



Revoking Respondent's Plumbing License. The Plumbing Board found at that time that respondent secured his plumbing license under false pretenses by submitting a work certification which respondent knew contained false information, in violation of N.J.S.A. 45:1-21(b). Additionally, the Plumbing Board then found that respondent obtained his plumbing license under false pretenses which constituted professional misconduct in violation of N.J.S.A. 45:1-21(e).

2. Specifically, the Plumbing Board found in 1996 that respondent submitted a work certification in support of his plumbing license application which purported to be certified by a Plumbing Board licensee. It was later determined that the Plumbing Board licensee never signed a work certificate on behalf of respondent, and he had never employed respondent. Respondent testified and admitted during an investigative inquiry conducted by the Plumbing Board that he never worked for the Plumbing Board licensee who signed the work certification. Respondent also admitted that he knew the work certification submitted in support of his application for a plumbing license contained a signature purporting to belong to the Plumbing Board licensee.

3. On his May 5, 2014 application for a Heating, Ventilating, Air Conditioning and Refrigeration license, respondent was asked, "Have you ever been disciplined or denied a professional or occupational license or certificate of any kind in New Jersey, any other state, the District of Columbia or in any other jurisdiction?" Respondent answered, "No." On his application for licensure, respondent was also asked, "Have you ever had a professional or occupational license or certificate of any type suspended, revoked, or surrendered in New Jersey, any other state, the District of Columbia or in any other jurisdiction?" Respondent answered, "No."

#### CONCLUSIONS OF LAW

1. The above findings of fact provide grounds for denying respondent's application for a Heating, Ventilating, Air Conditioning and Refrigeration contractor's license in New Jersey,

pursuant to N.J.S.A. 45:1-21(a), in that respondent obtained his plumbing license through fraud, deception and misrepresentation by submitting a work certification to the Plumbing Board which he knew contained false information.

2. The above findings of fact also provide grounds for denying respondent's application for a Heating, Ventilating, Air Conditioning and Refrigeration contractor's license in New Jersey, pursuant to N.J.S.A. 45:1-21(a) and (b), in that respondent's false answers on his application for licensure as a Heating, Ventilating, Air Conditioning and Refrigeration contractor involved engaging in the use and employment of dishonesty, fraud, deception and misrepresentation.

### DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Denial of Licensure was entered on March 3, 2015, and a copy was forwarded to respondent's last known address on file with the Board, via United Parcel Service 2<sup>nd</sup> Day Air Service. The Board obtained a copy of the United Parcel Service delivery sheet confirming delivery of the Provisional Order of Denial to the respondent's last known address on file with the Board. Additionally, the Board sent respondent an email and left him a voice mail message reminding respondent of his obligation to respond to the Provisional Order of Denial in accordance with the stated timeframe. The Provisional Order of Denial was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business day following its entry unless respondent requested a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal, setting forth in writing any and all reasons why said findings and conclusions should not be modified or dismissed, and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefore.

Respondent failed to reply to the Provisional Order of Denial. Since the Provisional Order of Denial was served at respondent's last known address on file with the Board, the

Board deems service to be effected. As such, the Board determined that the Provisional Order of Denial of Certification, entered on March 3, 2015, is to be finalized as written.

ACCORDINGLY, IT IS on this 1<sup>st</sup> DAY OF September, 2015,

ORDERED THAT:

1. Respondent's application for a Heating, Ventilating, Air Conditioning and Refrigeration contractor's license in New Jersey is hereby denied.

NEW JERSEY STATE BOARD OF EXAMINERS  
OF HEATING, VENTILATING, AIR CONDITIONING  
AND REFRIGERATION CONTRACTORS

By: Michael J. Maloney  
Michael J. Maloney  
Board Chairman