

STATE OF MAINE
PLUMBERS EXAMINING BOARD

IN RE:)
)
DEAN P. WILSON) CONSENT AGREEMENT
COMPLAINT NO. 2007-PLU-3932)
)

INTRODUCTION

This document is a Consent Agreement regarding disciplinary action against the license of Dean P. Wilson ("Mr. Wilson") to practice as a master plumber in the State of Maine. The parties to this Consent Agreement are: Mr. Wilson, 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)(B).

FACTS

1. At all times relevant hereto, Mr. Wilson was licensed by the Board as a master plumber, license no. MS90009903.
2. On September 10, 2007, Senior Plumbing Inspector Dana Tuttle ("Mr. Tuttle") filed a complaint against Mr. Wilson alleging certain violations of the plumbing statutes and rules with respect to Mr. Wilson's work at a residence in Kennebunk, Maine.
3. Prior to filing the complaint against Mr. Wilson, on or about February 26, 2007, Mr. Tuttle sent Mr. Wilson a letter asking Mr. Wilson to contact him and giving Mr. Wilson ten (10) days to correct the plumbing code violations.
4. Mr. Wilson never contacted Mr. Tuttle, and only attempted to make corrections to the plumbing code violations after Mr. Tuttle filed the complaint against him.

5. Specifically, in the course of providing plumbing services at the subject property prior to February 2007, Mr. Wilson violated 32 M.R.S. § 3404(3) and chapter 2 § 2(E) of the Board rules by committing the following violations of the State of Maine Internal Plumbing Code:
 - a. Chapter 10, Section 1004.0 for installing an s-trap in the garbage disposal;
 - b. Chapter 9, Section 905.2 for installing a vent pipe for the dishwashing machine that was not taken off above the center line of the trap arm for the dishwashing machine trap; and
 - c. Chapter 9, Section 909.0 for not installing a foot vent for the island vented kitchen sink.
6. On April 16, 2008, following an informal conference with Mr. Wilson, the Board voted to offer Mr. Wilson this Consent Agreement to finally resolve this complaint.
7. 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 April 20, 2008, the Board will resolve this matter by holding an adjudicatory hearing.

COVENANTS

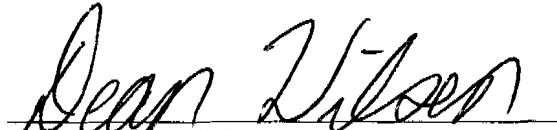
8. Mr. Wilson admits the facts stated in paragraphs 1 through 7 of this Consent Agreement and admits that such conduct constitutes a basis for disciplinary action pursuant to 32 M.R.S.A. § 3404(3) and Board Rule chapter 2 § (E).
9. As discipline for the conduct admitted in paragraph 5 above, Mr. Wilson accepts the following disciplinary action:

- a. A **WARNING**;
 - b. Payment of a **CIVIL PENALTY** in the amount of two hundred fifty dollars (\$250) for each of the three violations of Board Rule chapter 2 §2(E) for a total of **seven hundred fifty dollars (\$750)**, 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 sixty (60) days of the date of final execution of this Consent Agreement; and
 - c. Mr. Wilson shall correct the all plumbing code violations described in this Consent Agreement within sixty (60) days of the date its final execution. Those corrections shall be inspected and approved by the Senior Plumbing Inspector.
10. Pursuant to 10 M.R.S. § 8003(5)(B) the Board and Mr. Wilson agree that in the event that Mr. Wilson 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.
 11. This Consent Agreement is not appealable and is effective until modified or rescinded by the parties hereto.
 12. 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.
 13. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto.

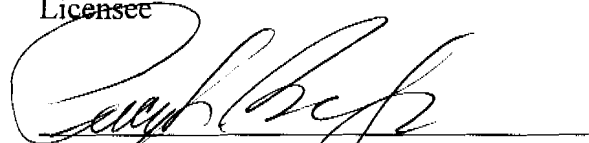
14. Mr. Wilson acknowledges by his signature hereto that he has read this Consent

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: 5/20/08


DEAN P. WILSON
Licensee

DATED: 5-31-08


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

DATED: 6-4-08


CARRIE L. CARNEY
Assistant Attorney General