

STATE OF MAINE
PLUMBERS EXAMINING BOARD

IN RE:)
)
DANNY L. WARREN) CONSENT AGREEMENT
)
COMPLAINT NO. 2006-PLU-2748)

INTRODUCTION

This document is a Consent Agreement regarding disciplinary action against the license of Danny L. Warren ("Mr. Warren") to practice as a master plumber in the State of Maine. The parties to this Consent Agreement are: Mr. Warren, the State of Maine Plumbers Examining Board ("the Board"), and the Office of the Attorney General ("the Attorney General"). This Consent Agreement is entered into pursuant to 10 M.R.S.A. § 8003(5).

FACTS

1. At all times relevant hereto, Mr. Warren was licensed by the Board as a master plumber, license no. MS-2766.
2. On May 30, 2006, Senior Plumbing Inspector, Dana C. Tuttle, filed a complaint against Mr. Warren alleging certain violations of the plumbing statutes and codes with respect to Mr. Warren's work at a residence in Belgrade Lakes, Maine.
3. Specifically, in the course of providing plumbing services at the subject property during the period of August⁸ through November² 2005, Mr. Warren installed an oil-fired heating system ~~as though he were licensed to do so~~, even though he was not licensed by the Maine Oil and Solid Fuel Board in violation of Board Rule chapter 2 §2(A) and the

Jan 8, 2007
D.L.W.

Delete

Memorandum of Understanding between the Oil and Solid Fuel Board and the Plumber's Examining Board dated April 3, 1991.

4. In addition, Mr. Warren installed the vacuum breaker on the hot water maker on the hot water outlet of the tank in violation of State of Maine Internal Plumbing Code chapter 11 § G(7).
5. On December 13, 2006, following an informal conference with Mr. Warren, the Board voted to offer Mr. Warren this Consent Agreement to finally resolve this complaint.
6. Absent acceptance of this Consent Agreement by signing and dating it and returning it to Cathy Neumann, Complaint Coordinator, 35 State House Station, Augusta, Maine 04333-0035 by January 12, 2007, the Board will resolve this matter by holding an adjudicatory hearing.

COVENANTS

7. Mr. Warren admits the facts stated in paragraphs 3 and 4 of this Consent Agreement and admits that such conduct constitutes a basis for disciplinary action pursuant to 32 M.R.S.A. § 3404 (3), Board Rule chapter 2 §2(A), and State of Maine Internal Plumbing Code chapter 11 § G(7).
8. As discipline for the conduct admitted in paragraph 7 above, Mr. Warren accepts the following disciplinary action:
 - a. A REPRIMAND;
 - b. Payment of a CIVIL PENALTY in the amount of one thousand five hundred dollars (\$1,500.00) for the violation of Board Rule chapter 2 §2(A), which payment shall be made by certified check or money order payable to "Treasurer,

State of Maine” and sent to Cathy Neumann, Complaint Coordinator, 35 State House Station, Augusta, Maine 04333-0035, within ninety (90) days of the date of final execution of this Consent Agreement; and

- c. Payment of a CIVIL PENALTY in the amount of three hundred dollars (\$300.00) for the violation of Internal Plumbing Code chapter 11 § G(7), all of which amount shall be suspended provided that Mr. Warren makes payment of the civil penalty described in paragraph 8(b) above within the required ninety (90) days. Failure to make payment as required in paragraph 8(b) above will automatically make payment of this three hundred dollar (\$300.00) amount due immediately, which payment shall be made by certified check or money order payable to “Treasurer, State of Maine” and sent to Cathy Neumann, Complaint Coordinator, 35 State House Station, Augusta, Maine 04333-0035.

9. Pursuant to 10 M.R.S.A. § 8003(5)(B) the Board and Mr. Warren agree that in the event that Mr. Warren violates any of the terms or conditions of this Consent Agreement, the Board may issue an order suspending, revoking, or modifying his license, or denying him re-licensure.
10. This Consent Agreement is not appealable and is effective until modified or rescinded by the parties hereto.
11. The Board and the Attorney General shall have access to Mr. Warren’s practice records relating to this Consent Agreement.
12. The Board and the Attorney General may communicate and cooperate regarding Mr. Warren's practice or any other matter relating to this Consent Agreement.

13. This Consent Agreement is a public record within the meaning of 1 M.R.S.A. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S.A. § 408.

14. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto.

15. Mr. Warren acknowledges by his signature hereto that he has read this Consent Agreement, that he has had an opportunity to consult with an attorney before executing this Consent Agreement, that he executed this Consent Agreement of his own free will and that he agrees to abide by all terms and conditions set forth herein.

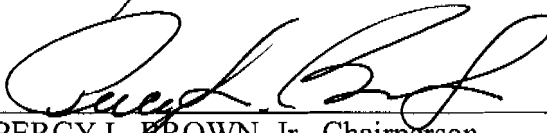
DATED:

Jan. 8, 2007


DANNY L. WARREN

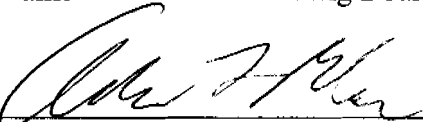
DATED:

6-19-07


PERCY L. BROWN, Jr., Chairperson
Maine Plumbers Examining Board

DATED:

1/12/2007


ANDREW L. BLACK
Assistant Attorney General