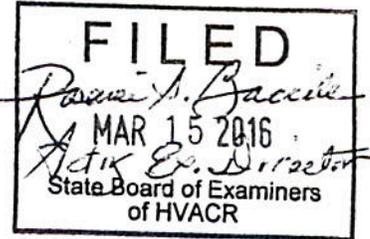


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
NEW JERSEY STATE BOARD OF EXAMINERS  
OF HEATING, VENTILATING, AIR CONDITIONING  
AND REFRIGERATION CONTRACTORS

IN THE MATTER OF THE  
APPLICATION OF

WAYNE E. HEADLEY

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

Administrative Action

CONSENT ORDER

*Applicant ID # 186-9367*

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 Wayne E. Headley ("applicant"). The applicant indicated on his application that in 2001 he was convicted in Pennsylvania of two counts of felony drug possession and two counts of possession of an unregulated substance. The applicant provided a letter of explanation and indicated he was pulled over in a vehicle. A search of the vehicle resulted in the substances being discovered by police. He plead guilty to the charges. He was sentenced to eleven months and fifteen days of probation.

The applicant also indicated on his application that in 2006 he was convicted in Pennsylvania of receiving stolen property and access device fraud. According to the applicant, he used the credit card of a family member, without permission, to purchase merchandise he later sold. He pled guilty to the charges and served a sentence of eleven months and fifteen days in prison. He successfully completed his parole on March 19, 2010.

The applicant explained that his criminal history "is a direct result" of his struggles with addiction from his late teens until he was 24 years of age. He has been sober for over seven years and participates regularly in a recovery program. He has a family and has been steadily employed in the HVACR field.

Having reviewed the entire record, the Board has determined the applicant may be granted a license subject to the conditions outlined in this order. The applicant, by his own account, 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 applicant waiving any right he may have to a hearing in this matter, and the Board finding 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 15<sup>th</sup> DAY OF March, 2016,  
HEREBY ORDERED AND AGREED THAT:

1. The applicant shall be granted a 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 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 seven (7) days subsequent to the prescription and shall be sent to Rosemarie Baccile, Acting Executive Director, New Jersey State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors, 124 Halsey Street, 6<sup>th</sup> Floor, Newark, New Jersey, 07101.

3. The applicant shall continue to attend his recovery program a minimum of one meeting per week. Prior to and subsequent to his licensure, the applicant shall provide proof of attendance at his recovery program (i.e. copies of sign in sheets or a certification from the applicant's sponsor confirming such attendance). This information shall be provided directly to the Board on a quarterly basis. For purposes of this order, the first submitted quarterly proofs of attendance shall be due on April 1, 2016 for recovery meetings for the months of January, February and March of 2016 and then quarterly thereafter. The quarterly proofs shall be sent to the address outlined in paragraph #2. If the applicant discontinues participation with his recovery program without first obtaining approval of the Board, he shall be deemed in violation of this order.

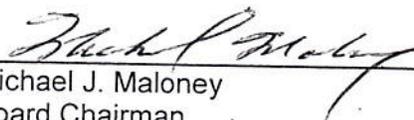
4. The applicant shall obey all of the laws of the State of New Jersey, the United States and their political subdivisions, as well as all regulations, rules or laws pertaining to the practice of HVACR contracting in this State or any other State in which he practices.

5. The applicant hereby consents to the entry of an order of automatic suspension of his a 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 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.

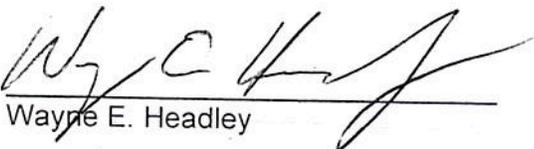
6. The applicant shall have the right to apply for a hearing regarding removal of the automatic suspension on five (5) days' notice, but in such event shall be limited to a showing that he has not violated this order nor engaged in acts constituting nor has been convicted of, any offense or crime in the State of New Jersey, the United States or their political subdivisions which involves controlled dangerous substances, alcohol, or other mind altering substances or a crime of moral turpitude or one relating adversely to HVACR practice in the State of New Jersey or any other jurisdiction.

7. The applicant may apply for a modification or the termination of the requirements contained in this order no sooner than one (1) year from the entry date of this order.

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

  
Wayne E. Headley

1/28/16  
Date