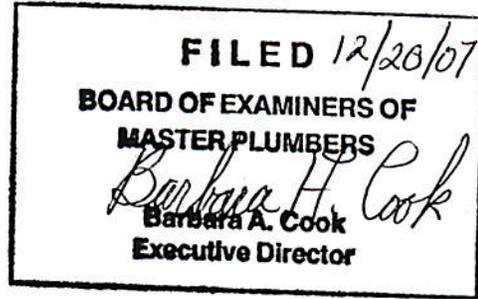


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Newark, New Jersey 07101  
Attorney for State Board of Master Plumbers

By: Joseph Donofrio  
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(973) 648-2436



CH 35680  
up 755319

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

IN THE MATTER OF

GRADY SUMNER  
License No. 36BI01125100

LICENSED TO PRACTICE AS A MASTER  
PLUMBER 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") upon receipt of a complaint alleging that Grady Sumner ("respondent"), who is the bona fide representative for Fastrac Plumbing, LLC, signed and sealed a plumbing permit for use by an unlicensed entity for a hotel project for located at 743 Passaic Avenue, Clifton, NJ. According to the complaint, Fastrac Plumbing LLC was designated on the permit as the plumbing contractor responsible for performing the plumbing work for the project. However, the complaint alleged the plumbing work was being performed by Midlantic Plumbing, Inc. Midlantic Plumbing is a Pennsylvania based company and is not licensed to engage in plumbing contracting in New Jersey. According to the complaint, only Midlantic Plumbing employees were performing plumbing work on the job site. The complaint alleged respondent had loaned or sold the use of his license to Midlantic Plumbing, Inc., an unlicensed entity.

Respondent provided a response to the complaint, via his attorney, Richard A. Shapiro, Esq. The response indicated respondent is the bona fide representative for Fastrac Plumbing, LLC and that Fastrac is a "sub-sub contractor to Midlantic Mechanical, Inc.", hired to do the plumbing work on site. Respondent also provided copies of the plumbing permit, as well as the inspection reports. The plumbing permit listed Fastrac as the plumbing contractor and was signed and sealed by respondent. As a result, the Board requested a copy of the contract between Fastrac and

Midlantic Mechanical. In response, the Board received a letter from Mr. Shapiro indicating the contract between Fastrac and Midlantic was oral and there is no written contract.

These facts establish a basis for disciplinary action, pursuant to N.J.S.A. 45:1-21 (b) and N.J.A.C. 13:32-4.1(c), in that respondent signed and sealed a plumbing permit for use by a person other than the State licensed master plumber to whom it was issued. Additionally, these facts establish a basis for disciplinary action, pursuant to N.J.S.A. 45:1-21(h) and N.J.A.C. 13:32-3.3(a)(5), in that respondent served as a bona fide representative for more than one plumbing contractor.

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 20<sup>th</sup> DAY OF December, 2007

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby reprimanded for the conduct outlined above.
2. Respondent shall pay a civil penalty in the amount of \$1,250.00 for signing and sealing a plumbing permit for use by a person other than the State licensed master plumber to whom it was issued in violation of N.J.S.A. 45:1-21(b) and N.J.A.C. 13:32-4.1(c). Additionally, respondent shall pay a civil penalty in the amount of \$1,250.00 for serving as a bona fide representative for more than one plumbing contractor in violation of N.J.S.A. 45:1-21(h) and N.J.A.C. 13:32-3.3(a)(5). Payment of the civil penalties totaling \$2,500.00 shall be made simultaneous with the signing of this Consent Order, by certified check or money order made payable to the State of New Jersey and shall be sent to Barbara Cook, Executive Director, Board of Examiners of Master Plumbers, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.
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, and further disciplinary action.
4. Failure to timely remit any and all payments required by this order will result in the filing of a certificate of debt with interest accruing at the rate provided by the Rules of Court, and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board, which could include the suspension or revocation of license.

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.

Grady Sumner  
Grady Sumner, LMP

12-17-2007  
Date

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

Richard A. Shapiro, Esq.  
Richard A. Shapiro, Esq.

12/17/07  
Date

FASTRAC PLUMBING LLC 09-04 1930  
856-491-1816  
400 LANG RD  
GATESVILLE, PA 76528

Date 11-28-07 35-2/1130 TX 1491

Pay to the Order of State of New Jersey \$ 2,500.00  
Two Thousand Five Hundred & 00/100 Dollars

Bank of America  
ACH R/T 11000025

For Grady Sumner MP

⑆ 113000023⑆ 005780148119⑆ 1930

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