

The files transmitted within this agenda packet may contain confidential and/or sensitive information. The files are intended solely for the use of the members of the **Indiana Plumbing Commission**. You are advised that you should not disseminate, distribute or copy any of the files transmitted within this agenda packet to anyone other than another member of the **Indiana Plumbing Commission** or staff members of the Indiana Professional Licensing Agency. If you disseminate, distribute or copy any of the files transmitted within this agenda packet, you and/or IPLA could be held liable if those documents are confidential or of a sensitive nature.

If you know of someone who needs copies or additional information prior to the meeting, please ask them to contact IPLA staff for assistance. Materials that are not to be disseminated to the general public can be removed by staff before the documents are provided to the public.

AGENDA

THE INDIANA PLUMBING COMMISSION

**Wednesday, January 23, 2008
at 8:00 a.m.**

**Indiana Government Center-South
402 West Washington Street, Room W072
Indianapolis, Indiana**

- I. REVIEW OF APPLICATIONS** 8:00 a.m.

- II. CALL TO ORDER & ESTABLISHMENT OF QUORUM** 9:30 a.m.

- III. ADOPTION OF THE AGENDA**

- IV. ADOPTION OF THE MINUTES FROM NOVEMBER 28, 2007 MEETING OF THE COMMISSION**

- V. PERSONAL APPEARANCES**
 - A. Jerry L. Rader 9:45 a.m.

- VI. ADMINISTRATIVE HEARINGS**
 - A. In the Matter of the License of Joseph Azad 10:00 a.m.
Cause No.: IPC 07-20
Re: Final Hearing

 - B. In the Matter of the License of Lewis Marcotte 10:30 a.m.
Cause No.: IPC 07-12
Re: Final Hearing

- VII. PETITIONS FOR REVIEW**
 - A. Shane Swinney

 - B. Jonathan Saner

 - C. Brandon Johnson

 - D. Jason Beverly

 - E. Edward E. Burris

 - F. Lance Smith

 - G. Steven A. Soto

VIII. CONSIDERATION OF ADMINISTRATIVE LAW JUDGE ORDERS

- A. In the Matter of Paul J. Duncan
Cause No.: IPC 07-16
Re: Denial of Admission to the Exam (Journeyman Plumber)
- B. In the Matter of Richard French
Cause No.: IPC 07-17
Re: Denial of Admission to the Exam (Journeyman Plumber)
- C. In the Matter of Eddy Lewis
Cause No.: IPC 07-18
Re: Denial of Admission to the Exam (Journeyman Plumber)
- D. In the Matter of Joseph R. Abeyta
Cause No.: IPC 07-07
Re: Denial of Admission to the Exam (Journeyman Plumber)
- E. In the Matter of Michael Berryman
Cause No.: IPC 07-07
Re: Denial of Licensure due to Exam Failure (Journeyman Plumber)

IX. EXAMINATION LICENSURE/UNLICENSED PRACTICE

- A. Stanley Plumbing (Mark Blair)

X. APPLICATIONS FOR APPROVAL – PLUMBING APPRENTICE SCHOOL

- A. PACON – Rais Code # 432
Cincinnati, OH

XI. APPLICATIONS FOR LICENSURE

- A. Plumbing Contractor
- B. Journey Plumber
- C. Apprentice Plumber

XII. REVIEW OF PROBATIONARY REPORTS

Jonathan Thomas Boehm License numbers PC10300220 & JP29700810 IPC 07-15 (Probation as of 11/20/07)

XIII. DISCUSSION

- A. Request for Reinstatement of Plumbing Contractor License
Re: Gary L. Link
- B. Request for Reinstatement of Plumbing Contractor License
Re: Kenneth V. Jarboe, Jr.
- C. Request for Reinstatement of Plumbing Contractor License
Re: John Kozon
- D. Brian Syra
Re: Request for Continuance and Rescheduling of Hearing
- E. Jeffrey P. Jones
Re: Withdrawal of Petition for Review

- F. Steven L. Turpen
Re: Withdrawal of Petition for Review

XIV. BOARD DIRECTOR'S REPORT

XV. OLD/NEW BUSINESS

- A. Proposed Rules/Statute Changes
Re: Changes for Exam and Fees Rule Draft
- B. RFP for Outsourcing Exam
Re: Submissions from IAPMO and NITC

XVI. ADJOURNMENT

Next Scheduled Meeting:

Wednesday, March 26, 2008
Indiana Government Center-South
Room W072

MINUTES

**THE INDIANA PLUMBING COMMISSION
Meeting held
Wednesday, November 28, 2007**

**Indiana Government Center-South
402 West Washington Street, Room W072
Indianapolis, Indiana**

I. REVIEW OF APPLICATIONS

The Commission members reviewed applications until 9:30 a.m.

II. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Mr. Stephens called the meeting to order at 9:32 a.m. in Conference Center Room W064, 402 West Washington Street, Indianapolis, Indiana and declared a quorum in accordance with IC § 25-28.5-1.

Members Present:

Owen D. Stephens, Chairman
Eric Ott
Matt Buczolic
William Ciriello
Robert Synko
John Van Cleve

Members Not Present:

State Officials Present:

Angela Smith Jones, Board Director, Indiana Professional Licensing Agency
Mary Kate Adams, Assistant Director, Indiana Professional Licensing Agency
Kevin Moore, Case Manager, Indiana Professional Licensing Agency
Julie Alexander, Advisory Counsel, Office of the Attorney General

III. ADOPTION OF THE AGENDA

Board Action: A motion was made to adopt the amended agenda.

Buczolic/Ott
Motion carried 6/0/0

IV. ADOPTION OF THE MINUTES FROM SEPTEMBER 26, 2007 MEETING OF THE COMMISSION

Board Action: A motion was made to adopt the minutes.

Synko/Van Cleve
Motion carried 6/0/0

V. PERSONAL APPEARANCES

None

VI. ADMINISTRATIVE HEARINGS

None

VII. PETITIONS FOR REVIEW

A. Samuel L. Montgomery, III

Board Action: A motion was made to grant the petition for review and appoint Ciriello as the ALJ.

Van Cleve/Synko
Motion carried 6/0/0

B. Jeffrey P. Jones

Board Action: A motion was made to grant the petition for review and appoint Ciriello as the ALJ.

Van Cleve/Synko
Motion carried 6/0/0

C. Brian Syra

Board Action: A motion was made to write him a letter clarifying his request/petition because the letter he sent to the board was very vague and confusing.

Buczolich/Ciriello
Motion carried 6/0/0

D. Mack Blair

Board Action: A motion was made to send a letter stating that his past job experience does not qualify him for licensure unless it was gained in the military, etc. Staff is to also send him a copy of the statute and rules citing the appropriate sections. However, he is still able to proceed with the petition for review should he so desire and this is not a denial of the petition for review.

Van Cleve/Buczolich
Motion carried 6/0/0

VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDERS

A. In the Matter of Gregory Piercy

Cause No.: IPC 07-09

Re: Denial of Licensure (Journeyman Plumber exam failure)

Board Action: A motion was made to affirm the ALJ proposed order.

Synko/Van Cleve
Motion carried 6/0/0

B. In the Matter of the license of Ruben Phillip Adkins

Cause No.: IPC 07-14

Re: Proposed Findings of Fact, Conclusions of Law and Order

Board Action: A motion was made to affirm the ALJ proposed order.

Van Cleve/Buczolich
Motion carried 6/0/0

IX. EXAMINATION LICENSURE/UNLICENSED PRACTICE

- A. Stanley Plumbing (Mark Blair)

Board Action: A motion was made to send a second letter to Stanley Plumbing.

Van Cleve/Synko
Motion carried 6/0/0

- B. Buchanan Mechanical (Jason Chapman)

Board Action: A motion was made to send a letter thanking him for his response. Service plumbers are required to be licensed the same as other plumbers. Include the applicable code sections [IC 25-28.5-1-2 and 860 IAC 2-1-1 through -4.]

