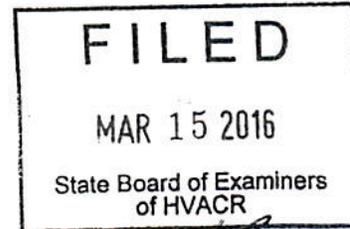


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD OF EXAMINERS
OF HEATING, VENTILATING, AIR CONDITIONING
AND REFRIGERATION CONTRACTORS

IN THE MATTER OF THE
APPLICATION OF

JOSEPH HAGGARD III

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

Administrative Action

CONSENT ORDER

applicant ID #187-2822

This matter was opened to the New Jersey State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration (HVACR) Contractors ("the Board") upon receipt of an application for licensure as a HVACR contractor from Joseph Haggard III ("applicant"). The applicant indicated on his application that on July 12, 2009 he was arrested and charged with Aggravated Assault on a Police Officer; Violent Behavior and Resisting Arrest. On November 18, 2009, the applicant pled guilty to a charge of Public Nuisance and the remaining charges were dismissed.

The applicant was arrested again on August 11, 2012 and charged with Aggravated Assault on a Police Officer; Violent Behavior; Resisting Arrest and Use of Drug Paraphernalia.

On March 13, 2013, the applicant pled guilty to a charge of Prowling in Public Places. He paid a fine and the remaining charges were dismissed. The applicant was arrested again on December 5, 2013 and charged with Theft by Unlawful Taking; Defiant Trespasser; Criminal Restraint with Risk of Serious Bodily Injury and False Imprisonment. The Board was not provided with any information concerning the disposition of these charges.

On September 1, 2015, the applicant appeared before the Board for an Investigative Inquiry. Regarding the July 12, 2009 arrest, the applicant explained he was with a friend and drank too much. He was asked to leave the location but was so intoxicated that he walked into someone else's house. He resisted arrest, although he stated no one was hurt. He was found guilty of Public Nuisance. He completed 18 months of probation.

The applicant testified regarding the August 11, 2012 arrest for Aggravated Assault on a Police Officer and Possession of Drug Paraphernalia. He stated he was intoxicated and left a family event. He entered a convenience store and had an argument with the clerk. The police arrived and he resisted arrest. He eventually pled guilty to the downgraded charge of loitering and was sentenced to 18 months of probation, but was only required to complete 12 months due to his compliance. Regarding the December 5, 2013 arrest, the applicant claimed it was a false complaint and the charges were dropped. However, the applicant was required to complete twelve weeks of anger management prior to the charges being dismissed.

Finally, the applicant provided testimony concerning a series of municipal court matters, including a 2006 conviction for Careless Driving and a 2009 conviction for Failure to Report an Accident. The applicant acknowledged that most of his encounters with law enforcement were due to his use of alcohol. He has never been involved in any in-patient or out-patient counseling for drinking or drug use. He stated that drinking is in his past, although admitted he still drinks "very rarely."

Having reviewed the entire record, including the testimony of the applicant, the Board has determined the applicant may be granted a license subject to the conditions outlined in this

order. By his own account, the applicant seems to be doing well at this time. However, the Board is keenly aware of the applicant's criminal and substance abuse history and therefore any deviation from the terms of this order will result in immediate suspension of license. The Board finds that such a provision, coupled with the restrictions placed on the applicant's license by this order, are adequate to protect the health, safety, and welfare of the public, and that good cause exists for entry of this Order.

IT IS THEREFORE ON THIS 15th DAY OF March, 2016,
HEREBY ORDERED AND AGREED THAT:

1. Prior to the issuance of a license, the applicant shall submit to, and cooperate fully with, a substance abuse evaluation with a program or evaluator pre-approved by the Board. The applicant shall follow all of the recommendations for treatment and counseling, including, but not limited to, attending support groups, including NA or AA, and urine screen monitoring. The applicant shall fully cooperate in the evaluation process and agree in advance to comply with all recommendations. The applicant shall notify the Board of the evaluator selected so that the Board may forward information from its files to the evaluator prior to the evaluation. The applicant shall supply a waiver of confidentiality to the evaluator and the Board sufficient to permit the evaluator to provide a full report to the Board. The applicant agrees by his signature on this order that the evaluator may communicate all of his/her review and conclusions to the Board both orally and in writing and that the Board may utilize any information and reports from the evaluator in any licensing proceedings. Upon completion of the evaluation, the evaluator shall forward a full report to the Board, consisting of, but not limited to, the evaluator's conclusions relating to the applicant's fitness to practice heating, ventilating, air conditioning and refrigeration, and including any recommendations by the evaluator as to any treatment that may be warranted. The Board shall determine whether to issue a license to the applicant based upon a review of the evaluation report. The Board reserves the right to enter a subsequent order, with additional restrictions, based on the report and recommendations of the evaluation.

2. The applicant agrees by his signature on this order to comply with all Board orders and all recommendations of the evaluator for treatment and therapy, and limitations, conditions or restrictions on license as a condition to his licensure as a HVACR contractor.

3. 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 substance except pursuant to a bona fide prescription written by a physician, dentist or other prescriber for good medical or dental cause in his own treatment. In addition, the applicant shall advise any and all treating prescribers 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 no later than two (2) days subsequent to the prescription.

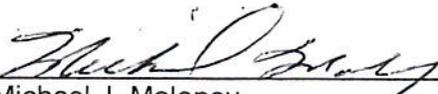
4. The applicant shall obey all of the laws of the State of New Jersey, the United States and their political subdivisions, as well as all regulations, rules or laws pertaining to the practice of HVACR contracting in this State or any other State in which he practices.

5. 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 any information which the Board in its sole discretion deems reliable demonstrating that the applicant has violated a term of this order or has engaged in acts constituting, or has been convicted of, any petty disorderly person's offense, disorderly person's offense or crime whether in the State of New Jersey or elsewhere.

6. 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 he has not violated this order or did not engage in acts constituting or has been convicted of, any offense or crime of moral turpitude or one relating adversely to HVACR practice in the

State of New Jersey or any other jurisdiction.

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

By: 

Michael J. 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



Joseph Haggard III

2/4/16
Date