

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

IN THE MATTER OF THE
LICENSE OF

EDWARD JOHNSON d/b/a
ED JOHNSON ELECTRIC AND/OR
SOUTH SHORE ELECTRIC, INC.
License and Business Permit
#7469 (Expired)

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 Contracting ("the 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. Respondent was a licensed electrical contractor in the State of New Jersey, first licensed by the Board on March 1, 1984.
2. Respondent failed to renew his license and business permit for the 1997-2000, 2000-2003, 2003-2006, and 2006-2009 triennial renewal periods.
3. Respondent also failed to return the pressure seals issued to Johnson Electric, Inc. and South Shore Electric, Inc., despite the Board's repeated requests.
4. A Final Order of Discipline was entered against respondent on March 12,

2002, for engaging in electrical contracting without a valid license or business permit in violation of N.J.S.A. 45:5A-9.

5. On or about May 31, 2006, respondent submitted a Work Experience Certification for his employee, Edward Clifton, that indicated that Mr. Clifton was employed by Ed Johnson Electric, Inc. as an electrician from January 6, 2003 until March 30, 2006, a time when respondent was unlicensed.

6. In a letter dated August 29, 2006, the Board requested a detailed written explanation from respondent concerning his failure to renew his license and return the pressure seals. Respondent did not respond.

7. The Board sent a letter dated October 3, 2006, reminding respondent of his duty to cooperate with the Board.

8. In response to the Board's letter that advised respondent of his duty to cooperate, respondent explained in a letter dated October 29, 2006 that his failure to cooperate with the Board's request was due to 2 ½ years of health issues and multiple hospitalizations and surgeries. Respondent indicated he had been in the hospital and therefore unable to fulfill his requirements for the continuing education classes.

9. A Provisional Order of Discipline was entered by the Board on November 27, 2007, and was served upon respondent by certified and first class mail on or about December 1, 2007. (See copy of green card attached as Exhibit A and made a part hereof.

10. 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 the reasons therefor.

11. In response to the Provisional Order filed on November 27, 2007, respondent submitted a copy of a letter dated November 7, 2007 by facsimile with cover sheet dated May 5, 2008 in which respondent states that he never received the March 12, 2002 letter but "agree[s] with most of your findings of facts." The letter further states that his office had relocated and perhaps that is the reason it was never received. The letter goes on to state that he has previously explained his health issues in 2006 and has attended continuing education classes and has donated materials and services to community organizations. In addition, the letter states that he is "well respected by all ... electrical inspectors and have always produced the highest quality of work possible. We are a small family business that has been around in our community started by my father since 1956. I would like to continue the tradition of high quality electrical contracting if the board will allow me."

12. On April 8, 2008, Investigator John Czuba of the Enforcement Bureau, Division of Consumer Affairs personally served a Demand for Surrender of Pressure Seal on Respondent and on May 21, 2008, Investigator Czuba received one pressure seal #7469A (South Shore Electric, Inc.) from Respondent. (See copy of certification of John Czuba attached hereto as Exhibit B and made a part hereof.)

13. On June 27, 2008 the Board received two certified checks dated June 26, 2008; one in the amount of \$5000.00 and one in the amount of \$500.00 from

Respondent in full satisfaction of the penalty imposed in the Final Order of Discipline dated March 12, 2002 as well as the penalty contemplated to be imposed in the Provisional Order filed on November 27, 2007.

14. Respondent's submissions were reviewed by the Board, and the Board determined that further proceedings were not necessary and that respondent did not dispute any of the findings of facts or conclusions of law and that no material discrepancies had been raised. The Board was not persuaded that the submitted information merited further consideration.

CONCLUSIONS OF LAW

The above-listed facts provide grounds for the suspension of respondent's license to practice as an electrician and to engage in the electrical contracting business pursuant to N.J.S.A. 45:1-21(h), in that respondent engaged in the business of electrical contracting in violation of N.J.S.A. 45:5A-9. In addition, respondent engaged in professional misconduct in violation of N.J.S.A. 45:1-21(e) since he has failed to comply with an order of the Board to pay a civil penalty in the amount of \$500.00 for the earlier violation of N.J.S.A. 45:5A-9 until significantly after he was noticed of a second violation by way of the Provisional Order issued on November 27, 2007. Furthermore, since this is a second offense, the Board is entitled to assess an enhanced penalty pursuant to N.J.S.A. 45:1-25.

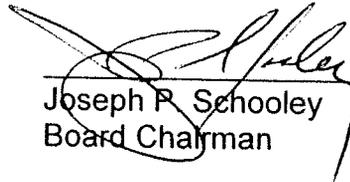
ACCORDINGLY, IT IS on this 16th day of July 2008
ORDERED that

1. Respondent's license to practice as an electrician and to engage in the business of electrical contracting is hereby suspended.
2. Respondent is hereby ordered to cease and desist from engaging in the practice of electrical contracting until such time as the Board shall authorize his reinstatement.
3. An enhanced civil penalty in the amount of \$5,000.00 is hereby imposed upon respondent for continuing to engage in the practice of electrical contracting without renewing his license from 1997 to the present which constitutes a second violation of N.J.S.A. 45:5A-9, as well as violation of N.J.S.A. 45:1-21(e); however, respondent has already satisfied this penalty by sending the certified check referred to above.
4. Respondent is ordered to return the pressure seal issued to Johnson Electric, Inc. within ten (10) days of the entry of this Order.
5. No application for reinstatement by respondent shall be considered until such time as the sanctions imposed by this Order are fully satisfied.
6. In addition, as respondent has not been licensed by the Board for more than five (5) years, pursuant to N.J.S.A. 45:1-7.1d, respondent must take and pass the Electrical Board examination in order to qualify for licensure.

