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ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law
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FILED *Nov. 14 2014*
**BOARD OF EXAMINERS OF
MASTER PLUMBERS**
*Ronald Jaccia
Acting Executive Director*

By: Joseph Donofrio
Deputy Attorney General
Tel. (973) 648-2779

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF MASTER PLUMBERS

IN THE MATTER OF THE LICENSE OF

JOHN J. HIGGINS, LMP
t/a Petro Home Services
License No. 36BI00938300

TO PRACTICE PLUMBING
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 a consumer complaint filed against John J. Higgins, LMP ("respondent"). Respondent is the bona fide representative for "Petro Home Services" and has been registered with the Board to trade under that name at all times relevant hereto. Consumers D.B. and K.B. complained that respondent ran a new gas line in their home from existing propane tanks to a new propane stove. After the installation, the consumers noticed they could not get a high heat flame. After several visits from the appliance store technicians, as well as the propane company, it was determined that respondent's technician tied the stove line into the wrong side of the regulator. Eventually, the consumers had to pay the propane company to install another regulator for the stove.

Respondent provided the Board with a written response to the complaint.

(1-4)

Respondent admitted his technician tied the stove line into the wrong side of the regulator. Respondent stated it was not his company's policy to tie into propane tanks and that the technician acted on his own when he tied the line into the tank. Pedro Home Services normally runs the line to the propane tank and puts a pressure gauge on it for 24 hours. The propane company is then called to tie the line into the tank. Respondent admitted that the technician should have called the office or the propane company for assistance before attempting to tie the line into the tank. According to respondent, the technician made "a mistake in judgment."

Respondent concluded by stating the technician who performed the installation has "worked under (respondent) for over 20 years and has been a model employee." The technician has a good safety record with few incidents. The technician has been responsible for training other technicians, and has a good knowledge of the local codes. Finally, Pedro Home Services settled the matter with the consumers and refunded their money.

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)3iii, in that if the person performing plumbing work is a journeyman, the bona fide representative, a New Jersey licensed master plumber employed by the bona fide representative or the supervisory journeyman must maintain daily contact with the journeyman either directly, by telephone or through writing. Any such contact is to be recorded by the bona fide representative, the New Jersey licensed master plumber employed by the bona fide representative or the supervisory journeyman.

It appearing that respondent desires to resolve this matter without recourse to formal proceedings, having waived any right to such proceedings, and for good cause shown;

IT IS THEREFORE ON THIS 12th day of Nov., 2014,

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby reprimanded for violating N.J.A.C. 13:32-3.3(a)3iii as outlined

above.

pd in full 11-12-14

2. Respondent is hereby assessed a civil penalty in the amount of one thousand five hundred dollars (\$1,500.00). Payment shall be made by certified check or money order made payable to the "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to Rosemarie Baccile, Acting Executive Director, Board of Examiners of Master Plumbers, 124 Halsey Street, Sixth Floor, P.O. Box 45008, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of this Consent Order. In the event respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF
EXAMINERS OF MASTER PLUMBERS

By: *Peter I. Voros*
Peter I. Voros
Board Chairman

MULTIPLE CHECKS SUBMITTAL FORM

STATE BOARD OF EXAMINERS OF MASTER PLUMBERS		12/22/2014	
Name of Preparer	Tina Santos	Exec. Dir. Initials for	
	973-273-8064	Waive/Cancel of Fee	
APPLICANT/LICENSEE ID# (6 digits)	Reinstatements Only	Choose One	
John J. Higgins	#753451	Waive or Cancel	
	Penalty	FEE AMOUNT	\$1,500.00
		Check/Money Order #	9882116294
		Complaint #	#88329
		FINES/COSTS	

26211107 NEW 01/08 8810004306
 HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK
CASHIER'S CHECK
 9882116294 25-3 440
 Void after 7 years

Date 11/12/2014

Remitter: PETRO INC.

Pay To The STATE OF NEW JERSEY
 Order Of:

Pay: ONE THOUSAND FIVE HUNDRED DOLLARS AND 00 CENTS \$** 1,500.00 **

Drawer: JPMORGAN CHASE BANK, N.A.
Paulahay
 Senior Vice President
 JPMorgan Chase Bank, N.A.
 Columbus, OH

Security Features:

Memo: NJ Lic # 36B10938300
 Note: For information only. Comment has no effect on bank's payment.

⑆988216294⑆ ⑆044000037⑆ 758661433⑆

1 Check \$2,500.00