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**FILED** *May 3, 2016*  
**HVACR**  
**Rosemarie S. Baccile**  
**Executive Director**  
*Rosemarie S. Baccile*

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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  
(HVACR) CONTRACTORS

IN THE MATTER OF THE  
SURRENDER OF THE LICENSE OF

**JOHN P. MARTIN**  
License # 19HC00591200

TO PRACTICE HEATING, VENTILATING,  
AIR CONDITIONING, AND REFRIGERATION  
CONTRACTING IN THE STATE OF  
NEW JERSEY

Administrative Action

**CONSENT ORDER  
OF REVOCATION  
OF LICENSE**

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 information that John P. Martin ("respondent"), was convicted on September 19, 2014 of second degree endangering the welfare of a child, in violation of N.J.S.A. 2C:24-4(b)(4), and third degree invasion of privacy, in violation of N.J.S.A. 2C:14-9(b).

The information received also indicated that respondent was sentenced to a five year probation term, 120 days of house arrest, restitution, no contact with the identified victims,

compliance with all Megan's Law requirements, a substance abuse evaluation, therapy and payment of fees and penalties.

On August 16, 2014 respondent submitted an application for licensure as a HVACR contractor. On that application respondent answered "No" the questions relating to whether he had ever been arrested, charged, or convicted of any crime or offense in the State of New Jersey. The information obtained by the Board indicates respondent was arrested on November 28, 2012 and charged with second degree endangering the welfare of a child and third degree invasion of privacy.

The Board is also in receipt of a Final Order of Revocation of Registration, filed with the New Jersey Division of Consumer Affairs on February 26, 2016. The Final Order of Revocation of Registration revoked respondent's registration as a Home Improvement Contractor based on convictions for crimes involving moral turpitude and relating adversely to selling or making home improvements.

The Board finds that respondent's conviction for second degree endangering the welfare of a child, as well as his conviction for third degree invasion of privacy, are crimes involving moral turpitude and relate adversely to the activity regulated by the Board. Accordingly, there is a basis for disciplinary action against respondent's license to practice as a HVACR contractor in New Jersey pursuant to N.J.S.A. 45:1-21(f).

Additionally, the Board finds that respondent falsely answered "No" on his application for licensure concerning the question relating to whether he had ever been arrested, charged, or convicted of any crime or offense in the State of New Jersey. Accordingly, there is a basis for disciplinary action against respondent's license for engaging in dishonesty, fraud, deception, or misrepresentation, pursuant to N.J.S.A. 45:1-21(b).

Finally, the Board finds that the revocation of respondent's Home Improvement Contractor registration provides a basis for the Board to take disciplinary action against respondent's license in that respondent has had his authority to engage in the activity regulated by the Board revoked by another state agency, pursuant to N.J.S.A. 45:1-21(g).

The parties having agreed to the resolution of this matter without formal proceedings, and respondent 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 3rd day of May, 2016,

**ORDERED AND AGREED THAT:**

1. Respondent's license to practice HVACR contracting in the State of New Jersey be and hereby is surrendered effective immediately. Such surrender is to be deemed a revocation of respondent's HVACR license, with prejudice. Respondent shall not hereafter apply for reinstatement of licensure.
2. Respondent shall immediately cease and desist from representing himself as a licensed HVACR contractor and from engaging in the practice of HVACR contracting either as a master HVACR contractor or as an employee of a HVACR contracting entity in the State of New Jersey.
3. Respondent shall immediately surrender his pressure seal to the Board, consistent with his suspension pursuant to N.J.S.A. 45: 1-7.1b.

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

By: Michael Maloney  
Michael Maloney  
Board Chairman

I have read the within Order  
and I understand it. I agree to  
be bound by its terms and hereby  
consent to it being entered by the Board:

John P. Martin  
John P. Martin

4/14/16  
Date