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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF EXAMINERS OF ELECTRICAL  
CONTRACTORS

\_\_\_\_\_  
IN THE MATTER OF :  
 :  
**Paul Canavera** :  
**License No. 34EI01109500** :  
 :  
TO PRACTICE ELECTRICAL :  
CONTRACTING :  
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 Electrical Contractors ("Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

**FINDINGS OF FACT**

1. Paul Canavera ("respondent") is an electrical contractor licensed in the State of New Jersey and has been a licensee at all times relevant hereto.
2. Pursuant to N.J.S.A. 45:5A-13.1, all licensees are required to complete a minimum of 34 credits of continuing education requirements as a condition for triennial license renewal which shall include a 10-hour course of study relating to the most

recent edition of the National Electrical Code, nine hours of which shall pertain to code and one hour of which shall pertain to applicable State statues and regulations; and 24 hours of instruction approved by the Board covering various electrical related subjects.

3. Respondent indicated on his 2006-2009 triennial renewal that he will have completed his continuing education requirement for the 2006-2009 triennial renewal period by June 30, 2006.

4. On or about March 18, 2008, the Board conducted a continuing education random audit involving approximately ten percent of its licensees pursuant to N.J.A.C. 12:31-1.7(f). Respondent was selected for the audit.

5. The Board sent a letter to respondent by regular mail, dated March 18, 2008, to respondent's address of record with the Board. In the letter, the Board required respondent to furnish a copy of his continuing education certificates for the 2006-2009 biennial renewal period. The letter required respondent to submit a written explanation to the Board in the event he failed to complete his 2006-2009 continuing education requirement. A response was to be submitted to the Board office within ten (10) business days.

6. In response to that letter, respondent provided the documents which were received by the Board on or about March 31, 2008, which indicate that respondent completed 11 hours of continuing education hours in electrical related subjects, but failed to take 13 hours of electrical related course hours and did not complete the 10 course hours relating to the National Electrical Code and State statues and regulations. Also submitted were certificates for courses for the incorrect cycle as well a duplicate certificates.

## DISCUSSION

Based upon the above facts, the Board issued a Provisional Order of Discipline filed on February 6, 2009 for failure to complete all of the required continuing education prior to renewal of his license. In response to the Provisional Order, respondent sent a letter enclosing a copy of the certificate he had for the ten (10) hour code and law update course he took on April 29-30, 2005 and apologized for not maintaining copies of certificates for the remaining courses. His letter also indicates that he attempted to obtain copies of his certificates from the sponsor of the courses, but was told that it does not keep such records. In addition, respondent states that he did not falsify his application but simply misplaced his certificates. The Board considered respondent's statements and the copy of the certificate he provided. Based upon the documentation, the Board was persuaded that respondent did fulfill the requirement of the code and law update, but failed to complete the remaining 13 hours of electrical related courses. As the regulations require that a licensee maintain documentation of completion of credits, pursuant to N.J.A.C. 13:31-1.7(f), for a period of six years after completion, the Board was not inclined to accept respondent's undocumented statement as sufficient proof that he did not falsify his renewal application.

## CONCLUSIONS OF LAW

The above 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 has failed to comply with the provisions of an act or regulation administered by the Board, more specifically, N.J.S.A. 45:5A-13.1 et seq., and N.J.A.C. 13:31-1.7(a), (b) and (c) et seq.,

by failing to successfully complete, 13 credits of continuing education and by falsifying his renewal application by stating that all continuing education requirements were completed in violation of N.J.S.A. 45:1-21a. The Board determined that there was not a sufficient basis to dismiss its decision to sanction respondent for failing to complete all of the continuing educational requirements and for falsely stating that he had completed the hours when in fact he had not, but it did find a sufficient basis to modify its decision concerning the failure to complete the ten hours of code and law update and accept respondent's proof. Based on its review of all of the information provided by respondent, the Board believes that no further proceedings are necessary.

ACCORDINGLY, IT IS on this 6<sup>th</sup> day of May, 2009,

ORDERED that:

1. A public reprimand is to be imposed upon respondent, pursuant to N.J.S.A. 45:1-22, for the violation of N.J.S.A. 1-21a, N.J.S.A. 45:5A-13.1 et seq, and N.J.A.C. 13:1-1.7(a), (b) and (c).
2. Respondent is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$62.50 for each hour of continuing education that respondent has failed to complete for the 2006-2009 triennial period by June 30, 2006, in violation of N.J.S.A. 45:5A-13.1 and N.J.A.C. 13:1-1.7(b) and (c) for a total of \$812.50.
3. Respondent is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$2,500.00 for falsely stating that the required continuing education requirement would be completed for the 2006-2009 triennial period by June 30, 2006, in violation of N.J.A.C. 13:31-1.7(a).

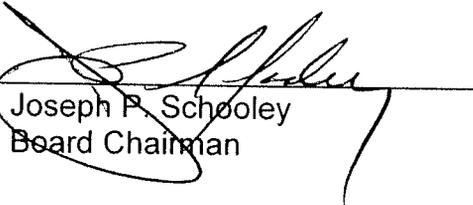
5. The aggregate penalty totaling \$3,312.50 shall be paid by money order or certified check made payable to the State of New Jersey and delivered to the Board of Examiners of Electrical Contractors, P.O. Box 45006, 124 Halsey Street, Sixth Floor, Newark, NJ 07101, no later than ten (10) days after entry of this Final Order of Discipline. In the event respondent fails to make a timely payment, a certificate of debt shall be filed and the Board may take such further action as it deems appropriate.

6. Within six (6) months from the date of this Order, respondent is hereby required to submit the appropriate documentation demonstrating, to the satisfaction of the Board, that he has completed all missing course hours, pursuant to N.J.S.A. 45:1-22. Failure to comply shall result in the automatic and immediate suspension of respondent's license to practice electrical contracting in New Jersey without further order until such time as respondent submits satisfactory proof of completion of all required hours of continuing education.

7. No later than ten (10) days after the entry of this Order, respondent is hereby required to submit all documentation of continuing education courses taken to date for the next renewal cycle, 2009-2012, pursuant to N.J.S.A. 45:1-22.

NEW JERSEY STATE BOARD OF  
EXAMINERS OF ELECTRICAL CONTRACTORS

By: \_\_\_\_\_

  
Joseph P. Schooley  
Board Chairman