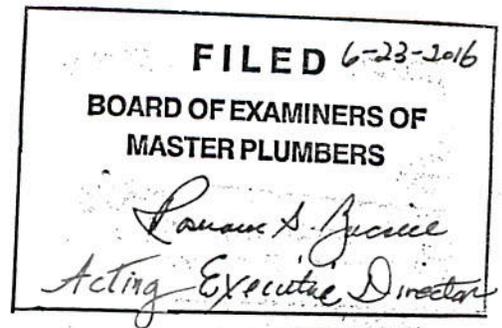


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF EXAMINERS OF  
MASTER PLUMBERS

IN THE MATTER OF THE  
LICENSE OF

VINCENT J. DABUNDO  
License #36BI00430300

TO PRACTICE AS A MASTER  
PLUMBER IN THE STATE  
OF NEW JERSEY

Administrative Action

FINAL ORDER  
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Examiners of Master Plumbers ("the 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. Vincent J. Dabundo ("respondent") is a licensed master plumber in the State of New Jersey, having received his license on December 1, 1970, and has been a licensee at all times relevant hereto. Respondent is currently registered with the Board to trade as "Vincent Dabundo Plumbing and Heating."
2. The Board received a complaint from consumer S.B. dated December 15, 2011. The complaint pertained to plumbing work respondent was contracted to perform on or about May 17, 2007. S.B. alleges he and respondent entered into a contract for the completion of plumbing work and heating on S.B.'s property. Respondent quoted a price of \$26,000.00, \$15,000.00 of which was to be a down payment, with \$6,000.00 to be paid after inspection and \$5,000.00 to be paid upon completion. The job was scheduled to be

completed within sixty (60) days. A permit was obtained to begin the work.

3. According to S.B., respondent received payment in the amount of \$15,500.00, but never returned to perform any of the work. S.B. alleges he contacted respondent to inquire when the work would be completed and respondent stated that the contract was good for four (4) years.

4. On or about October 30, 2010, S.B. and respondent entered into an amended agreement. The amended agreement stated the project would be completed in thirty (30) days. If the project was not completed within that scheduled period, S.B. would be entitled to damages.

5. S.B., through his attorney, Edward Thompson, Esq., sent respondent a letter dated August 25, 2011. The letter stated that despite receiving payment from S.B., the project has not been completed and respondent is therefore in default of the contract and addendum. The letter gave respondent further opportunity to complete the project by September 9, 2011, otherwise S.B. would take legal action.

6. The Board sent a letter to respondent, dated January 3, 2012, requesting he provide a response to S.B.'s complaint. Respondent provided the requested response in a letter to the Board dated January 24, 2012. Respondent stated the project with S.B. had been on going for four and a half (4.5) years because three (3) years had passed between the time the proposal was presented and the time the contracts were signed and the permits were issued. Respondent stated the project could have been finished in four (4) weeks. Respondent also stated that the permit had been taken out by S.B. and there was a dispute over stolen materials which resulted in S.B. breaking the contract and hiring a different plumber.

7. S.B. filed a complaint against respondent in the Superior Court of New Jersey, Special Civil Part, under docket number ATL-DC-010462-11. S.B. obtained a judgment in the amount of \$12,341.00 against respondent for breach of contract and failure to pull permits after a trial on April 17, 2012.

8. Respondent had previously failed to satisfy the judgment and had verbally informed the Board that he had no intention of paying the judgment that was entered against him.

#### 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(e), in that respondent has engaged in professional misconduct by not paying the valid \$12,341.00 judgment obtained against him by consumer S.B. Additionally, the above findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(e), in that respondent has engaged in professional misconduct by failing to complete the work he contracted to perform for S.B.

#### DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on December 13, 2013. A copy of the Order was forwarded to respondent's last known address on file with the Board. The Provisional Order of Discipline was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business day following its entry unless respondent requested a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal, setting forth in writing any and all reasons why said findings and conclusions should not be modified or dismissed, and submitting and all documents or other written evidence supporting respondent's request for consideration and reasons therefore.

In response to the Provisional Order of Discipline, respondent provided a letter from Edward M. Thompson, Esq., counsel for consumer S.B, dated June 4, 2014. The letter indicated that respondent satisfied the judgment obtained by S.B. As a result, the judgment was removed from the court records and S.B. no longer has any claim against respondent.

The Board finds that respondent has satisfied the judgment obtained against him by consumer S.B., as evidenced by receipt of the letter from Edward M. Thompson, Esq.

Therefore, no suspension of respondent's license should issue. However, the Board finds that respondent had two years to reimburse S.B. after issuance of the civil judgment. The Board also finds that despite respondent's satisfaction of the judgment, which he did not satisfy until Board intervention, respondent did in fact breach his contract with S.B. As a result, the Board will impose the reprimand and a civil penalty against respondent for engaging in professional misconduct in violation of N.J.S.A. 45:1-21(e).

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ACCORDINGLY, IT IS on this 26 day of MAY, 2016,

ORDERED that:

1. Respondent is hereby reprimanded, pursuant to N.J.S.A. 45:1-22, for the violations of N.J.S.A. 45:1-21(e) as described above.
2. Respondent shall pay a civil penalty in the amount of five hundred dollars (\$500.00), pursuant to N.J.S.A. 45:1-22, in that respondent engaged in professional misconduct, in violation of N.J.S.A. 45:1-21(e), by failing to timely satisfy the civil judgment obtained against him by consumer S.B. and by failing to complete the work he was contractually obligated to perform for consumer S.B. Payment of the civil penalty totaling \$500.00 shall be submitted simultaneous with the entry of any final order in this matter, by certified check or money order, made payable to the State of New Jersey, or by wire transfer, direct deposit, or credit card payment delivered or mailed to, Rosemarie S. Baccile, Acting Executive Director, Board of Examiners of Master Plumbers, 124 Halsey Street, 6<sup>th</sup> Floor, Newark, New Jersey 07101.
3. Respondent shall cease and desist from the violations described herein. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.
4. Failure to timely remit any and all civil penalties required by this order will result in the filing of a certificate of debt with interest accruing at the rate provided by the Rules of Court, and such failure, or any violation of this order, may result in subsequent

disciplinary proceedings for failure to comply with an Order of the Board, which could include the suspension or revocation of license.

NEW JERSEY BOARD OF EXAMINERS  
OF MASTER PLUMBERS

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By: Peter J. Voros

Peter I. Voros  
Board Chairman