

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 Examiners of Master Plumbers

FILED
BOARD OF EXAMINERS OF
MASTER PLUMBERS
Lawrence DeWingo
01-22-09

CH 58480-1

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
OR REVOCATION OF THE LICENSE OF

PETER DILL, LMP
License No. 36BI00881500

TO PRACTICE PLUMBING
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 Master Plumbers ("Board") upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Peter Dill ("Respondent") is a plumber licensed in the State of New Jersey and has been a licensee at all times relevant hereto.
2. Respondent plead guilty to a charge of Theft by Deception (N.J.S.A. 2C:20-4) on March 26, 2003 and was sentenced to probation for three years.
3. Respondent failed to renew his license before June 30, 2003 and his license expired. On September 23, 2004, Respondent appeared before the Board requesting reinstatement of his license. During his appearance, Respondent provided testimony regarding

his conviction, compliance with criminal probation and his participation in NA/AA and urine screening.

4. On or about August 2, 2006, the Deputy Attorney General forwarded a letter to Respondent's address of record at 19 Brook Road, New Providence, New Jersey, via regular mail and certified mail, return receipt request #7004 1160 0002 0538 3413. The letter requested that Respondent provide documentation concerning his continued compliance and/or completion of probation, documentation concerning his involvement with NA/AA, and documentation of compliance with urine screen monitoring. The regular mail was not returned and the return receipt for the certified mail was signed for by MT Lieder with a delivery date of August 15, 2006.

5. On or about September 14, 2007, the Deputy Attorney General forwarded a letter to Respondent's address of record at 19 Brook Road, New Providence, New Jersey, via regular mail and certified mail, return receipt request #7005 0390 0004 5807 5715. The letter requested that Respondent provide documentation concerning his continued compliance and/or completion of probation, documentation concerning his involvement with NA/AA, and documentation of compliance with urine screen monitoring. The regular mail was not returned and the return receipt for the certified mail was returned marked "UNC" (unclaimed).

6. To date, Respondent has failed to respond to the Board's request that he provide documentation concerning his continued compliance and/or completion of probation, documentation concerning his involvement with NA/AA, and documentation of compliance with urine screen monitoring.

CONCLUSION OF LAW

Respondent's failure to provide documentation concerning his continued compliance and/or completion of probation, documentation concerning his involvement with NA/AA, and documentation of compliance with urine screen monitoring, constitutes a violation of N.J.S.A. 45:1-

21(h) in that respondent failed to cooperate with the Board's investigation in contravention of N.J.A.C. 13:45C-1.3(a)(1).

DISCUSSION

Based on the foregoing findings and conclusion, a Provisional Order of Discipline was entered on May 22, 2008. A copy of the Order was forwarded to respondent's address of record by certified and regular mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following its entry unless respondent requested a modification or dismissal of the above 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 reasons therefore.

Respondent replied to the Provisional Order by correspondence, dated June 2, 2008. Respondent apologized for his failure to respond to the Board's request for information in a timely manner. Respondent blamed the delay on not opening his mail and assumed full responsibility for the delay. Respondent also requested that the matter be dismissed. Respondent cited to the fact that he never had an infraction against his plumbing license for any reason such as unethical pricing, workmanship, safety or health issues. Respondent indicated he successfully completed probation and is still an active member of Alcoholics Anonymous. Finally, respondent indicated he is a father of three (3) children and needs to provide for them. He is a third generation plumber from a family with over seventy (70) years of experience in New Jersey.

In addition to respondent's written request for dismissal, the Board also received a letter from Michelle Blake, respondent's probation officer. Ms. Blake's letter indicated that respondent was released early from probation on October 28, 2005, due to his full compliance with the probationary terms.

After reviewing respondent's written submission, as well as the letter from his probation officer, the Board voted not to modify or dismiss the findings of fact or conclusions of law. However, the board has voted to modify the penalty imposed.

IT IS ON THIS 22 DAY OF JANUARY, 2009,

HEREBY ORDERED THAT:

1. Respondent is hereby reprimanded for failing to timely provide the requested information to the Board in violation of N.J.S.A. 45:1-21(e).

NEW JERSEY STATE BOARD OF
EXAMINERS OF MASTER PLUMBERS

By: Peter L Voros
Peter Voros
Board Chairman