



respondent installed 400 amp services and meter banks on the outside of the building. Respondent was also contracted to renovate the kitchens and install washers and dryers in each unit. Between August 2008 and October 2008, respondent obtained 48 permits.

3. According to the complaint, there were many violations cited in the work performed. As a result, the sub-code official requested that respondent meet him in his office. However, the sub-code official was not able to schedule a meeting with respondent, despite leaving messages with respondent's wife and with the personnel for Gould Electric.

4. The sub-code official had concerns that the electrical work was not actually being performed by respondent's company. As a result, a "Stop Work Order" was issued for making a false or misleading statement. The sub-code official also requested proof that Gould Electric was actually performing the electrical work listed on the permits.

5. In response to the complaint, respondent submitted a letter to the Board. Respondent stated he was doing the electrical work at the apartment complex with another electrical contractor, Bill Mullen Electric. Respondent stated he began to experience difficulties with Bill Mullen Electric, in that the quality of their work was poor, and they often would not show up on time. Respondent informed the owner of the premises that he no longer wished to work with Bill Mullen Electric and advised the owner to obtain a change of contractor on the permits.

6. According to the Board's records, Bill Mullen Electric has never been licensed with the Board as an electrical contractor in the State of New Jersey. A business permit has never been issued to Bill Mullen's Electric by the Board.

7. The Board sent a letter to respondent, dated June 9, 2009, via certified and regular mail, to respondent's address of record. The letter required respondent to appear for an investigative inquiry on July 15, 2009. The certified mail was received by respondent as indicated by return of the signed certified postcard. The regular mail was not returned. However, respondent called the Board office on June 29, 2009 to indicate he was having medical testing done and could not appear on July 15, 2009.

8. The Board sent a letter to respondent, dated June 7, 2010, via certified and regular mail, to respondent's address of record. The letter required respondent to appear for an investigative inquiry on July 21, 2010. The certified mail was returned to the Board indicating "Return to Sender; Unclaimed; Unable to Forward". The regular mail was not returned.

9. The Board subsequently voted to cancel the July 21, 2010 meeting. As a result the Board sent respondent a letter, dated July 8, 2010, via certified and regular mail, to respondent's

address of record, rescheduling respondent's appearance for August 4, 2010. The certified mail was returned to the Board indicating "Return to Sender; Unclaimed; Unable to Forward". The regular mail was not returned. Respondent failed to appear before the Board on August 4, 2010.

10. The Board sent a letter to respondent on August 10, 2010, via certified and regular mail, to respondent's address of record, rescheduling respondent's appearance for September 1, 2010. The certified mail was returned to the Board indicating "Return to Sender; Unclaimed; Unable to Forward". The regular mail was not returned. Respondent called the Board, prior to September 1, 2010, to indicate he had a stroke, was scheduled for surgery, and therefore was unable to attend the scheduled September 1, 2010 inquiry.

11. The Board sent a letter to respondent dated June 6, 2011, via certified and regular mail, to respondent's address of record, rescheduling respondent's appearance for July 6, 2011. The certified mail was received by respondent as indicated by return of the signed certified postcard. The regular mail was not returned. Respondent failed to appear before the Board on July 6, 2011.

#### CONCLUSIONS OF LAW

1. The above preliminary findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(e), in that respondent has engaged in professional or occupational misconduct by failing to appear for the investigative inquiries scheduled for August 4, 2010 and July 6, 2011, in violation of N.J.A.C. 13:45C-1.3.

#### DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on March 7, 2012. Copies of the Order were forwarded to respondent's address of record, via certified and regular mail. The certified mail was returned to the Board office marked "Unclaimed". The copy of the Provisional Order sent to respondent via regular mail was not returned to the Board. On May 2, 2012, the Board determined that respondent failed to respond to the Provisional Order of Discipline. Because the Order was forwarded to respondent's address of record, the Board deems service to have been effected. Accordingly, it was determined that further proceedings were not necessary and that the provisional Order should be made final.

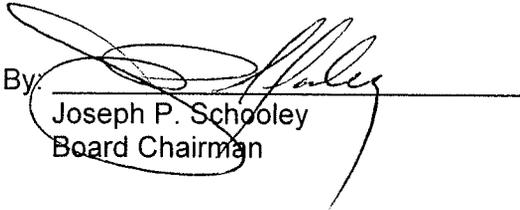
ACCORDINGLY, IT IS on this 16 day of May, 2012,  
HEREBY PROVISIONALLY ORDERED that:

1. Respondent's individual license #12266 to practice as an electrical contractor is hereby suspended until such time as respondent appears before the Board to answer questions concerning the complaint received from the electrical sub-code official for the Borough of Collingswood, NJ. Additionally, respondent's business permit #12266 under the name "Gould Electric" which is currently suspended by application of N.J.S.A. 45:1-7.1(b), shall remain suspended, until such time as respondent appears before the Board to answer questions concerning the complaint received from the electrical sub-code official for the Borough of Collingsworth, NJ.

2. Respondent is hereby assessed a civil penalty in the amount of two thousand dollars (\$2,000.00), pursuant to N.J.S.A. 45:1-21(e), for failing to appear for the Board's scheduled investigative inquiries on August 4, 2010 and July 6, 2011, in violation of N.J.A.C. 13:45C-1.3. The penalty shall be paid by money order or certified check made out to the State of New Jersey and delivered to the Board of Electrical Contractors, P.O. Box 45006, 124 Halsey Street, Sixth Floor, Newark, NJ 07101, simultaneous with the entry of any Final Order of Discipline in this matter. In the event respondent fails to make a timely payment, a certificate of debt shall be filed.

STATE BOARD OF EXAMINERS OF  
OF ELECTRICAL CONTRACTORS

By

  
Joseph P. Schooley  
Board Chairman