Ciriello/Buczolich
Motion carried 6/0/0

X. APPLICATIONS FOR APPROVAL – PLUMBING APPRENTICE SCHOOL

- A. PACON – Rais Code # 432
Cincinnati, OH

Board Action: A motion was made to table the application and to send them a letter requesting proof of BAT approval and proof of enrollment (see letter sent to Local 392), the number of apprentices, number of locations, region they cover.

Ott/Van Cleve
Motion carried 6/0/0

XI. APPLICATIONS FOR LICENSURE

Board Action: A motion was made and seconded to approve all recommendations and decisions made by the Board members on applications for licensure that were reviewed throughout the Board meeting.

Buczolich/Van Cleve
Motion carried 6/0/0

XII. REVIEW OF PROBATIONARY REPORTS

Jonathan Thomas Boehm License numbers PC10300220 & JP29700810 IPC 07-15 (Probation as of 11/20/07)

XIII. DISCUSSION

- A. Instructions for Plumbing Test
Re: Drawing Parameter

Board Action: This issue was brought up in an appeal hearing. In response, staff should amend the instruction sheet and add a line that says the answers to the questions, as far as sizing, is generally the minimum size if there is no parameter in length then the test taker will assume the length does not exceed the minimum requirement.

- B. Rule Changes
Re: Test Sites

The contract with the armory was renewed for 6 months.

- C. ARS School Letter
Re: Eddy Lewis

He wants to take the journeyman exam, however his matter is pending before an ALJ.

- D. ARS Letter
Re: Apprenticeship Program

Board Action: A motion was made to grant their request for a personal appearance before the full board.

Van Cleve/Ott
Motion carried 6/0/0

- E. Election of Officers for 2008
Re: Chairman – Secretary - Liaison

Board Action: A motion was made to nominate the following slate:

Chairman: Bill Ciriello
Secretary: Robert Synko
Liaison: Eric Ott

Stephens/Van Cleve
Motion carried 6/0/0

XIV. BOARD DIRECTOR'S REPORT

A. Expiration date for Renewal of Licenses

Ms. Smith Jones explained that the agency is drafting legislation which will change the language addressing expiration of licensure requiring reapplication. Currently, the Commission rules indicate that after being expired for one renewal cycle or two years, that licensee must submit a new application. The new language will allow the licensee three years to be able to renew a license with no penalties and after such time it will be the discretion of the Commission as to what is required to renew, but not necessarily a brand new application. This will also allow licensees opportunity to have their licenses reinstated and keep the original license number.

XV. OLD/NEW BUSINESS

A. Proposed Rules/Statute Changes Re: Changes for Exam and Fees Rule Draft

Staff is working on getting the Notice of Intent and Fiscal Impact completed in order to schedule the final rules hearing before the Commission.

B. RFP for Outsourcing Exam Re: Update and comment

Questions were asked regarding: The timing of the rules adoption, how does this affect the current graduates of May 2008? What about previous grads from years earlier? The best way to communicate this change to schools is via letter and webpage. Staff will also put a box on the renewal form that they have added this to their curriculum as a requirement to renew.

XVI. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the Indiana Plumbing Commission adjourned at 12:05 p.m.

**William Ciriello – Chairman
Indiana Plumbing Commission**

Date

M

PAYROLL BY WALTER CRIBB

Indiana Plumbing Commission
November 28, 2007

JOURNEYMAN BY APPRENTICESHIP

	Approved	Tabled	Denied
Allen, Daniel			WJC
Brown, Jerry	WJC		
Edmonston, Curtis			WJC
Scott, Tony	WJC		

JOURNEYMAN BY TRADE

	Approved	Tabled	Denied
Batalis, Peter (prev-tabled)	ERIC		
Best, Michael		ERIC	
Bolinger, Brian	ERIC		
Hrasch, Daniel		ERIC	
Humes, Vincent	ERIC		
Kluesener, Eric	MATT		
Mooney, Kevin	MATT		
Perry, Jeremy	MATT		
Saner, Jonathan			MATT
Scheller, Nathan			MATT
Soto, Steven			MATT

CONTRACTOR BY APPRENTICESHIP

	Approved	Tabled	Denied
Adams, Jacob (Prev-tabled)	MATT		
Cole, Charles	WJC		
Delaney, Nicholas	MATT		

CONTRACTOR BY TRADE

	Approved	Tabled	Denied
Hale, Richard	OWJV		
Hartford, Gary <i>duplicate entry by Gary</i>			
Hughes, Derek	OWJV		
Kirby, Jeff	OWJV		

Schaefer, Michael	OWSU	/	/
		/	/
		/	/
		/	/

PLUMBING CONTRACTOR BY BUSINESS

	Approved	Tabled	Denied
McGrath, Roman (Prev. Tbl'd)	WJC /		/
Cavinder II, William	WJC		
Hartlerode, Gary	WJC	<i>Holding goes back from State Commission</i>	
Rhodes, R. Dennis	OWSU /		/
Roderick, Scott	OWSU /		/

PLUMBING TEMPORARY CONTRACTOR

	Approved	Tabled	Denied
Repairs Inc.	OWSU /		/
Two Guys Plumbing, Inc. (renewal) Smith, Brent (Dec. 19, 2007 Exam date)	OWSU /		/

PREVIOUSLY PENDING INVESTIGATED JOURNEYMAN OR CONTRACTOR BY TRADE

	Approved	Tabled	Denied

PLUMBING APPRENTICE

	Approved	Tabled	Denied



State Board of Registration for Indiana Plumbing Commission
402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Telephone: (317) 234-3022
Fax: (317) 233-5559
Website: www.pla.IN.gov

Governor Mitchell E. Daniels, Jr

ARS
25 Woodrow Ave
Indianapolis, IN 46241

December 18, 2007

Dear **Jerry L. Rader**:

The Indiana Plumbing Commission of Indiana reviewed your application for licensure and supporting documentation at their recent board meeting.

The Board has scheduled a personal appearance regarding the application you are referring to in the letter sent in. Please bring any pertinent documentation concerning your application.

The meeting will be held on **January 23, 2008**, at **9:45 a.m.** in the Professional Licensing Agency's Conference Room W064, Indiana Government Center South, 402 W. Washington Street, Indianapolis, Indiana 46204. If at any time during this review process you feel that you do not meet the requirements and are not able to provide the necessary documentation, you may withdraw your application. To do so, please submit a letter in writing to our office requesting that your application be withdrawn. If you do not make a personal appearance as requested or submit a request to withdrawal your application to be received by our office one week before the board meeting, your application may be denied. Please understand that a denial becomes a part of your permanent record.

If further information is needed, please feel free to contact our office at (317) 234-3022 or via email at pla10@pla.IN.gov.

Sincerely,

Rebecca Tinsley
Case Manager
State Board of Registration for Professional Engineers



American Residential Services, L.L.C.
25 Woodrow Avenue
Indianapolis, IN 46241
TEL: (317) 390-5555
(317) 390-5530
www.serviceexpress.com

Indiana Plumbing Commission
402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Office - 317-234-3022
Fax - 317-233-5559

Thursday, October 25, 2007

Dear Angela Smith Jones:

One of our apprentice students, who is not employed with us anymore, applied for the Journeyman's examination test. We helped him with his application but he was turned down for the examination. He attended a hearing on his appeal of application and was told there were some issues with his apprenticeship.

We want to comply fully with the Plumbing Commission and request a meeting with Mr. William Ciriello Jr. who is on the Plumbing Board. We are asking for an informal meeting with him to help us resolve any misunderstandings we may have occurred in our program.

We appreciate any help from the State of Indiana, and the Indiana Plumbing Commission, and Mr. Ciriello Jr.

Thank you, for your assistance.

A handwritten signature in cursive script that reads 'Jerry Rader'.

