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And Locksmith Advisory Committee

**FILED**  
FIRE ALARM, BURGLAR ALARM AND  
LOCKSMITH ADVISORY COMMITTEE

11/19/14 

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  
REVOCAION OF THE LICENSE OF

**Michael DiCicco**

Individual License No. 34LS00008000  
t/a Interstate Locksmith, Inc. No.34LX00013400  
t/a Sage Business Enterprise, Inc. No 34LX00013500  
t/a 888-USA-Lock, LLC No. 34LX00013300

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

Administrative Action

CONSENT ORDER

Michael DiCicco ("respondent") is a licensed locksmith in the State of New Jersey and has been licensed at all times relevant hereto. Respondent is the business qualifier for Interstate Locksmith, Inc. ("Interstate Locksmith"), Sage Business Enterprises, Inc. ("Sage Business Enterprises"), and 888-USA- Lock, LLC ("888-USA-Lock"). Respondent is the vice president of Sage Business Enterprises and Interstate Locksmith, and the president of 888-USA-Lock.

Respondent appeared before the Committee on October 19, 2010 for an investigative inquiry. The purpose of the inquiry was to ask respondent questions regarding his three separate business license applications for Interstate Locksmith, Sage Business Enterprises, and 888-USA-Lock. The Committee had concerns regarding respondent's ability to

properly supervise the employees of three locksmith businesses in accordance with the provisions of N.J.A.C. 13:31A-2.8. Respondent provided the names of his employees and subcontractors. Respondent admitted that not all of his subcontractors had locksmith business licenses as required by New Jersey law. All Locksmith subcontractors must have a business license in order to perform locksmith work in New Jersey. Respondent expressed his intention to comply with the law. He requested 30 days to comply with the requirement. Respondent was advised by the Committee to have his subcontractors immediately apply for a business license and submit the name of a licensed business qualifier.

Respondent was approved to be the business qualifier for the three locksmith businesses and was reminded to cease and desist from subcontracting locksmith work to his unlicensed subcontractors.

The Committee subsequently received a complaint that Interstate Locksmith was advertising, via the Internet, listing a fictitious, non-existent address and a restaurant, the former at 15 East Ridgewood Avenue, Ridgewood, NJ and the latter at 254 Main Street, Hackensack, NJ. Both were fictitious addresses being used by Interstate Locksmith as locations for the business.

Investigation revealed there were 10 internet advertising locations for Interstate Locksmith in New Jersey. The only address on record for Interstate Locksmith is 2277 Route 33, Suite 407, Hamilton, NJ 08690.

Respondent admits that the three locksmith companies (i.e. Interstate Locksmith, Sage Business Enterprises Inc., and 888-USA-Lock) heavily advertise on the internet and through the Verizon Yellow Pages. Respondent denied placing the advertisements listing the 15 East Ridgewood Avenue, Ridgewood, NJ and 254 Main Street, Hackensack, NJ addresses and stated he had no knowledge or information concerning who placed those ads.

Respondent acknowledges that the advertisements for Interstate Locksmith do

employ local telephone numbers for respective advertised areas. When a potential customer calls one of the local numbers, it is routed to 393 Davidsons Mill Road, Jamesburg, NJ, which is the address for both Sage Business Enterprises and 888-USA-Lock. A local sub-contractor or employee is then dispatched to the customer.

Respondent also provided a list of his current employees and sub-contractors. Respondent listed two current employees and also listed 10 individuals as "Independently Contracted Locksmith Businesses". Six of the "Independent Contractors" are unlicensed including Clifton Anderson, Sikandar Azam, German Bedoya, Rafael Davidov, Michael Gonzalez, and Henry Morfa. Respondent's two named employees, Ian Amron and Joseph Santiago Jr., do not have active New Jersey licenses to practice as a locksmith.

On March 20, 2012 the Committee conducted an investigative inquiry involving five of the independent contractors cited by respondent as performing locksmith work for Interstate Locksmith and the two employees for Interstate Locksmith. Five of the "Independent Contractors" admitted they did work for respondent's company as locksmiths and do not hold individual or business licenses with the Committee.

Accordingly, on January 17, 2013, the Committee filed a Provisional Order of Discipline against respondent. The order provisionally suspended respondent's license to practice as a locksmith in New Jersey for two (2) years. The first thirty days of the period of suspension were to be active. The remaining one (1) year and eleven (11) months of the suspension were to be stayed and served as a period of probation. Additionally, the order provisionally imposed an aggregate civil penalty of \$50,000.00; consisting of a \$10,000 penalty for each of the five unlicensed persons or entities that respondent sub-contracted locksmith work to, in violation of N.J.S.A. 45:1-21(n). Finally, the order provisionally imposed a reprimand.

