

STATE OF MAINE  
PLUMBERS EXAMINING BOARD

IN RE: )  
 )  
STEPHEN J. PERRY ) CONSENT AGREEMENT  
COMPLAINT NO. 2007-PLU-3912 )  
 )

INTRODUCTION

This document is a Consent Agreement regarding disciplinary action against the license of Stephen J. Perry (“Mr. Perry”) to practice as a master plumber in the State of Maine. The parties to this Consent Agreement are: Mr. Perry, 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. § 8003(5-A)(C).

FACTS

1. At all times relevant hereto, Mr. Perry was licensed by the Board as a master plumber, license no. MS-8367.
2. On September 10, 2007, Senior Plumbing Inspector, Dana C. Tuttle, filed a complaint against Mr. Perry alleging certain violations of the plumbing statutes with respect to Mr. Perry’s work at a residence in Westbrook, Maine.
3. Specifically, in the course of providing plumbing services at the subject property during August 2007, Mr. Perry did not adequately supervise one of his employees, a trainee plumber, when he did not go to the job site where the trainee plumber was working for two days, in violation of Board Rule chapter 3 §5(A).


4. On December 19, 2007, following an informal conference with Mr. Perry, the Board voted to offer Mr. Perry this Consent Agreement to finally resolve this complaint.
5. 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 20, 2008, the Board will resolve this matter by holding an adjudicatory hearing.

#### COVENANTS

6. Mr. Perry admits the facts stated in paragraphs 1 through 4 of this Consent Agreement and admits that such conduct constitutes a basis for disciplinary action pursuant to 32 M.R.S. § 3404 (3) and Board Rule chapter 3 §5(A).
7. As discipline for the conduct admitted in paragraph 3 above, Mr. Perry accepts the following disciplinary action: A reprimand.
8. Pursuant to 10 M.R.S. § 8003(5-A)(C) the Board and Mr. Perry agree that in the event that Mr. Perry 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.
9. This Consent Agreement is not appealable and is effective until modified or rescinded by the parties hereto.
10. This Consent Agreement is a public record within the meaning of 1 M.R.S. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. § 408.
11. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto.

12. Mr. Perry 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: 1-7-08   
STEPHEN J. PERRY

DATED: 1-16-08   
PERCY L. BROWN, Jr., Chairperson  
Maine Plumbers Examining Board

DATED: 1-22-08   
CARRIE L. CARNEY  
Assistant Attorney General