Jerry Rader
Administrator of the ARS Apprenticeship Program

RECEIVED

OCT 26 2007

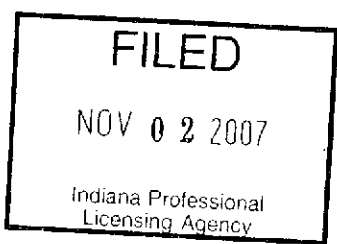
Indiana Professional
Licensing Agency

ServiceMASTER
BRAND

BEFORE THE INDIANA
PLUMBING COMMISSION
CAUSE NO. IPC 07-20

IN THE MATTER OF THE
LICENSE OF
JOSEPH AZAD,
LICENSE NO. JP29400586

)
)
)
)
)
)
)
)
)
)



HEARING NOTICE

Comes now the Indiana Plumbing Commission (hereinafter "Commission") pursuant to IC 4-21.5-3-20 and issues the following hearing notice:

1. This notice is being provided to Respondent, Joseph Azad, 412 Lincoln Way, Chesterton, IN 46304.
2. This notice is being provided to counsel for the State of Indiana. Amanda Bailor, Deputy Attorney General, Office of the Attorney General, Indiana Government Center South, 302 W. Washington Street, 5th Floor, Indianapolis, IN 46204 telephone no. (317) 232-4834.
3. The official cause number of this action is IPC 07-20.
4. This action is a disciplinary hearing to determine whether or not sanctions should be imposed upon the Respondent's license pursuant to IC 25-1-11-12.
5. A hearing regarding this matter will be held on the 23rd day of January, 2008, at 10:00 o'clock a.m., local time, in Room W072 of the Indiana Professional Licensing Agency, Indiana Government Center South, 402 West Washington Street, Indianapolis, IN 46204, or at such other hearing room designated by the Commission.
6. The Commission is empowered to hold this disciplinary hearing pursuant to the authority of IC 25-1-11 and IC 4-21.5-3.

7. The Commission will be presiding as administrative law judge in this matter. Angela Smith Jones, Commission Director, may be contacted to obtain information concerning hearing schedules and procedures by mail in care of the Indiana Professional Licensing Agency, Indiana Government Center South, 402 W. Washington St., Room W072, Indianapolis, Indiana 46204, by email at pla10@pla.IN.gov, by facsimile at (317) 233-4236 or by telephone at (317) 234-3022.

8. The hearing will address the issues contained in the Petitioner's Complaint, which is attached hereto and incorporated herein by reference as Exhibit "A".

9. A party who fails to attend or participate in a prehearing conference, hearing, or other later stage of this proceeding may be held in default or have the proceeding dismissed under section 24 of 4-21.5-3.

10. Pursuant to IC 4-21.5-3-34, this Commission may afford the parties the opportunity to informally settle matters and present such settlements for adoption by the Commission. However, this section does not require any person to settle a matter under this agency's informal procedures.

All of which is ORDERED, ADJUDGED AND DECREED this 02 day of

November 2007.

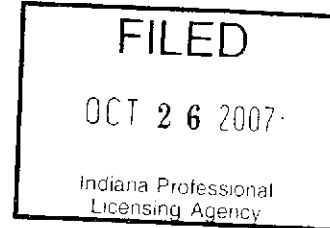

Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

cc:

Joseph Azad
412 Lincoln Way
Chesterton, IN 46304
CERTIFIED MAIL NO.: 7003 3110 0004 5111 7466

Amanda Bailor
Deputy Attorney General
Office of the Attorney General
Indiana Government Center South
302 W. Washington Street, 5th Floor
Indianapolis, IN 46204

IN THE MATTER OF THE)
LICENSE OF)
JOSEPH AZAD)
LICENSE NO: JP29400586)



COMPLAINT

This complaint is brought against the plumbing license of Joseph Azad, ("Respondent"), by the State of Indiana, by counsel, Deputy Attorney General, Amanda Bailor on behalf of the Office of the Attorney General ("Petitioner") and pursuant to Indiana Code 25-1-7-7, Indiana Code 25-1-6-3, Indiana Code 25-28.5 *et seq.*, the Administrative Orders and Procedures Act, Indiana Code 4-21.5-3 *et seq.*, and Indiana Code 25-1-11-1 *et seq.* In support, Petitioner alleges and states:

FACTS

1. Respondent's address on file with the Indiana Plumbing Commission ("Commission") is 412 Lincoln Way, Chesterton, Indiana 46304. Respondent is a Journeyman Plumber holding license number JP29400586.
2. Respondent's plumbing company, Z Plumbing, LLC, is not licensed in the State of Indiana.
3. Respondent's business card reads as follows:

Z Plumbing, LLC
Reliable & Fast
219.689.4147
405 Courtney St.
Valparaiso, IN 46383
Licensed-Bonded-Insured

Exhibit
B

4. Pursuant to the Secretary of State's website, Respondent is listed as the registered Agent of Z Plumbing, LLC.

5. As of October 26, 2007, neither Respondent nor Z Plumbing, LLC held a plumbing contractor license.

COUNT I

6. Paragraphs 1-5 are repeated and incorporated herein.

7. Respondent's conduct as described above constitutes a violation of Indiana Code 25-1-11-5(a)(1)(C) in that Respondent advertised services or goods in a false or misleading manner by holding Z Plumbing, LLC out to the public as a licensed plumbing contractor when Respondent distributed business cards on which the name of a plumbing corporation appeared along with the assertion that the corporation was licensed. Respondent is the registered Agent for Z Plumbing Corporation. Neither the plumbing corporation nor Respondent, a journeyman plumber unqualified to perform plumbing services without the supervision of a plumbing contractor, hold a plumbing contractor license.

WHEREFORE, Petitioner requests an order against the Respondent, that:

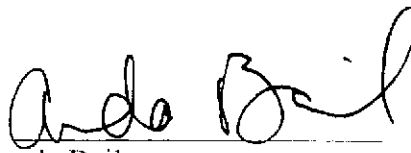
Imposes the appropriate disciplinary sanction;

1. Directs Respondent to immediately pay all of the cost incurred in the prosecution of this case; and
2. Provides any other relief the Board deems just and proper under Ind. Code 25-1-11-12.

Respectfully submitted,

STEVE CARTER
Attorney General of Indiana

Atty. No.: 4150-64

By: 
Amanda Bailor
Atty. No.: 26771-29
Deputy Attorney General

Office of the Attorney General
Indiana Government Center South, Fifth Floor
302 W. Washington Street
Indianapolis, Indiana 46204-2770
(317) 232-4834

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing "Complaint" has been served upon the Respondent listed below, by United States mail, first class postage prepaid, on this 29th day of October, 2007:

Joseph Azad
412 Lincoln Way
Chesterton, Indiana 46304


Amanda Bailor

BEFORE THE INDIANA
PLUMBING COMMISSION
CAUSE NO. IPC 07-12

FILED

IN THE MATTER OF THE)
)
LICENSE OF LEWIS MARCOTTE)
)
LICENSE NO.: PC89100309)

DEC 26 2007

INDIANA PROFESSIONAL
LICENSING AGENCY

HEARING NOTICE

Comes now the Indiana Plumbing Commission (hereinafter "Commission") pursuant to IC 4-21.5-3-20 and issues the following hearing notice:

1. This notice is being provided to Respondent, Lewis Marcotte, 56978 Cedar Road, Osceola, IN 46561.

2. This notice is being provided to counsel for the State of Indiana, Amanda Bailor, Deputy Attorney General, Office of the Attorney General, Indiana Government Center South, 302 W. Washington Street, 5th Floor, Indianapolis, IN 46204 telephone no. (317) 232-4834.

3. The official cause number of this action is IPC 07-12.

4. This action is a disciplinary hearing to determine whether or not sanctions should be imposed upon the Respondent's license pursuant to IC 25-1-11-12.

5. A hearing regarding this matter will be held on the 23rd day of January, 2008, at 10:30 o'clock a.m., local time, in Room W072 of the Indiana Professional Licensing Agency, Indiana Government Center South, 402 West Washington Street, Indianapolis, IN 46204, or at such other hearing room designated by the Commission.

6. The Commission is empowered to hold this disciplinary hearing pursuant to the authority of IC 25-1-11 and IC 4-21.5-3.

7. The Commission will be presiding as administrative law judge in this matter. Angela Smith Jones, Commission Director, may be contacted to obtain information concerning hearing schedules and procedures by mail in care of the Indiana Professional Licensing Agency, Indiana Government Center South, 402 W. Washington St., Room W072, Indianapolis, Indiana 46204, by email at pla10@pla.IN.gov, by facsimile at (317) 233-4236 or by telephone at (317) 234-3022.

