A. 45:1-21(h), in that he failed to return his pressure to the Board within 30 days of his license suspension in contravention of N.J.A.C. 13:32-4.1(e). Payment of the civil penalties totaling \$5,500.00 shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to Barbara A. Cook, Executive Director, Board of Examiners of Master Plumbers, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101 no later than thirty (30) days after entry of this Final Order of Discipline. In the event respondent fails to make a timely payment, a certificate of debt shall be filed.

2. Respondent's license to practice plumbing in the State of New Jersey shall remain suspended. Any future request for reinstatement of respondent's suspended license requires respondent to successfully complete the examination required for initial licensure pursuant to N.J.S.A. 45:1-7.1(d), as well as N.J.A.C. 13:32-2.6 (f). Additionally, prior to seeking reinstatement, respondent shall comply with all the requirements of N.J.S.A. 45:1-7.2 and N.J.A.C. 13:32-2.6(f).

Finally, prior to seeking reinstatement and resuming active practice in New Jersey respondent shall be required to appear before the Board (or a committee thereof) to demonstrate fitness to resume practice. In addition, the Board reserves the right to place restrictions on respondent's practice should his license be reinstated.

3. Respondent shall immediately cease and desist from practicing plumbing in the State of New Jersey and shall immediately return his pressure seal to the Board. Any practice in this State prior to reinstatement and prior to an appearance before the Board shall constitute additional grounds for a charge of unlicensed practice.

4. Respondent shall immediately make restitution to consumer C.K. in the amount of \$4,000.00. Payment shall be submitted by certified check or money order made payable to C.K. and shall be sent to Barbara A. Cook at the address described in paragraph #1 immediately after entry of any Final Order of Discipline in this matter. In the event respondent fails to make a timely payment, a certificate of debt shall be filed.

BOARD OF EXAMINERS OF MASTER PLUMBERS

By:   
\_\_\_\_\_  
Mark McManus  
Board President