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Attorney for the Board of Examiners of Master Plumbers

FILED  
BOARD OF EXAMINERS OF  
MASTER PLUMBERS  
*Lauren P. King*  
10-27-09

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

WILLIAM SHERMAN, L.M.P.  
License No. 36BI01114200

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 three consumer complaints against William Sherman ("respondent") or respondent's company, William Sherman, Inc., for which respondent is the bona fide representative as defined by N.J.A.C. 12:32-1.3. All three complaints allege respondent failed to obtain required permits prior to installing water heaters.

Specifically, respondent or an employee of William Sherman, Inc., installed a water heater for M.R. on January 24, 2006. The permit application corresponding to the installation was dated February, 27, 2006. Respondent, or an employee of William Sherman, Inc., installed a water heater for D.R. on April 21, 2006. The permit application corresponding to the installation was dated June 29, 2007. Finally, a plumbing subcode official for Asbury, New Jersey indicated that respondent, or an employee of William Sherman, Inc., installed ten water heaters without first

# 2783  
4/5/06

April 4, 2006

Offense #50296

(1-5)

obtaining the required permit. It has also been alleged that respondent, as the bona fide representative, failed to properly supervise William Sherman, Inc. in that plumbing inspectors have found code violations of plumbing work performed for M.S., as well as for installations described above for M.R.

On December 20, 2007, respondent appeared at an investigative inquiry held by the Board. Respondent was unsure of why the permit for M.R. was not pulled within 72 hours. Respondent indicated the permit for D.R. was pulled within 72 hours, but that the township that issued the permit was late in filing it. As to the plumbing subcode official's complaint, respondent claimed that the issue involved seven permits, not ten, but that there may be an issue of the timeliness of pulling permits.

These 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(a)(2), when respondent failed to properly secure all necessary permits as may be required by State and local law for the performance of plumbing work to be performed by the plumbing contractor for which the licensed master plumber acts as a qualified bona fide representative, and N.J.A.C. 13:32-3.3(a)(3), when respondent failed to assure the effective compliance with State and local plumbing codes and the performance of work in accordance with proper plumbing practices.

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

IT IS ON THIS 27<sup>th</sup> DAY OF October, 2009

HEREBY ORDERED AND AGREED THAT:

1. Respondent is assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$1,500 for conduct with respect to above described actions. Payment of the civil penalty of

BOARD OF EXAMINERS  
OF MASTER PLUMBERS  
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\$1,500 shall be made simultaneously with the signing of this Consent Order, by certified check or money order made payable to the State of New Jersey and shall be sent to Executive Director of the Board of Master Plumbers 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

2. Failure to remit the payment as 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 the Court, and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board, which could include suspension or revocation of license.

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. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

BOARD OF EXAMINERS OF MASTER PLUMBERS

By: Peter I 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.

William Sherman 11142  
William Sherman, LMP

8/27/09  
Date

**PNC BANK**

PNC Bank National Association  
New Jersey

No. 1480338

55-20712

CASHIER'S CHECK

DATE AUGUST 25 2008

PAY TO THE ORDER OF STATE OF NEW JERSEY

500000

ONE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS

WILLIAM BERNARD, INC

REMITTER

PNC Bank National Association

*Stack*

OFFICIAL SIGNATURE

⑈01480338⑈ ⑆031207607⑆ 8010001302⑈

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9-24-2009

CONSENT ORDER

4G. WILLIAM SHERMAN, L.M.P. #11142 - \$1,500 PENALTY PAID 8-28-2009

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