8. The hearing will address the issues contained in the Petitioner's Complaint, which is attached hereto and incorporated herein by reference as Exhibit "A".

9. A party who fails to attend or participate in a prehearing conference, hearing, or other later stage of this proceeding may be held in default or have the proceeding dismissed under section 24 of 4-21.5-3.

10. Pursuant to IC 4-21.5-3-34, this Commission may afford the parties the opportunity to informally settle matters and present such settlements for adoption by the Commission. However, this section does not require any person to settle a matter under this agency's informal procedures.

All of which is ORDERED, ADJUDGED AND DECREED this 26th day of

December, 2007.



Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

cc:

Lewis Marcotte
56978 Cedar Road
Osceola, IN 46561
CERTIFIED MAIL NO.: 7003 3110 0004 5110 0161

Amanda Bailor
Deputy Attorney General
Office of the Attorney General
Indiana Government Center South
302 W. Washington Street, 5th Floor
Indianapolis, IN 46204

IN THE MATTER OF THE
LICENSE OF LEWIS MARCOTTE
LICENSE NO: PC89100309

)
)
)
)
)
)
COMPLAINT

FILED
AUG 15 2007
INDIANA PROFESSIONAL
LICENSING AGENCY

This complaint is brought against the plumbing license of Lewis Marcotte ("Respondent"), by the State of Indiana, by counsel, Deputy Attorney General, Amanda Bailor on behalf of the Office of the Attorney General ("Petitioner") and pursuant to Indiana Code 25-1-7-7, Indiana Code 25-1-6-3, Indiana Code 25-28.5 *et seq.*, the Administrative Orders and Procedures Act, Indiana Code 4-21.5-3 *et seq.* and Indiana Code 25-1-11-1 *et seq.* In support, Petitioner alleges and states:

FACTS

1. Respondent's address on file with the Indiana Plumbing Commission ("Commission") is 56978 Cedar Road, Osceola, Indiana 46561.
2. Respondent is a Plumbing Contractor holding license number PC89100309. Respondent is the owner of L.G. Plumbing, Inc., an unlicensed plumbing company.
3. On or about May 26, 2005, the City of Mishawaka Plumbing and HVAC Inspector, Robert Michaelis ("Michaelis"), observed two (2) men take measurements and cut and install PVC drain lines at a restaurant project in Mishawaka, Indiana.
4. It is believed and averred that both workers stated to Michaelis that they did not have either a plumbing license or an apprentice registration.

392845-1

Exhibit
A

5. It is believed and averred that the workers stated that they were working under L.G. Plumbing's license.

6. Michaelis issued L.G. Plumbing, Inc. and Respondent a \$25 citation ordinance for violation of IC 25-28.5-1-18.1 apprentice plumber; application for registration; and certificate of registration, which was paid by Respondent on June 30, 2005. (A copy of the citation is attached hereto as "Exhibit A.")

COUNT I

7. Paragraphs 1-8 are repeated and incorporated herein.

8. Respondent's conduct as described above constitutes a violation of Ind. Code 25-1-11-5(a)(6) in that Respondent allowed his name and/or license to be used in connection with an individual who was rendering services beyond the scope of that person's training, experience, and/or competence by allowing two employees without appropriate licensure to take measurements as well as cutting and installing PVC drain lines at a restaurant project in Mishawaka, Indiana.

COUNT II

9. Paragraphs 9-10 are repeated and incorporated herein.

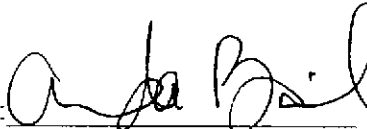
10. Respondent's conduct as described above constitutes a violation of Ind. Code 25-1-11-5(a)(4)(A) in that Respondent has continued to practice although he has become unfit to practice due to professional incompetence by violating 860 IAC 1-5-5 in that Respondent allowed two employees to act in the capacity of a plumbing contractor or journeyman when they did not have the proper licensure.

WHEREFORE, Petitioner requests an order against the Respondent, that:

1. Imposes the appropriate disciplinary sanction;
2. Directs Respondent to immediately pay all the cost incurred in the prosecution of this case;
3. Provides any other relief the Board deems just and proper under Indiana Code 25-1-11-12.

Respectfully submitted,

STEVE CARTER
Attorney General of Indiana

By: 

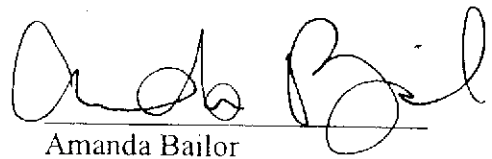
Amanda Bailor
Deputy Attorney General
Attorney No.: 26771-29

Office of the Attorney General
Indiana Government Center South, Fifth Floor
302 West Washington Street
Indianapolis, Indiana 46204-2770
(317) 232-4834

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing "Complaint" has been served upon the Respondent listed below, by United States mail, first class postage prepaid, on this 15th day of August, 2007:

Lewis Marcotte
56978 Cedar Road
Osceola, Indiana


Amanda Bailor

CITATION
ORDINANCE VIOLATION 2073

600 EAST THIRD STREET
CITY HALL, ROOM 105
MISHAWAKA, INDIANA

COPY

The undersigned, being duly sworn upon his Oath, says that he has probable cause to believe that:

Name: LEWIS MARCOTTE; LG PLUMBING INC.

Address: 56978 CEDAR RD., OSCEOLA; IN 46561

Did violate the following ordinance of the City of Mishawaka:

Chapter 150 Section 150.06 by _____

SECTION (C) Article 15; violation of State

Rules and Regulations 25-28.5-1-18-1

Said violation took place at 5520 N. MAIN ST.,
MISHAWAKA, IN 46545

Date 05/26/05

at approximately _____ a.m./p.m.

Issued by: *Robert L. Murchick*

Mishawaka Department of BUILDING

For said violation, you are ordered to pay a fine of:

- \$25 (First Violation) \$50 (Second Violation)
- \$100 (Each Subsequent Violation in a Calendar Year)

If you deny this violation and would like to schedule a trial, you must either appear before the Violations Clerk and deny the violation or enter a written denial with the Clerk within one week of this citation.

Otherwise, you must pay the assessed fine within one week at the City Clerk/ Ordinance Violations Bureau, Room 105, Mishawaka City Hall, 600 E Third Street, Mishawaka, Indiana 46544, 574-258-1616. You may pay by certified check, money order or cash. If you fail to pay the assessed fine the City of Mishawaka Legal Department will commence legal proceedings against you to collect the fine and court costs.

APPEARANCE, ADMISSION OF VIOLATION WAIVER

I, the undersigned, do hereby enter my appearance and admit the ordinance violation alleged on this Citation. I am aware of my right to a trial before a court, but I hereby voluntarily waive said right and agree to pay the prescribed fine.

Respondent's Signature _____ Date _____

MAY 31 2005

Blumberg No. 5138
STATE'S EXHIBIT
"A"

A

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

IPC 07-12
 Lewis Marcotte
 56978 Cedar Road
 Osceola, IN 46561

2. Article Number
 (Transfer from service label)

7003 3110 0004 5110 0161
 PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* Agent Addressee

B. Received by (Printed Name) _____ C. Date of Delivery 12-28

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

**U.S. Postal Service™
 CERTIFIED MAIL™ RECEIPT**
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

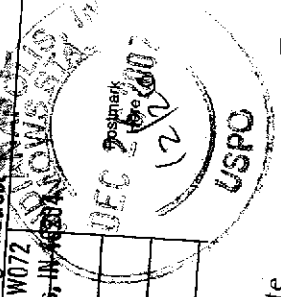
OFFICIAL BUSINESS

Postage	\$	Room W072
Certified Fee		Indianapolis, IN 46204
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total P		

IPC 07-12

Lewis Marcotte
 56978 Cedar Road
 Osceola, IN 46561

Sent To _____
 Street, A or PO Box _____
 City, State _____



PS Form 3800, June 2002

See Reverse for Instructions

7
Shane Swinney
2119 Whalen Avenue
Indianapolis, IN 46227

January 9, 2008

Indiana Plumbing Commission
402 West Washington Street, Room W072
Indianapolis, IN 46204
Attn: Lorrie Ruble

Dear Mrs. Ruble:

Due to knowing that at least one question listed within the written portion of the journeyman plumber examination did not list the correct answer within the multiple choice selection, I would like to petition my results and arrange for an administrative proceeding.

