

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

c# 50944
FILED 7/24/08
BOARD OF EXAMINERS OF
MASTER PLUMBERS
Barbara H. Cook
Barbara A. Cook
Executive Director
ap# 75242

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

AMER ALADDIN, L.M.P.
License No. 36BI01117400

TO PRACTICE AS A PLUMBER
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

50944 ✓
This matter was opened to the New Jersey State Board of Examiners of Master Plumbers ("the Board") upon receipt of two consumer complaints. The first complaint was from consumer L.D. who asserted she called respondent's company to repair her toilet. According to L.D., an employee from respondent's company entered the premises and assessed the situation. The employee left the house, returned with a hammer and struck a pipe multiple times. According to L.D., respondent's employee also used a chisel with the hammer and damaged the wall and the pipe.

In a written response to the Board, respondent asserted that a review of his records did not

reveal that his company provided any service for L.D. Respondent asked L.D. to provide the name of the employee but she could not provide the name.

The second complaint was from consumer O.R. who asserted two of respondent's employees came to her house late in response to a request for plumbing services. When the employees arrived, O.R. was not at home. O.R.'s mother answered the door, not realizing that O.R. had called for plumbing services. When O.R.'s mother said she wanted to call her daughter to confirm the appointment, the employees indicated they would not wait. They insisted on coming inside and ran to the second floor bathroom to assess the reported problem with the toilet. According to O.R., one of the employees tampered with the toilet tank causing the water to continue running.

In a written response to the complaint, respondent stated his employees responded to O.R.'s premises after receiving a service call. According to respondent, the employees were allowed to enter the house. They assessed the situation, advised there was a crack in the line, and quoted a price to repair it. However, the person in the house did not agree with the price and the employees left the premises. Respondent did not charge O.R. for a service call.

On September 27, 2007, respondent appeared at an investigative inquiry before the Board regarding both matters. With regard to the complaint from L.D., respondent acknowledged sending a technician to the premises to address L.D.'s complaint regarding a clogged toilet. Respondent stated the line was clogged and the technician used a hammer in an attempt to knock off the plug from the main line to unclog it. L.D. complained the technician was damaging a pipe. The technician left the premises and L.D. was not charged for a service call.

During the inquiry, respondent was asked why he stated in his written response to the Board that his company did not provide service for L.D. Respondent indicated that when he received the complaint from the Board, he was not aware of the whole situation. Respondent stated the call was received late at night. Calls received after 10:00 p.m. are transferred to the home of respondent or his brother. Respondent's brother received the call but did not write it on the schedule. Respondent also acknowledged that he never visited the job site himself, nor was he aware that his company performed any work at this location until he received the complaint from the Board.

With regard to the complaint from O.R., respondent testified that two technicians responded to her house concerning a leak in her ceiling. The technician went upstairs to flush the toilet to determine where the leak was coming from. The technician determined the leak was coming from cracks in the pipe leading to the toilet. The technician quoted O.R. a price of \$1,100 to make the repair.

According to respondent, O.R. called her son to discuss the quote received from the technicians. O.R.'s son spoke to one of the technicians on the phone, at which time the son began to yell and scream and criticized the amount of the quote. According to respondent, O.R.'s son called the office for several days and harassed the staff. Eventually respondent was forced to call the police. Respondent denied the allegations contained in O.R.'s complaint.

Respondent was also asked about the overall number of complaints received by the Board. Respondent acknowledged that since 2002, the Board has received a large volume of complaints

concerning his company. Respondent stated he has 25 employees and he is the only licensee associated with the company. Although respondent testified he employs seventeen (17) journeymen plumbers, he acknowledged none have actually graduated from a certified apprenticeship program in New Jersey and therefore could not be classified as supervisory journeymen. Respondent testified his company does forty (40) to forty-five (45) jobs a day for a total of about 350 jobs a week. When asked how he is able to inspect each job, respondent replied that most of his company's work involves small jobs and the company does not take on any major jobs.

Finally, respondent was asked about a website advertisement for "Aladdin Plumbing and Heating" which contained respondent's address and telephone numbers, but contained the license number of a different licensed master plumber. Respondent replied this was an old advertisement that was posted before he was licensed. When the website was originally posted, respondent was in partnership with the licensed master plumber whose license number appears in the advertisement.

These facts establish a basis for disciplinary action, pursuant to N.J.S.A. 45:1-21(d), in that respondent has engaged in repeated acts of negligence, malpractice and incompetence in that the Board has received numerous complaints concerning inadequate work, failure to properly complete work he was contracted to perform and fee disputes, in addition to the complaints concerning consumers L.D. and O.R. Additionally, the facts establish a basis for disciplinary action, pursuant to N.J.S.A. 45:1-21(h), in that respondent has violated and failed to comply with the provisions of a regulation administered by the Board, specifically N.J.A.C. 13:32-3.3, by failing to

properly exercise the required bona fide representative responsibilities over his employees. Finally, these facts establish an additional basis for disciplinary action, pursuant to N.J.S.A. 45:1-21(h), in that respondent has violated and failed to comply with the provisions of a regulation administered by the Board, specifically N.J.A.C. 13:32-3.1(c), by maintaining a website containing his business address and business telephone numbers but listing the license number of a different licensed master plumber.

It appearing that respondent desires to resolve this matter without recourse to formal proceedings, and for good cause shown:

IT IS ON THIS JUN DAY OF 24 — , 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 maintaining a website containing his business address and business telephone number but listing the license number of a different licensed master plumber, in violation of N.J.A.C. 13:32-3.1(c). 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. Respondent has since submitted evidence to the Board's satisfaction that the above-mentioned website has been removed from the internet, and shall hereafter cease and desist from advertising which contains incorrect information.
3. Respondent shall cease and desist from the violations described herein.

Respondent shall properly exercise the required bona fide representative responsibilities pursuant to N.J.A.C. 13:32-3.3 and shall refrain from engaging in repeated acts of negligence, malpractice and incompetence pursuant to N.J.S.A. 45:1-21(d). Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

4. Failure to comply with any of the terms of this Order may constitute the basis for further disciplinary action by the Board, including but not limited to, suspension or revocation of respondent's master plumbing license and imposition of monetary penalties. Failure to remit any and all payments required by this Order will result in the filing of a certificate of debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

BOARD OF EXAMINERS OF MASTER PLUMBERS

By: Peter T. Voros
Peter Voros
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.

Amer Aladdin
Amer Aladdin, LMP

06/24/08
Date