

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS

State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration (HVACR) Contractors

Meeting # 25 - Public Meeting Agenda

APRIL 7, 2015 ~ 9:00 AM ~ SUSSEX ROOM ~ 6TH Floor

124 Halsey Street, Newark, New Jersey

-
1. CALL TO ORDER
 2. ROLL CALL
 3. ELECTION OF OFFICERS - A sample guide for election procedure is provided
 4. ON-LINE LICENSING APPLICATIONS - **UPDATE** ~ Stats as of * March 17, 2015

Applications in cue: 12,499

Applications processed: 5,015

Tracking those licensed as Master HVACR Contractor(s):

- Issued # 19HC00 3273 00

Applications on file for Master HVACR Contractors will be reviewed by Board Members in Executive Closed Session.

Request for a Waiver

of existing New Jersey HVACR Regulations:

5. CHARLES MANNING, REGULATORY ANALYST, CONSUMER AFFAIRS
DISCUSSION OF LICENSEE ACTING AS BFR FOR MORE THAN ONE COMPANY

The Minutes of the March 3, 2015, meeting reflect a discussion on this issue and note that the Board would consider a waiver of regulations if the waiver was submitted in writing.

Correspondence has been received from Board Member William C. Barham dated March 10, 2015, respectfully requesting a waiver from existing New Jersey HVACR Regulations. A copy of Waivers from Regulatory Requirements; Application 13:45C-2.1 Applicability; scope, is provided by Charles Manning.

6. DISCIPLINARY ACTION

IN THE MATTER OF THE APPLICATION OF
CHARLES R. JONES
FOR A HEATING, VENTILATING AIR CONDITIONING AND
REFRIGERATION (HVACR) LICENSE IN THE STATE OF NEW JERSEY

ADMINISTRATIVE ACTION
PROVISIONAL ORDER OF DENIAL OF LICENSURE
FILED MARCH 3, 2015

.....
This matter was opened to the HVACR Board upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions are made:

Charles R. Jones (Respondent) applied for a grandfathered HVACR license in New Jersey. However, during the processing of his HVACR license, a check of the files of the State Board of Examiners of Master Plumbers ("SBEMP"), determined that Jones was previously licensed as a master plumber, having been issued a plumbing license on September 1, 1993, however, was listed in a "Revoked" status.

On June 27, 1996, the SBEMP filed an "Order Entering Default" and revoking Respondent's plumbing license—the finding that Jones had secured his plumbing license under false pretenses by submitting a work certification which he knew contained false information, in violation of NJSA 45:1-2(B). Further, the SBEMP then found that respondent obtained his plumbing license under false pretenses which constituted professional misconduct in violation of NJSA 45:1-21(e).

The SBEMP found in 1996 that Respondent Jones submitted a work certification in support of his plumbing license application toward his experience, which purported to be certified by a Licensed Master Plumber. It was later determined that the Licensed Master Plumber of the work certification had never signed a work certification on behalf of Jones, and he had never employed the Respondent.

DISCIPLINARY ACTION

IN THE MATTER OF THE APPLICATION OF
CHARLES R. JONES
FOR A HEATING, VENTILATING AIR CONDITIONING AND
REFRIGERATION (HVACR) LICENSE IN THE STATE OF NEW JERSEY

ADMINISTRATIVE ACTION
PROVISIONAL ORDER OF DENIAL OF LICENSURE

.....

Respondent Jones testified at an Investigative Inquiry proceeding that he never worked for the Licensed Master Plumber listed on the work certification; and secondly, admitted that he knew the work certification submitted in connection with the application for a Master Plumber's license contained a signature purported to belong to the Licensed Master Plumber, whom he alleged to be his employer.

On his May 5, 2014, grandfathered application for a Master HVACR Contractor's license, Jones responded "No" to the question within the Crime section: "Have you ever been disciplined or denied a professional or occupational license or certificate of any kind in the State of New Jersey or any other State....?" Jones also responded "No" to the second question "Have you ever had a professional or occupational license or certificate of any type suspended, revoked or surrendered in New Jersey, or an other state...?"

The above preliminary findings of fact provide grounds for denying respondent's application for a Master HVACR Contractor, pursuant to NJSA 45L:1-21 (a) and (b), in that his false responses on his HVACR application involved his engaging in the use and employment of dishonesty, fraud, deception and misrepresentation.

His application is hereby provisionally denied. The POD provides the respondent with a 30 day time frame by which to submit his response.

All facts, details and exhibits are made part of the POD.

7. PUBLIC COMMENT PERIOD

8. FUTURE MEETING DATES
Dates are now posted to the State WEBSITE at the HVACR Board

9. ADJOURN TO EXECUTIVE SESSION