Sincerely,

Shane Swinney



Indiana Plumbing Commission
402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Telephone: (317) 234-3022
Fax: (317) 233-5559
Website: www.pla.IN.gov

Governor Mitchell E. Daniels, Jr

Shane Swinney
2119 Whalen Ave
Indianapolis IN 46227

January 3, 2008

Dear Shane Swinney

The Indiana Plumbing Commission regrets to inform you that your application for licensure as a journeyman plumber has been denied pursuant to IC 25-28.5-1-15, because you have failed to achieve a passing score on the journeyman plumber examination. Your examination results are as follows:

Date	Type	Candidate#	Score	Results
December 19, 2007	Written	250	68	Fail

Please be advised that if you desire administrative review of this application denial, you must file a written petition for review at the above address with the Indiana Plumbing Commission stating the reason for the review. As the petitioner, you would have the burden of proving in an administrative hearing that the decision to deny application was incorrect. If you do not file a petition for review, this action will be final.

If you file a petition for review, it must be filed no later than eighteen (18) days from the above stated date unless such date is a Saturday, Sunday, legal holiday under state statute or day that the Professional Licensing Agency's offices are closed during regular business hours in which case, the deadline would be the first day thereafter that is not a Saturday, Sunday, or legal holiday under state statute or day the Professional Licensing Agency's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative law judge of the Indiana Plumbing Commission will conduct an administrative proceeding.

Should you choose to petition for review, you may review your examination following board action granting your petition, upon making an appointment with the board office at (317) 234-3022.

Sincerely,

Lorrie Ruble
Case Manager



Indiana Plumbing Commission
402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Telephone: (317) 234-3022
Fax: (317) 233-5559
Website: www.pla.IN.gov

Governor Mitchell E. Daniels, Jr

Shane Swinney
2119 Whalen Ave
Indianapolis IN 46227

January 3, 2008

Dear Shane Swinney,

As a result of failing the journeyman plumber examination, you are eligible to retake the failed section(s) of the examination providing you submit this letter to the above address with the applicable examination fee of thirty dollars \$30.00.

Date	Type	Candidate#	Score	Results
December 19, 2007	Written	250	68	Fail

Pursuant to 860 IAC, effective October 1, 1992, an individual who does not pass the entire examination in the first attempt shall be entitled to take the examination six (6) additional times.

Upon receipt of the letter and fee you will be scheduled for the next available examination. After seven (7) attempts or two (2) years whichever comes first, your present application will be terminated.

Notices are mailed out at least fifteen (15) working days prior to the date of the examination.

If you have any questions, please contact me at (317) 234-3022. You may visit our website at www.in.gov/pla.

Sincerely,

Lorrie Ruble
Case Manager

INDIANA PLUMBING JOURNEYMAN EXAMINATION SCORE SHEET

EXAMINEE NO 250
DATE 12-19-07

EXAMINATION SCORE PER SECTION

WRITTEN	- 100 points	- 70 points to pass	<u>68</u>
COPPER	50 points	- 35 points to pass	<u> </u>
SOIL	50 points	- 35 points to pass	<u> </u>

M.C. WRITTEN - 100 POINTS

UPC	- 60 points	<u>38</u>
STATE	- 10 points	<u>7</u>
DRAWINGS	- 30 points	<u>23</u>
TOTAL		<u>68</u>

COPPER PROJECT - 50 POINTS

Measurements	- 10 points	_____
Alignment	- 10 points	_____
Preparation	- 10 points	_____
Pressure Test	- 20 points	_____
TOTAL		_____

Initials _____

SOIL PIPE PROJECT - 50 POINTS

Pressure Tests	- 20 points	_____
Number of Leaks	- _____	_____
Alignment	- 5 points	_____
Appearance	- 10 points	_____
Lead Ring	- 15 points	_____
TOTAL		_____

Initials _____

7

My name is Jonathan Saner, I received your letter stating that my application was denied. I would like to have my application reviewed again. Enclosed is a signed letter by the local 392 JATC training center stating that I have attended their schooling for 5yrs. I thought that my diploma would have sufficed. I am sorry if this has caused any inconvenience.

Respectfully submitted
Jonathan Saner

RECEIVED

DEC 18 2007

Indiana Professional
Licensing Agency



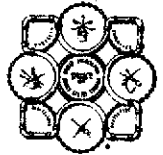
MECHANICAL CONTRACTORS ASSOCIATION OF CINCINNATI

PLUMBERS PIPE FITTERS & MECHANICAL EQUIPMENT SERVICES PROGRAMS

Joint Apprenticeship Training Committee Local 392 Training Center

1300 Century Circle North, Springdale, Ohio 45246

MARK SANDERS Training Coordinator



UNITED ASSOCIATION LOCAL UNION 392

Telephone: (513) 671-5282 Fax: (513) 671-5233 www.jatc392.com

To: Indiana Plumbing Commission

12-12-07

I hereby certify that JONATHAN E. SANER has completed the Plumbing Apprenticeship through Local #392 JATC. John started in the program on 6-98 and completed 6-03.

Any questions or comments please feel free to contact me at the above number.

Sincerely,

[Handwritten signature of Mark Sanders]

Mark Sanders Training Coordinator Local #392 JATC

12/12/07

E. Charlene Jent



E. CHARLENE JENT Notary Public, State of Ohio My Commission Expires February 11, 2012

RECEIVED

DEC 18 2007

Indiana Professional Licensing Agency



Indiana Plumbing Commission
402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Telephone: (317) 234-3022
Fax: (317) 233-5559
Website: www.pla.IN.gov

Governor Mitchell E. Daniels, Jr

Jonathan E. Saner
6598 Four Mile Pike
Melbourne KY 41059

December 3, 2007

Dear Jonathan E. Saner:

The Indiana Plumbing Commission considered your Plumbing Contractor application at their November 28, 2007 meeting. It was the decision of the Commission to **deny** your application pursuant IC 25-28.5-1-12(c) and 860 IAC 1-1-9.

The Commission has determined that you failed to provide evidence one of the following:

- (a) Evidence of successfully completing at least four (4) years in an apprenticeship program approved by the Commission.

Please be advised that if you desire administrative review of the denial of this application, you must file a written petition for review at the above address with the Indiana Plumbing Commission, stating the reason for review. As the petitioner, you would have the burden of proving, in an administrative hearing, that the decision to deny your application for licensure was incorrect. If you do not file a petition for review, this action will be final.

If you file a petition for review, it must be filed no later than eighteen (18) days from the above stated date unless such date is a Saturday, Sunday, legal holiday under state statute or day that the Professional Licensing Agency's offices are closed during regular business hours. In which case, the deadline would be the first day thereafter that is not a Saturday, Sunday, legal holiday under state statute that the Professional Licensing Agency's offices are closed during regular business hours. If you do so, your petition for review will be granted, and an administrative proceeding will be conducted by an administrative law judge of the Indiana Plumbing Commission.

Sincerely,

Lorrie Ruble
Case Manager
Indiana Plumbing Commission

Certified Mail No.: 7001 2510 0006 3838 7119



Indiana Plumbing Commission
402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Telephone: (317) 234-3022
Fax: (317) 233-5559
Website: www.pla.IN.gov

Governor Mitchell E. Daniels, Jr

Jonathan E. Saner
6598 Four Mile Pike
Melbourne KY 41059

Dear Jonathan E. Saner:

October 3, 2007

Your application was tabled by the Indiana Plumbing Commission pending the following:

Please provide proof of completing an approved apprenticeship program.

Please return the requested documentation with a copy of this letter within sixty (60) days. If you have any questions, please contact me at (317) 234-3022, or pla10@pla.state.in.us.

