

STATE OF MAINE
PLUMBERS EXAMINING BOARD

IN RE: *2008-PLU-5121*
Bradford Eslin
Licensure as a Trainee Plumber

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CONSENT AGREEMENT

INTRODUCTION

This document is a Consent Agreement regarding the license of Bradford Eslin (“Mr. Eslin”) to practice as a trainee plumber in the State of Maine. The parties to this Consent Agreement are: Mr. Eslin, 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. On May 7, 2008, the Board received from Mr. Eslin an application for licensure as a trainee plumber.
2. As part of the application, Mr. Eslin was asked if he had ever been convicted of a crime other than a minor traffic violation, and if so, to list the dates and crimes.
3. Mr. Eslin indicated on his application that he had been convicted of a crime, and listed one Class E Theft by Unauthorized Taking.
4. Mr. Eslin signed his application on April 11, 2008, certifying that the application was true and complete to the best of his knowledge and belief.

5. An SBI check revealed that Mr. Eslin has three convictions for Class E Theft by Unauthorized Taking, one conviction for Class E Negotiating a Worthless Instrument, and one conviction for Class D Unlawful Possession of Scheduled Drugs.
6. Mr. Eslin failed to disclose four of his five convictions on his application for licensure.
7. On October 22, 2008, following an informal conference, the Board voted to offer Mr. Eslin this consent agreement to resolve his licensure matters.
8. 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 November 24, 2008, the Board will deny Mr. Eslin's application for licensure as a trainee plumber. However, Mr. Eslin would still have the right to appeal the Board's decision to deny the license pursuant to 5 M.R.S. § 9051 by filing a written request for a hearing before the Board within 30 days of the receipt of this Consent Agreement.

COVENANTS

9. Mr. Eslin admits the facts stated in paragraphs 1 through 6 of this Consent Agreement and admits that such conduct constitutes a basis for disciplinary action pursuant to 10 M.R.S. § 8003(5-A)(1).
10. As discipline for the conduct admitted in paragraphs 2 and 3 above, Mr. Eslin agrees to pay a **CIVIL PENALTY** in the amount of one hundred dollars (\$100) 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 six (6) months of the date of final execution of this Consent Agreement;
11. As **conditions of licensure**, Mr. Eslin agrees to the following:

- a. Provide to the Board a report from his drug treatment provider regarding the progress he made while receiving that drug treatment;
- b. Provide the Board with a copy of his employer's drug testing policy; and
- c. Provide quarterly reports from his supervising master plumber regarding his work performance and sobriety, the first report to be due three months from the date of final execution of this consent agreement.

Conditions a. and b. above must be met before the Board will issue to Mr. Eslin a trainee plumber's license.


12. Pursuant to 10 M.R.S. § 8003(5)(B) the Board and Mr. Eslin agree that in the event that Mr. Eslin violates any of the terms or conditions of this Consent Agreement, the Board may, after opportunity for a full hearing, issue an order suspending, revoking, or modifying his license, or denying him re-licensure.
13. This Consent Agreement is not appealable and is effective until modified or rescinded by the parties hereto.
14. 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.
15. Nothing in this Consent Agreement shall be construed to affect any right or interest of any person not a party hereto.

16. Mr. Eslin 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: 11/24/08


BRADFORD ESLIN
Licensee

DATED: 12-1-08


PERCYL. BROWN, JR., Chairperson
Maine Plumbers Examining Board

DATED: 12-3-08


CARRIE L. CARNEY
Assistant Attorney General