7. Failure to return the pressure seal issued to Ed Johnson Electric shall result in the imposition of an additional penalty of \$100.00 per day for each day that respondent fails to comply with this Order up to a maximum of \$20,000.00, unless respondent provides a sworn statement, which is acceptable to the Board, as to what efforts he has made and why he is unable to return the seal.

8. Should respondent fail to fully comply with all of the sanctions and orders contained in this Order, the Board shall file an action in the New Jersey Superior Court seeking to hold respondent in contempt which may result in additional sanctions being imposed by the Court.

STATE BOARD OF EXAMINERS
OF ELECTRICAL CONTRACTORS



Joseph P. Schooley
Board Chairman

UNITED STATES POSTAL SERVICE
SOUTH JERSEY NJ 080



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

01 DEC 2007 PM 2:11

• Sender: Please print your name, address, and ZIP+4 in this box •

DEPT. OF LAW & PUBLIC SAFETY
STATE BOARD OF EXAMINERS
OF ELECTRICAL CONTRACTORS
PO BOX 45006
NEWARK NJ 07101



102595-02-M-1540

Domestic Return Receipt

PS Form 3811, February 2004

2. Article Number
(transfer from se)

7006 2150 0000 7916 7599

Item Paid

3. Service Type
- Certified Mail
 - Express Mail
 - Registered
 - Return Receipt for Merchandise
 - Insured Mail
 - C.O.D.
4. Restricted Delivery? (Extra Fee) Yes

Mr. Edward Johnson
128 East Aster Road
Wildwood Crest, NJ 08260

1. Article Addressed to:

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

- D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:
- A. Signature *[Signature]*
- B. Received by (Printed Name) *[Signature]*
- C. Date of Delivery
- Agent
- Addressee

COMPLETE THIS SECTION ON DELIVERY

SENDER: COMPLETE THIS SECTION

**ANNE MILGRAM
ATTORNEY GENERAL**

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

IN THE MATTER OF

**Edward Johnson
File #16-1564-08-687**

CERTIFICATION OF SERVICE

**REGARDING THE PRACTICE OF
ELECTRICAL CONTRACTING IN
THE STATE OF NEW JERSEY**

**STATE OF NEW JERSEY
COUNTY OF CAPE MAY**

I, John Czuba, of full age, certify as follows:

1. I am employed as an Investigator by the State of New Jersey, Division of Consumer Affairs, Enforcement Bureau, providing services to the Professional Boards within the Division.
2. On Wednesday May 7, 2008, at approximately 12:55 PM, at 128 East Asten Road, Wildwood Crest, New Jersey 08260, I served the following documents on a person, who identified himself as Edward Johnson, an Administrative Action, Demand for Surrender of Pressure Seal.
3. On May 21, 2008, I received one (1) pressure seal #7469A. Mr. Johnson could not locate second pressure seal but he stated he would contact the Enforcement Bureau once the seal is located. Mr. Johnson was advised not to use the seal until his license is renewed.
4. Service of the documents was acknowledged by the individual's signature affixed to a copy of the cover sheet, written in my presence and enclosed herewith.

Edward Johnson

BOARD OF ELECTRICAL CONTRACTORS
P.O. BOX 45006
NEWARK, NEW JERSEY 07101

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

IN THE MATTER OF
LICENSE NO. 7469 (EXPIRED)

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Administrative Action

Edward Johnson

TO PRACTICE ELECTRICAL
CONTRACTING IN THE
STATE OF NEW JERSEY

DEMAND FOR SURRENDER
OF PRESSURE SEAL

TAKE NOTICE that the State Board of Examiners of Electrical Contractors hereby demands the return of Pressure Seal(s) No. 7469 issued to South Shore Electric, Inc and Johnson Electric, Inc. Said pressure seal(s) shall be surrendered immediately to the duly authorized representative of the Enforcement Bureau with the Division of Consumer Affairs serving this demand upon you.

Said return of the pressure seal is demanded pursuant to the provisions of N.J.A.C. 13:31-3.3, which states "A licensee whose license is suspended or revoked as a result of either a disciplinary order or a failure to pay licensing fees in accordance with N.J.S.A. 45:5A-13, or who has registered with the Board as inactive pursuant to N.J.A.C. 13:31-2.4 "shall immediately return to the Board the previously issued official pressure seal".

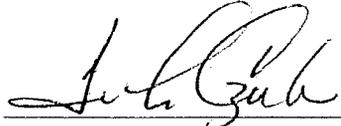
BOARD OF EXAMINERS OF
ELECTRICAL CONTRACTORS

Barbara A. Cook

Barbara A. Cook
Executive Director

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: 5/27/08


Signature