Sincerely,

Lorrie Ruble
Case Manager
Indiana Plumbing Commission

RECEIVED

DEC 18 2007

Indiana Professional
Licensing Agency



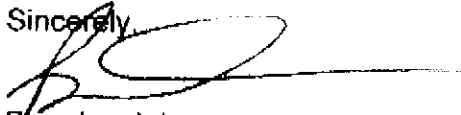
Thursday, November 08, 2007

Indiana Professional Licensing:
Attn: Mary Kate Adams

This letter is in response to the denial of my application for taking the Journeyman Plumbing test. I had been patiently waiting since June 2007 for a reply from Indiana Professional Licensing and never received a response, so I had been asking my employer for his advice which we decided to give it a little more time to be processed.

My employer recently did check into the status of my application and found it was denied and there was a letter sent to me to let me know but it was returned to you as a non-deliverable address. We verified that the address that you have on file is the correct address that I have lived at for the last 4 years. The address has not changed nor have I received any notice of your letter. I would like however to appeal the denial of my application that I sent to you in June 2007 based on having 4 years of experience in the plumbing trade. Thank you in advance for your consideration in this matter and please contact me with any questions you may have, or any additional information you may need from me.

Sincerely,



Brandon Johnson
7148 E. 52nd Street
Indianapolis, In 46226
Home: 317-547-2073
Cell: 317-557-2054
Work: 317-291-0380
License # PA20500240



Fax

To: Mary Kate Adams **From:** Brandon Johnson

Fax: 317-233-4236 **Pages:** 2

Phone: **Date:** 11/8/2007

Re: Application for Journeyman test **CC:**

Urgent For Review Please Comment Please Reply Please Recycle



Indiana Plumbing Commission
402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Telephone: (317) 234-3022
Fax: (317) 233-5559
Website: www.pla.IN.gov

Governor Mitchell E. Daniels, Jr

Brandon Johnson
7148 E. 52nd St.
Indianapolis IN 46226

August 15, 2007

Dear **Brandon Johnson**:

The Indiana Plumbing Commission considered your Journeyman Plumber application at their July 25, 2007 meeting. It was the decision of the Commission to **deny** your application pursuant IC 25-28.5-1-12(c) and 860 IAC 1-1-9.

The Commission has determined that you failed to provide evidence one of the following:

- (a) Evidence of successfully completing at least four (4) years in an apprenticeship program approved by the Commission.

Please be advised that if you desire administrative review of the denial of this application, you must file a written petition for review at the above address with the Indiana Plumbing Commission, stating the reason for review. As the petitioner, you would have the burden of proving, in an administrative hearing, that the decision to deny your application for licensure was incorrect. If you do not file a petition for review, this action will be final.

If you file a petition for review, it must be filed no later than eighteen (18) days from the above stated date unless such date is a Saturday, Sunday, legal holiday under state statute or day that the Professional Licensing Agency's offices are closed during regular business hours. In which case, the deadline would be the first day thereafter that is not a Saturday, Sunday, legal holiday under state statute that the Professional Licensing Agency's offices are closed during regular business hours. If you do so, your petition for review will be granted, and an administrative proceeding will be conducted by an administrative law judge of the Indiana Plumbing Commission.

Sincerely,

Sylvia S. Grinstead
Case Manager
Indiana Plumbing Commission

Certified Mail No.: 7002 3150 0003 3036 3242

Jason E. Beverly
204 West River Street
Antwerp OH 45813

August 2, 2007

Dear Jason E. Beverly:

The Indiana Plumbing Commission considered your Journeyman Plumber application at their July 25, 2007 meeting. It was the decision of the Commission to **deny** your application pursuant IC 25-28.5-1-12(c) and 860 IAC 1-1-9.

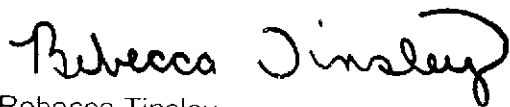
The Commission has determined that you failed to provide evidence one of the following:

- (a) Evidence of successfully completing at least four (4) years in an apprenticeship program approved by the Commission.

Please be advised that if you desire administrative review of the denial of this application, you must file a written petition for review at the above address with the Indiana Plumbing Commission, stating the reason for review. As the petitioner, you would have the burden of proving, in an administrative hearing, that the decision to deny your application for licensure was incorrect. If you do not file a petition for review, this action will be final.

If you file a petition for review, it must be filed no later than eighteen (18) days from the above stated date unless such date is a Saturday, Sunday, legal holiday under state statute or day that the Professional Licensing Agency's offices are closed during regular business hours. In which case, the deadline would be the first day thereafter that is not a Saturday, Sunday, legal holiday under state statute that the Professional Licensing Agency's offices are closed during regular business hours. If you do so, your petition for review will be granted, and an administrative proceeding will be conducted by an administrative law judge of the Indiana Plumbing Commission.

Sincerely,



Rebecca Tinsley
Case Manager
Indiana Plumbing Commission

Certified Mail No.: 7001 2510 0006 3838 5719

Indiana Plumbing Commission
402 West Washington Street, Room W072
Indianapolis, Indiana 46204

August 7, 2007

Dear Sirs:

Enclosed you will find documentation to support my claim of successful completion of at least four years in a plumbing apprenticeship program. The omission of these documents was cited as reason for denial of my plumbing contractor application. I ask that you please review these enclosures and reconsider my application. I thank you for your time and consideration.

Sincerely,

Jason E. Beverly

RECEIVED

AUG 14 2007

Indiana Professional
Licensing Agency

8-4-07
Filed



LICENSE REGISTRATION AND RECEIPT

State Form 27520 (R / 6-94)
Approved by State Board of Accounts 1984

ACTIVE
PLUMBING APPRENTICE

Expires: 07-31-96

Receipt No. 8907440 Fee Paid: \$ 10.00

License No. PA29500650 Deposit Date: 12-27-95

JASON E. BEVERLY
15104 ALLEN ROAD
HARLAN, IN 46743

▼ DETACH HERE ▼

RETAIN THIS RECEIPT FOR YOUR RECORDS



LICENSE REGISTRATION AND RECEIPT

State Form 27520 (R / 6-94)
Approved by State Board of Accounts 1984

ACTIVE
PLUMBING APPRENTICE

Expires: 07-31-98

Receipt No.: 8911539 Fee Paid: \$ 10.00

License No.: PA29500650 Deposit Date: 06-25-97

JASON E. BEVERLY
15104 ALLEN ROAD
HARLAN, IN 46743

▼ DETACH HERE ▼

RETAIN THIS RECEIPT FOR YOUR RECORDS



LICENSE REGISTRATION AND RECEIPT

State Form 27520 (R / 6-94)
Approved by State Board of Accounts 1984

ACTIVE
PLUMBING APPRENTICE

Expires: 07-31-99

Receipt No. 8914946 Fee Paid: \$ 10.00

License No. PA29500650 Deposit Date: 06-30-98

JASON E. BEVERLY
15104 ALLEN ROAD
HARLAN, IN 46743

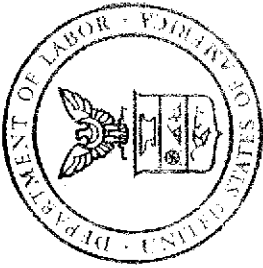
▼ DETACH HERE ▼

RETAIN THIS RECEIPT FOR YOUR RECORDS

RECEIVED
AUG 14 2007
Indiana Professional
Licensing Agency

38

United States Department of Labor



Bureau of Apprenticeship and Training Certificate of Completion of Apprenticeship

This is to certify that
JASON E. BEVERLY
has completed an apprenticeship for the occupation

PLUMBER

under the sponsorship of

J.M.A. MECHANICAL
FORT WAYNE, INDIANA

*in accordance with the basic standards of apprenticeship
established by the Secretary of Labor*

RECEIVED

MAY 4 1999
Indiana Professional
Licensing Agency

Alex M. Allen

Secretary of Labor

Anthony Swager
Director, Bureau of Apprenticeship and Training

Keith A. Amstutz

Program Sponsor Signature

MAY 1, 1999

Date Completed

59

This Is To Certify

That

JASON BEVERLY

RECEIVED

AUG 14 2007

Indiana Professional
Licensing Agency

has completed the plumbing apprentice program sponsored by the
Ford Wayne Shea Plumbing, Heating & Cooling Contractors, Inc.

