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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :
MICHAEL J. SCHAFFHAUSER :
t/a SimplexGrinnell, LP :
Individual License #34EI00605800 :
Business Permit # 34EB00605800 :
TO PRACTICE ELECTRICAL :
CONTRACTING IN THE STATE OF :
NEW JERSEY :
_____ :

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey Board of Examiners of Electrical Contractors ("Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Michael J. Schaffhauser, ("respondent") is licensed as an electrical contractor in the State of New Jersey having been issued individual license #34EI00605800 on May 1, 1979. Respondent was issued business permit #34EB00605800 under the name "SimplexGrinnell, LP" on March 5, 2003. According to the Board's records, respondent failed to renew his business permit for the triennial periods of April 1, 2006 to March 31, 2009, April 1, 2009 to March 31, 2012 and April 1, 2012 to March 31, 2015. As a result, respondent's business permit #34EB00605800 under the name "SimplexGrinnell, LP" became suspended by application of N.J.S.A. 45:1-7.1(b). The Board's files indicate that respondent eventually returned the pressure seal issued to "SimplexGrinnell, LP" on June 5, 2012.

2. The Board received a complaint dated October 12, 2011, and a copy of an Electrical

Sub-code Technical Section Application from the electrical sub-code official for the Township of Manalapan, NJ. According to the complaint and the permit application, respondent applied to perform electrical work in Manalapan, NJ with an expired business permit on August 22, 2011.

3. Respondent provided a written response to the complaint in a letter dated May 31, 2012. According to respondent, the business permit renewal was sent to the offices of SimplexGrinnell. However, the company failed to renew the business permit. Respondent stated he tried to resolve the matter, but his supervisors and the corporate office were not responsive. Respondent stated that the renewal of his business permit "fell through the cracks" and he detailed his prior efforts to resolve the matter with his supervisors and the corporate office. Respondent resigned from SimplexGrinnell and returned his seal press to the Board.

4. Respondent provided a second written response to the Board dated February 10, 2014. Again, respondent detailed his efforts to have his superiors and the corporate office renew his business permit. Respondent admits that he was not aware his business permit had expired until October of 2011 when he received a letter from the Board sent to his home address. It was after that date that respondent attempted to have his superiors and the corporate office resolve the matter. Eventually, respondent left the company in late May of 2012.

CONCLUSIONS OF LAW

1. The above findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(h), in that respondent has violated and failed to comply with the provisions of an act and regulation administered by the Board. Specifically, respondent advertised, entered into, engaged in and worked as an electrical contractor from April 1, 2006 through June 5, 2012 without securing a business permit, in violation of N.J.S.A. 45:5A-9(a) and N.J.A.C. 13:31-1.5(e).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on January 7, 2015, provisionally imposing a public reprimand on respondent and assessing a \$5,000.00 civil penalty.

A copy of the Provisional Order was forwarded to respondent at the last known address on file with the Board by certified and regular mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a

written request for modification or dismissal setting forth in writing any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

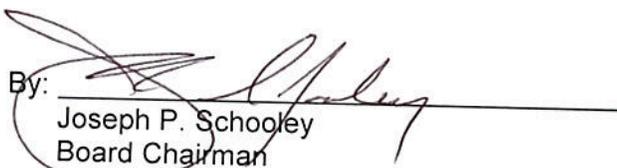
Following the entry and service of the Provisional Order of Discipline, respondent sent a check to the Board in the amount of \$5,000.00, the total amount of the civil penalty assessed. Respondent did not provide a written request for modification or dismissal of the provisional Findings of Fact or Conclusions of Law. As a result, the Board deems respondent's payment of the civil penalty, as well as his failure to provide a written request for modification or dismissal of the Provisional Order, as respondent not contesting the Board's findings. The Board is hereby finalizing the Provisional Order of Discipline.

ACCORDINGLY, IT IS on this 2 day of Dec, 2015,
HEREBY ORDERED that:

1. Respondent is hereby reprimanded for his violation of N.J.S.A. 45:1-21(h), as stated above.

2. Respondent is hereby assessed a civil penalty in the amount of five thousand dollars (\$5,000.00), for violating and failing to comply with the provisions of an act and regulation administered by the Board, in violation of N.J.S.A. 45:1-21(h), by advertising, entering into, engaging in and working as an electrical contractor from April 1, 2006 through June 5, 2012 without securing a business permit, in violation of N.J.S.A. 45:5A-9(a) and N.J.A.C. 13:31-1.5(e). It is acknowledged that payment of the civil penalty was previously submitted to the Acting Executive Director of the Board of Examiners of Electrical Contractors, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101, prior to the filing of this Final Order of Discipline.

BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

By: 
Joseph P. Schooley
Board Chairman