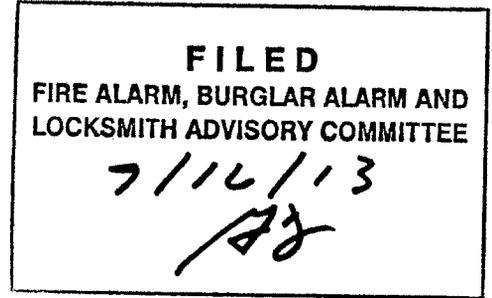


JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the New Jersey Fire Alarm, Burglar Alarm
and Locksmith Advisory Committee



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY FIRE ALARM, BURGLAR ALARM
AND LOCKSMITH ADVISORY COMMITTEE

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

TIMOTHY J. LEYH
Locksmith License No. 34LS00061800

TO PRACTICE AS A LOCKSMITH
LICENSEE IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey Fire Alarm, Burglar Alarm and Locksmith Advisory Committee ("the Committee") upon receipt of information which the Committee has reviewed and on which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Timothy J. Leyh ("respondent") is licensed as a locksmith in the State of New Jersey and had been a licensee at all times relevant hereto. Respondent placed his locksmith license on inactive status on October 29, 2010, pursuant to the provisions of N.J.S.A. 45:1-7.3, and currently remains on inactive status.

2. Respondent was arrested on May 10, 2011 by the Medford Township New Jersey Police Department and charged with Receiving Stolen Property, pursuant to N.J.S.A. 2C:20-7a.

3. Respondent was again arrested on July 8, 2011 by the Delanco Township Police

Department and charged with Shoplifting, pursuant to N.J.S.A. 2C:20-11b(1).

4. On July 11, 2011, the Committee sent a letter by certified and regular mail to respondent's address of record. The letter instructed respondent to provide information regarding the status and disposition of the Medford Township and the Delanco Township arrests, pursuant to N.J.S.A. 45:1-18. Respondent was required to provide the requested information within fifteen (15) days of the date of the correspondence.

5. The certified mail was returned to the Committee on July 20, 2011 marked "unclaimed" and "return to sender". The regular mail was also returned to the Committee on July 20, 2011 marked "unclaimed" and "returned to sender"

6. Respondent, to date, has failed to provide the Committee with the requested information regarding the Medford Township and Delanco Township arrests.

7. Respondent was again arrested on November 20, 2011, by the Riverside Township Police Department and charged with one count of Forgery, pursuant to N.J.S.A. 2C:21-1a(2), and one count of Falsifying Records, pursuant to N.J.S.A. 2C:21-4a.

8. On December 14, 2011, respondent was convicted in Delanco Township Municipal Court of Criminal Mischief with Damage, pursuant to N.J.S.A. 2C:17-3a, and was assessed \$408.00.

9. On May 7, 2012, respondent was convicted in Burlington County Superior Court of Receiving Stolen Property, pursuant to N.J.S.A. 2C:20-7a. Respondent was sentenced to two years probation on June 29, 2012 in Burlington County Superior Court.

10. On July 24, 2012, respondent was convicted in Riverside Township Municipal Court of Prowling in Public Places with Purpose of Obtaining or selling Controlled Substances, pursuant to N.J.S.A. 2C:33-2.1b, and assessed \$1,158.00.

CONCLUSIONS OF LAW

Respondent's failure to provide requested information concerning his arrests constitutes professional misconduct, pursuant to N.J.S.A. 45:1-21(e), in that respondent failed to cooperate

with the Committee's request for information, related to an investigation, in contravention of N.J.A.C. 13:45C-1.3 (a)(4) & (5). Furthermore, respondent's failure to provide the requested information constitutes a failure to comply with the provisions of an act administered by the Committee, pursuant to N.J.S.A. 45:1-21(h), in that he failed to cooperate in an investigation administered by the Committee in contravention of N.J.A.C. 13:45C-1.2.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on April 16, 2013. A copy of the Order was forwarded to respondent's address of record, via regular and certified mail. The certified and regular mail were both returned to the Committee indicating "P.O. Box Closed". A copy of the Order was subsequently forwarded to respondent's work address on file with the Committee. Again, both the certified and regular mail were returned to the Committee, this time indicating "Not Deliverable, Unable to Forward". The Provisional Order was subject to finalization by the Committee at 5:00 p.m. on the 30th business day following its entry unless respondent requested a 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.

The Committee finds that the Provisional Order of Discipline was sent to respondent's address of record. N.J.A.C. 13:31A-1.8(b) provides that service of an administrative complaint or other Committee-initiated action at a licensee's address which is on file with the Committee shall be deemed adequate notice for the purposes of service and the commencement of any disciplinary proceedings. Additionally, the Committee finds that the Provisional Order of Discipline was also sent to respondent's work address on file with the Committee, yet respondent failed to reply. Since the Provisional Order of Discipline was served at respondent's address of record, as well as at respondent's work address, the Committee deems service to be effected. Respondent cannot evade process by failing to respond. As such, the Committee determined that the Provisional Order

of Discipline, entered on April 16, 2013, is to be finalized as written.

ACCORDINGLY, IT IS, on this 16th day of JULY, 2013

HEREBY ORDERED THAT:

1. Respondent's license to practice as locksmith licensee in the State of New Jersey is hereby suspended until such time as respondent cooperates with the Committee's investigation by appearing before the Committee and providing information and documentation concerning his arrests and convictions.

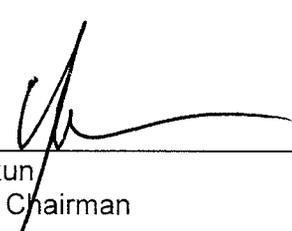
2. Respondent shall refrain from engaging in practice as a locksmith licensee in the State of New Jersey and shall not represent himself as a locksmith licensee until such time as his license is reinstated.

3. Respondent is hereby assessed a civil penalty in the aggregate amount of \$1,000, for failing to cooperate with the Committee's request for information regarding his arrests. The penalty shall be paid by money order or certified check made out to the State of New Jersey and delivered to the New Jersey Fire Alarm, Burglar Alarm and Locksmith Advisory Committee, 124 Halsey Street, P.O. Box 45042, Sixth Floor, Newark, NJ 07101, no later than thirty (30) days after 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.

4. The Committee reserves the right to take additional action against respondent's license based on respondent's arrests and convictions and to place restrictions on respondent's practice should his license be reinstated.

NEW JERSEY FIRE ALARM, BURGLAR ALARM
& LOCKSMITH ADVISORY COMMITTEE

By: _____


Charles Okun
Committee Chairman