May 25, 1999

State

John Wells
President

Mike Winters
Apprenticeship Committee Chairman

1/14/08
Filed

Mr. Edward E. Burris
917 South Brady Street
Attica, IN 47918
765-762-3819 Home
765-585-1721 Cell

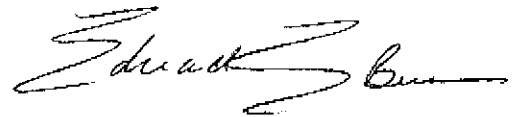
January 14, 2008

Attn: Mary Kate Adams
Indiana Professional Licensing Agency
402 West Washington Street, Room W072
Indianapolis, IN 46204

To Whom It May Concern:

*I would like to petition for review of my soil project taken
December 19, 2007. I may be reached at above contact
information.*

Sincerely,



Edward E. Burris



Indiana Plumbing Commission
402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Telephone: (317) 234-3022
Fax: (317) 233-5559
Website: www.pla.IN.gov

Governor Mitchell E. Daniels, Jr

Edward E. Burris
1112 South Brady
Attica IN 47918

January 2, 2008

Dear Edward E. Burris

The Indiana Plumbing Commission regrets to inform you that your application for licensure as a journeyman plumber has been denied pursuant to IC 25-28.5-1-15, because you have failed to achieve a passing score on the journeyman plumber examination. Your examination results are as follows:

Date	Type	Candidate#	Score	Results
December 19, 2007	Copper Project	205	37	Pass
December 19, 2007	Soil Project	205	34	Fail
December 19, 2007	Written	205	72	Pass

Please be advised that if you desire administrative review of this application denial, you must file a written petition for review at the above address with the Indiana Plumbing Commission stating the reason for the review. As the petitioner, you would have the burden of proving in an administrative hearing that the decision to deny application was incorrect. If you do not file a petition for review, this action will be final.

If you file a petition for review, it must be filed no later than eighteen (18) days from the above stated date unless such date is a Saturday, Sunday, legal holiday under state statute or day that the Professional Licensing Agency's offices are closed during regular business hours in which case, the deadline would be the first day thereafter that is not a Saturday, Sunday, or legal holiday under state statute or day the Professional Licensing Agency's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative law judge of the Indiana Plumbing Commission will conduct an administrative proceeding.

Should you choose to petition for review, you may review your examination following board action granting your petition, upon making an appointment with the board office at (317) 234-3022.

Sincerely,

Rebecca Tinsley
Case Manager

1/16/08
Filed

FAX

VILLAGE PLUMBING

6542 Westfield Blvd.
Indianapolis, In. 46220
Phone 317 253-8300 Fax 317 253-8400

From Lance D. Smith Date 1/16/2008

To Professional Licensing Agency Pages 1

Re: Exam Att: Mary Kate Adams

Comments Hi, My name is Lance D. Smith
and I would like to file for a petition and
review of my exam. Please contact me when
I can do this.

Thanks!!

Contact info: Lance D. Smith
4646 Rockwood Ave.
Indy, IN 46208

317 796-3004

R...



Indiana Plumbing Commission
402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Telephone: (317) 234-3022
Fax: (317) 233-5559
Website: www.pla.IN.gov

Governor Mitchell E. Daniels, Jr

Lance Smith
4646 Rookwood Ave
Indianapolis IN 46220

Dear Lance Smith

January 2, 2008

The Indiana Plumbing Commission regrets to inform you that your application for licensure as a plumbing contractor has been denied pursuant to IC 25-28.5-1-15, because you have failed to achieve a passing score on the plumbing contractor examination. Your examination results are as follows:

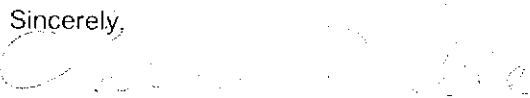
Date	Type	Candidate#	Score	Results
December 19, 2007	Drawing	122	69	Fail

Please be advised that if you desire administrative review of this application denial, you must file a written petition for review at the above address with the Indiana Plumbing Commission stating the reason for the review. As the petitioner, you would have the burden of proving in an administrative hearing that the decision to deny application was incorrect. If you do not file a petition for review, this action will be final.

If you file a petition for review, it must be filed no later than eighteen (18) days from the above stated date unless such date is a Saturday, Sunday, legal holiday under state statute or day that the Professional Licensing Agency's offices are closed during regular business hours in which case, the deadline would be the first day thereafter that is not a Saturday, Sunday, or legal holiday under state statute or day the Professional Licensing Agency's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative law judge of the Indiana Plumbing Commission will conduct an administrative proceeding.

Should you choose to petition for review, you may review your examination following board action granting your petition, upon making an appointment with the board office at (317) 234-3022.

Sincerely,


Lorrie Ruble
Case Manager

12-18-07
Filed

T

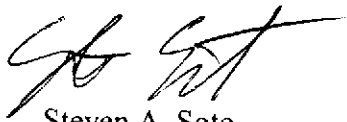
Dec 18, 2007

To : Indiana Plumbing Commission
Re : Steven A. Soto

With all due respect, I am responding to being denied to opportunity to take the Indiana plumbing examine. Am enclosing a copy of the letter sent to me and a copy of the sections cited for my denial. After receiving professional and legal advice, I am asking that you reconsider you present position regarding my application. Please note that on IC 25-28.5-1-12(c) the word "or" appears, which is a word of option, not a word of companionship such as "and"; unless there is something I've overlooked I respectfully await your response.

I am very thankful that my boss is a thorough person, I love doing plumbing and what I've learned; he has shown me the values and ethics of being a qualified professional, I long for that same opportunity!

Thank you for your time,



Steven A. Soto
1806 S. 10th St.
Terre Haute, In 47802

RECEIVED

DEC 19 2007

Indiana Professional
Licensing Agency

45



Indiana Plumbing Commission
402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Telephone: (317) 234-3022
Fax: (317) 233-5559
Website: www.pla.IN.gov

Governor Mitchell E. Daniels, Jr

Steven A. Soto
1806 South 10th Street
Terre Haute IN 47802

December 4, 2007

Dear **Steven A. Soto**:

The Indiana Plumbing Commission considered your Journeyman Plumber application at their November 28, 2007 meeting. It was the decision of the Commission to **deny** your application pursuant IC 25-28 5-1-12(c) and 860 IAC 1-1-9.

The Commission has determined that you failed to provide evidence one of the following:

- (a) Evidence of successfully completing at least four (4) years in an apprenticeship program approved by the Commission.

Please be advised that if you desire administrative review of the denial of this application, you must file a written petition for review at the above address with the Indiana Plumbing Commission, stating the reason for review. As the petitioner, you would have the burden of proving, in an administrative hearing, that the decision to deny your application for licensure was incorrect. If you do not file a petition for review, this action will be final.

If you file a petition for review, it must be filed no later than eighteen (18) days from the above stated date unless such date is a Saturday, Sunday, legal holiday under state statute or day that the Professional Licensing Agency's offices are closed during regular business hours. In which case, the deadline would be the first day thereafter that is not a Saturday, Sunday, legal holiday under state statute that the Professional Licensing Agency's offices are closed during regular business hours. If you do so, your petition for review will be granted, and an administrative proceeding will be conducted by an administrative law judge of the Indiana Plumbing Commission.

Sincerely,

Lorrie Ruble
Case Manager
Indiana Plumbing Commission

Certified Mail No.: 7001 2510 0006 3838 6105

RECEIVED

DEC 13 2007
Indiana Professional
Licensing Agency

subsection (d) of such individual's removal or resignation from said status, but such removal, resignation, or the failure to notify the commission thereof shall not terminate the obligation of the corporate plumbing contractor.

