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**HVACR** *2015*  
**Rosemarie S. Boccia**  
**Executive Director**  
*Rosemarie S. Boccia*

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
NEW JERSEY STATE BOARD OF EXAMINERS OF  
HEATING, VENTILATING, AIR CONDITIONING AND  
REFRIGERATION CONTRACTORS

IN THE MATTER OF THE  
APPLICATION OF

STEVEN BESANCENEY

FOR A HEATING, VENTILATING,  
AIR CONDITIONING AND  
REFRIGERATION CONTRACTING  
LICENSE IN NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration ("HVACR") Contractors ("Board") upon receipt of an application for licensure as a HVACR contractor from Steven Besanceneuy ("applicant"). The applicant indicated on his application he had been convicted of an offense and provided information and documentation.

Specifically, the applicant was arrested and originally charged with N.J.S.A. 2C:33-2.1b (Prowling in a Public Place with the Purpose of Obtaining or Selling Controlled Substances). On March 26, 2010, the applicant pled guilty in the Municipal Court of Woodbridge, New Jersey to a downgraded charge of a municipal ordinance violation (prohibited acts) and paid associated fines.

The applicant provided a letter to the Board, explaining the facts and circumstances related to the arrest and disposition. The applicant acknowledged he was arrested trying to purchase marijuana. Subsequent to the arrest, the applicant enrolled in an outpatient program for substance

abuse at High Focus Center in Cranford, New Jersey. Upon completion of that program, the applicant enrolled in a relapse prevention program at JFK Medical Center in Edison, New Jersey. The applicant provided the Board with a copy of his discharge plan from JFK Medical Center, dated June 2, 2014. According to the discharge plan, the applicant successfully completed substance abuse treatment and relapse prevention. Mr. Besanceney has been sober for two and one half years. He is to continue with Narcotics Anonymous. No further treatment was recommended.

Having considered all of the available information, the Board has determined that the applicant may be licensed subject to the conditions outlined in this order. The applicant appears to be doing well at this time. However, the Board is keenly aware of his history and therefore any deviation from the terms of this order will result in immediate suspension of license. The parties having agreed to the resolution of this matter without formal proceedings, and the applicant having agreed and given his voluntary consent to the within Order and waiving any right to a hearing in this matter, and the Board finding the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown;

IT IS THEREFORE ON THIS 6<sup>th</sup> DAY OF October, 2015,

HEREBY ORDERED AND AGREED THAT:

1. The applicant shall be granted a HVACR license subject to the conditions and restrictions in this order.
2. The applicant shall abstain from any and all mood altering or intoxicating substances, including, but not limited to alcohol, as well as any controlled dangerous substances except pursuant to a bona fide prescription written by a physician or dentist for good medical or dental cause in his own treatment. In addition, the applicant shall advise any and all treating physicians and/ or dentists of his history of substance abuse. The applicant shall cause any physician or dentist who prescribes medication which is a controlled dangerous substance to provide a written report to the Board together with patient records indicating the need for such medication. Such report shall be provided to the Board no later than two (2) days subsequent to the prescription.

3. The applicant shall continue in treatment with Narcotics Anonymous. Prior to and subsequent to his licensure, the applicant shall provide proof of attendance at Narcotics Anonymous, as well as reports from each and every mental health professional (including but not limited to: psychologists, counselors, therapists, psychiatrists) who are participating in the applicant's care and treatment. This information shall be provided directly to the Board on a quarterly basis. For purposes of this order, the first submitted quarterly proof of attendance shall be due simultaneous with the signing of this order for Narcotics Anonymous attendance and mental health treatment for the months of July, August and September of 2015. The next quarterly proofs shall be due on December 31, 2015 for the months of October, November and December 2015 and then quarterly thereafter. If the applicant discontinues participation with Narcotics Anonymous, without first obtaining approval of the Board, he shall be deemed in violation of this Order.

4. The applicant shall provide any and all releases to any and all parties who are participating in the monitoring, treatment or other program as outlined in this order or as may be required in the future, in order that all reports, records, and other pertinent information may be provided to the Board in a timely manner. Via his signature on this order, the applicant agrees that the Board may utilize any information received in connection with any proceeding regarding licensure.

5. The applicant may seek modification of the terms of this order not sooner than October 1, 2016. Prior to any modification or removal of restrictions set forth in this order, the applicant shall:

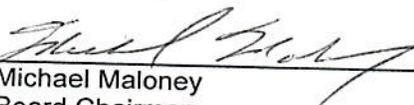
(a) Appear before the Board to discuss his recovery and to demonstrate to the satisfaction of the Board that he is fit and competent and not then suffering from any impairment or limitation resulting from the use of any mind altering or intoxicating substance, whether legal, illegal, which could affect his practice;

6. The applicant hereby consents to the entry of an order of automatic suspension of his license as a HVACR contractor, without prior notice, upon the Board's receipt of a prima facie

showing of a violation of this order or a relapse or recurrence of drug or alcohol abuse or any reliable information that the applicant has violated any terms of this order or any information which the Board in its sole discretion deems reliable demonstrating that the applicant is not capable of carrying out the functions of a licensee consistent with the public health, safety or welfare or that the applicant has failed to comply with any of the conditions set forth in this consent order.

7. The applicant shall have the right to apply for a hearing regarding removal of the automatic suspension on five (5) days' notice, but in such event shall be limited to a showing that the evidence of a relapse or recurrence of drug or alcohol abuse or that other information submitted was false.

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

By:   
Michael Maloney  
Board 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 by the Board.

  
Steven Besanceney

9/24/15  
Date