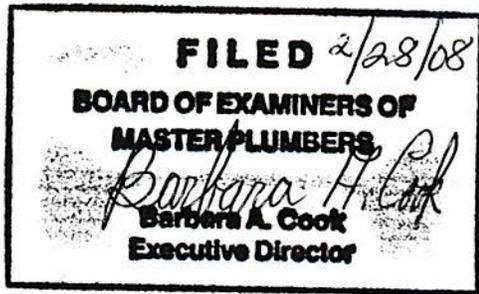


cf# 749'125
C# 51384

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



By: Joseph Donofrio
Deputy Attorney General
Tel. (973) 648-2436

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
OF THE LICENSE OF

MICHAEL A. MANDELL, L.M.P.
License No. 36BI00487700

TO PRACTICE AS A 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 information that Michael A. Mandell, L.M.P. ("respondent"), ordered one of his servicemen to remove the plastic knobs from consumer M.K.'s gas grill when a dispute arose regarding the payment of a bill. Specifically, M.K. states he called several local plumbing contractors on May 1st and May 2nd, 2007, in order to receive quotes regarding the repair or replacement of his gas grill. Respondent was one of the contractors. M.K. chose to go with another company, telling the respondent he would call him if required. On May 3rd, M.K. received two phone calls from the respondent's office asking him when they could come look at his grill. In both

instances M.K. told the individual on the phone not to call, and if needed he would call them. On May 4th respondent sent a serviceman to M.K.'s household. After learning that respondent's serviceman had given M.K.'s wife a bill of \$107.00, M.K. told the respondent he refused to pay. In response, the respondent ordered his serviceman to remove the plastic knobs from the grill, making the grill unworkable. M.K. called the police and respondent eventually returned the knobs.

On June 13, 2007 the Board received a response from the respondent. He disputes M.K.'s claim that he never set up an appointment, and that his serviceman acted unprofessionally. However, respondent admits that he was in error and that it was unprofessional to order his serviceman to remove the plastic knobs from M.K.'s grill.

These facts establish a basis for disciplinary action pursuant to N.J.S.A. 45:1-21 (e) in that respondent's acknowledged behavior constitutes an act of professional misconduct. It appearing that respondent desires to resolve this matter without recourse to formal proceedings, and for good cause shown:

IT IS ON THIS 25th DAY OF February, 2008

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby reprimanded for his actions outlined above.
2. Respondent shall pay a civil penalty in the aggregate amount of \$500 for ordering one of his servicemen to remove and take the consumer's plastic grill knobs, in violation of N.J.S.A. 45:1-21(e). Payment shall be submitted simultaneous with the signing of the consent order and shall be 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. 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.

BOARD OF EXAMINERS OF MASTER PLUMBERS

By: Peter L. Voris
~~Mark McManus~~
Board President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

Michael Mandell
Michael Mandell, LMP

2/6/2008
Date

State license No. 4877

17 Oliver Street
Metuchen, N J 08840

Michael Mandell
Plumbing & Heating, Inc.
Electric Sewer Cleaning
Commercial-Residential-Industrial

February 7, 2008

N.J. State Board of Master Plumbers

Please except my apologies to the board for causing you any extra work or problems. I respect your decision and have enclosed the signed consent and enclosed a bank check in the amount of \$ 500.00.

I have been a licensed master plumber operating a local service business since 1973, this is the first complaint anyone has ever filed against me and it was very upsetting to me. I always have and still hold myself and my business to a very high standard.

Sincerely,


Michael Mandell

544106 (100/pkg Rev 03)

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK



0801050

OFFICIAL CHECK

AN INDEMNITY AND/OR SURETY BOND MAY BE REQUIRED PRIOR TO REPLACEMENT OR REFUND OF THIS CHECK IF LOST OR DESTROYED

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

23-97
1020

205039788

WACHOVIA

Pay To The Order Of ***STATE OF NEW JERSEY***

*FIVE HUNDRED DOLLARS AND 00 CENTS

02/06/2008

\$ 500.00

Remitter
MANDELL PLUMBING INC.

Issued by Integrated Payment Systems Inc., Englewood, Colorado
JP Morgan Chase Bank, N.A., Denver, Colorado

DRAWER: Wachovia Bank, National Association

Authorized Signature

⑆099562⑆ ⑆102000979⑆ 68002050397883⑆



Dollars

MP

5