Following service of the Provisional Order of Discipline, the parties have agreed that in lieu of the filing of a Final Order of Discipline, the Provisional Order of Discipline would be resolved via the entry of this Consent Order. The Committee finds that the facts presented

establish a basis for disciplinary action, pursuant to N.J.S.A. 45:1-21(n), as respondent has permitted five unlicensed persons and entities to perform an act for which a license is required by the Committee, in that respondent sub-contracted locksmith work to five unlicensed persons and/or entities. Additionally, the facts establish a basis for disciplinary action, pursuant to N.J.S.A. 45:1-21(h), in that respondent violated or failed to comply with the provisions of a regulation administered by the Committee, specifically N.J.A.C. 13:31A-1.13(d), in that respondent admitted that the advertisements placed by Interstate Locksmith, Sage Business Enterprises and 888-USA-Lock list local telephone numbers, including local towns, for respective advertised areas, even though neither of the companies maintained an actual physical presence in those areas. Such advertising misrepresents, suppresses, omits and conceals a material fact which prevents a prospective client from making a full and informed judgment.

It appearing that respondent desires to resolve this matter without recourse to additional formal proceedings, and having considered the mitigation evidence provided by respondent, the Committee has determined that this settlement adequately protects the public health, safety and welfare, and for good cause shown;

IT IS ON THIS 18<sup>th</sup> DAY OF November, 2014,

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby reprimanded for violating N.J.S.A. 45:1-21(n) and N.J.S.A. 45:1-21(h) as detailed above.

2. Respondent's license to practice as a locksmith in New Jersey is hereby suspended for two (2) years, entirely stayed and to be served as a probationary period. The stayed suspension and probation period shall begin upon the entry date of this order. The stayed suspension shall be activated upon the Committee's receipt of any information, which the Committee in its sole discretion deems reliable, demonstrating that respondent has engaged in any violations of the Committee's statutes or regulations during the probationary period; or for

any violation of this order. Respondent shall have the right to apply for removal of the automatic suspension upon five (5) days notice but in such event shall be limited to a showing that he did not fail to comply with the conditions set forth in this consent order or did not violate the Committee's statutes or regulations.

3. Respondent is hereby assessed a civil penalty in the aggregate amount of \$50,000; consisting of a \$10,000 penalty for each of the five unlicensed persons or entities that respondent sub-contacted locksmith work to, in violation of N.J.S.A. 45:1-21(n). The \$50,000 civil penalty is to be stayed. The \$50,000 stayed civil penalty shall terminate upon respondent's successful completion of the two (2) year probationary period. The entire \$50,000 civil penalty shall be activated upon the Committee's receipt of any information, which the Committee in its sole discretion deems reliable, demonstrating that respondent has engaged in any violations of the Committee's statutes or regulations during the probationary period; or for any violations of this order. Respondent shall have the right to apply for removal of the automatic activation of the stayed civil penalty upon five (5) days notice but in such event shall be limited to a showing that he did not fail to comply with the conditions set forth in this consent order or did not violate the Committee's statutes or regulations.

4. Respondent shall cease and desist from subcontracting locksmith work to unlicensed persons and businesses. All locksmith work that respondent subcontracts shall be subcontracted to New Jersey licensed locksmith businesses only. Other locksmithing work that respondent agrees to perform shall be undertaken by respondent's W-2 employees who are registered with the Committee pursuant to the requirements of N.J.S.A. 45:5A-23 et seq. and N.J.A.C. 13:31A-1.1 et seq.

5. Respondent shall advertise locksmithing services solely under the trade names and business addresses registered with the Committee.

6. During the two year probationary period, respondent shall provide all

advertising to the Committee within ten (10) days of the placement of the advertising to ensure it conforms to the Committee's regulatory requirements and with this order.

7. During the two year probationary period, respondent shall provide the Committee with the names and addresses of all current and future W-2 employees, independent contractors and partners of the locksmith businesses. Respondent shall provide the Committee with the names, addresses and business license numbers for all current and future locksmith contractors that respondent's locksmith business utilizes.

8. This consent order resolves the Provisional Order of Discipline entered on January 17, 2013 in the matter of Michael DiCicco.

NEW JERSEY FIRE ALARM, BURGLAR ALARM  
AND LOCKSMITH ADVISORY COMMITTEE

By:   
\_\_\_\_\_  
Charles Okun  
Committee Chairman

I have read and I understand this Consent Order and agree to be bound by its terms. I consent to the entry of this order.

  
\_\_\_\_\_  
Michael DiCicco

10/20/14  
Date

I hereby agree to the entry of this order as to form

  
\_\_\_\_\_  
Stephen H. Schechner, Esq.

10/31/14  
Date