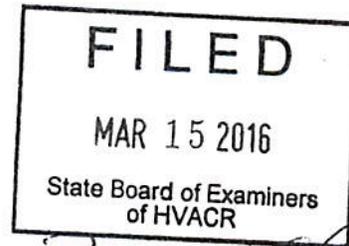


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD OF EXAMINERS
OF HEATING, VENTILATING, AIR CONDITIONING
AND REFRIGERATION CONTRACTORS

IN THE MATTER OF THE
APPLICATION OF

MARK TRAWINSKI

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

applicant ID # 1818361

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 ("the Board") upon receipt of an application for licensure as a HVACR contractor from Mark Trawinski ("applicant"). The applicant indicated on his application that on July 25, 2012, he pled guilty in the United States District Court for the District of New Jersey to one count of Tax Evasion in violation of 26 USC 7201. The applicant received a five (5) month custodial sentence followed by a three year term of supervised release.

The applicant provided a notarized letter to the Board explaining the facts and circumstances leading to his arrest and conviction. The applicant explained his company began doing work for contractors with big projects. The contractors were not being paid on the contracts which resulted in the applicant's company losing over \$500,000.00. This led to tax problems which he attributed to his accountant not filing the proper paper work. The applicant provided a letter from a Senior U.S. Probation Officer indicating that the applicant was released from prison on July 23, 2013 after completing his five month sentence. To date, he has complied with all aspects of his supervision and is scheduled to complete his supervised release on July 22, 2016.

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 Board is keenly aware of the applicant's criminal history. 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 15th DAY OF March, 2016,
HEREBY ORDERED AND AGREED THAT:

1. The applicant is reprimanded for being convicted of a crime involving moral turpitude, in violation of N.J.S.A. 45:1-21(f), as well as engaging in the use or employment of dishonesty, fraud, deception and misrepresentation, in violation of N.J.S.A. 45:1-21(b).
2. The applicant shall continue his participation in the supervised release program as required by the United States District Court, District of New Jersey. The applicant shall provide the Board with monthly reports from the applicant's Federal Probation Officer, attesting to the applicant's successful and ongoing compliance with any and all terms of the supervised

release program. The applicant shall supply a waiver of confidentiality to his Probation Officer and the Board sufficient to permit the Probation Officer to provide full monthly reports and immediate reports of any violations of the applicant's supervised release program to the Board. The first monthly report shall be due on March 1, 2016 for the month of February 2016 and then monthly thereafter. If the applicant violates the terms of his supervised release, he shall be deemed in violation of this order. The applicant shall have the right to petition the Board for relief from the requirements of this paragraph upon a showing that the applicant has successfully completed, and has been released from, the requirements of the supervised release program. The Board, in its sole discretion, will thereby determine whether the applicant can be released from the requirements of this paragraph.

3. 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.

4. 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 an arrest or conviction for any crime or offense of moral turpitude, or which relates adversely to the practice as a master HVACR contractor, or involving the use or employment of dishonesty, fraud, deception and misrepresentation; has violated the terms of supervised release; or that the applicant failed to comply with any of the conditions set forth in this Consent Order.

5. 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 does not have an arrest or conviction for any crime or offense as indicated in paragraph four (4) above, nor has violated the terms of supervised release or that the applicant has not

failed to comply with any of the conditions set forth in this Consent 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



Mark Trawinski

2/4/2016
Date