(d) When an individual described in subsection (b) is removed or resigns, the corporation must notify the commission within thirty (30) days and shall identify any replacement individual or individuals. (Indiana Plumbing Commission; 860 IAC 1-1-7; filed Jul 30, 1985, 3:13 p.m.: 8 IR 2040; filed Feb 15, 1989, 2:36 p.m.: 12 IR 1556; errata filed May 8, 1989, 2:35 p.m.: 12 IR 2063; filed Jan 16, 1992, 5:00 p.m.: 15 IR 1022; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3237)

860 IAC 1-1-8 Temporary plumbing contractor license

Authority: IC 25-28.5-1-8; IC 25-28.5-1-38

Affected: IC 25-28.5-1-18.5

Sec. 8. (a) A temporary plumbing contractor license authorized by IC 25-28.5-1-18.5 shall be for six (6) month increments.

(b) Such temporary license shall not enable the holder thereof to perform actual plumbing services unless he is a currently licensed journeyman or a currently licensed plumbing contractor. However, the holder of a temporary license may employ a journeyman to perform actual plumbing services pursuant to the temporary license. If the holder is a licensed journeyman, he may perform plumbing contracting under the authority of the temporary license.

(c) The temporary license will be granted upon submission of the license fee in the amount of twenty-five dollars (\$25) for each six (6) month increment, as well as a fully executed bond on a form supplied by the commission.

(d) No temporary license will be issued to any applicant who fails to first appear before the commission or the executive director of the Indiana professional licensing agency to request the same.

(e) A temporary license granted by the executive director of the Indiana professional licensing agency is subject to ratification or refusal at the next regularly scheduled meeting of the commission. (Indiana Plumbing Commission; 860 IAC 1-1-8; filed Dec 20, 1985, 9:13 a.m.: 9 IR 1099; filed Jun 14, 1996, 3:00 p.m.: 19 IR 3108; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3237; filed Jul 17, 2002, 3:34 p.m.: 25 IR 4110, eff Jan 1, 2003)

860 IAC 1-1-9 Admission to examination

Authority: IC 25-28.5-1-8; IC 25-28.5-1-38

Affected: IC 25-28.5-1

Sec. 9. (a) This section and section 10 of this rule implement the requirements for admission to the journeyman plumber and plumbing contractor examination found in IC 25-28.5-1-12(c).

(b) "Plumbing trade" means being engaged in the work of plumbing (as that term is defined in IC 25-28.5-1-2(1)). The term includes doing plumbing work under the circumstances described in IC 25-28.5-1-32(2), IC 25-28.5-1-32(4), IC 25-28.5-1-32(6), IC 25-28.5-1-32(7), and IC 25.8-1-32(8) [sic., IC 25-28.5-1-32(8)].

(c) "Apprenticeship program approved by the commission" means a program that meets the requirements of 860 IAC 2-1-1.

(d) "Four (4) year apprenticeship program" means satisfactory completion of a minimum of five hundred seventy-six (576) hours of classroom instruction and satisfactory completion of six thousand four hundred (6,400) hours of related on-job-training, over at least four (4) years.

(e) "Four (4) years of experience" means a minimum of six thousand four hundred (6,400) hours in the plumbing trade over at least four (4) years.

(f) No more than forty (40) hours shall be counted in any given calendar week toward meeting the requirements of either subsection (d) or (e). (Indiana Plumbing Commission; 860 IAC 1-1-9; filed Jan 16, 1992, 5:00 p.m.: 15 IR 1022; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3237)

860 IAC 1-1-10 Verification of employment

Authority: IC 25-28.5-1-8; IC 25-28.5-1-38

Affected: IC 25-28.5-1-12

Sec. 10. (a) An applicant for admission to the plumbing contractor or journeyman plumber examination must submit with the applicant's application affidavits from the applicant's employers verifying all experience in the plumbing trade, or work in a plumbing business under the direction of a licensed plumbing contractor, claimed in the applicant's application.

(b) If the applicant is unable to obtain any employer affidavit required by subsection (a), the applicant must submit an affidavit stating the inability and the reason why.

(c) Whether or not the employer affidavits provided for in subsection (a) have been submitted, the commission may seek such additional information from the applicant, any employer, or any third party as is necessary to determine whether the applicant meets the requirements for admission to the examination.

(Indiana Plumbing Commission; 860 IAC 1-1-10; filed Jan 16, 1992, 5:00 p.m.: 15 IR 1022; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3237)

860 IAC 1-1-11 Licensed out-of-state applicants; certification of licensure required

Authority: IC 25-28.5-1-8; IC 25-28.5-1-38

Affected: IC 25-28.5-1-12; IC 25-28.5-1-19

Sec. 11. An individual who is licensed in another state and who applies for admission to the examination under IC 25-28.5-1-12(d)(1), or licensure by reciprocity under IC 25-28.5-1-12(e) and IC 25-28.5-1-19, shall submit certification of licensure from the licensing authority in the other state.

(Indiana Plumbing Commission; 860 IAC 1-1-11; filed Jan 16, 1992, 5:00 p.m.: 15 IR 1023; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3237)

Rule 2. Definitions

860 IAC 1-2-1 "Maintenance" defined

Authority: IC 25-28.5-1-38

Affected: IC 25-28.5-1-32

Sec. 1. The work of a "maintenance man" as described in IC 25-28.5-1-32(7) shall include anyone whose full-time work shall include repair of present operational plumbing systems. However, "maintenance" shall not include the installation of any nonexistent plumbing system nor shall it include remodeling of an existing plumbing system where the number of faucets, toilets, bathtubs, fountains, or other devices affecting the flow of water are increased beyond the original system.

(Indiana Plumbing Commission; 860 IAC 1-2-1; filed Oct 29, 1984, 3:09 p.m.: 8 IR 214; filed Jan 16, 1992, 5:00 p.m.: 15 IR 1023; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3237)

Rule 3. Examinations; Journeyman Plumber; Plumbing Contractor

860 IAC 1-3-1 Examination; journeyman plumber

Authority: IC 25-28.5-1-8; IC 25-28.5-1-38

Affected: IC 25-28.5-1

Sec. 1. (a) The journeyman plumber examination shall consist of a practical section and of a written section.

(b) The practical section of the examination shall include two (2) parts known as the following:

- (1) The copper pipe project.
- (2) The soil pipe project.

(c) The written section of the examination shall be a multiple choice test.

(d) In order to pass the practical section of the examination, an individual must obtain scores of at least seventy percent (70%) on both of the following:

RECEIVED

DEC 19 2007

Indiana Professional
Licensing Agency

47

IC 25-28.5-1-5 Compensation of members of commission

Sec. 5. The members of the commission shall receive no salary, but are entitled to reimbursement for traveling and other expenses as provided in the state travel policies and procedures, established by the department of administration and approved by the state budget agency.

(Formerly: Acts 1972, P.L. 188, SEC. 1.) As amended by Acts 1980, P.L. 166, SEC. 2.

IC 25-28.5-1-6 Organization and records of commission

Sec. 6. The commission shall annually organize and select one (1) of the members as chairman and one (1) of the members to serve as secretary, both to serve for a term of one (1) year. The commission, through the licensing agency, shall keep a record of all its proceedings, transactions, communications, official acts, and records and shall perform said other duties as required by law.

(Formerly: Acts 1972, P.L. 188, SEC. 1.) As amended by Acts 1981, P.L. 222, SEC. 204; P.L. 132-1984, SEC. 37.

IC 25-28.5-1-7 Duties of commission

Sec. 7. The commission shall do the following:

(1) Adopt a seal with the words "Indiana Plumbing Commission" and such other device as may be selected by which it shall authenticate the acts of the commission. Copies of all records and papers, when certified by the secretary and issued under the seal of the commission, shall be received in evidence in all cases equally and with like effect as the original commission records.

(2) Prescribe the form of licenses and issue the same under its seal. All such licenses, while in force, shall be under the supervision and control of the commission.

(3) Issue licenses as plumbing contractors and journeymen plumbers, to any person who qualifies and complies with the provisions of this chapter and pay required license fees.

(4) Adopt rules in accordance with IC 4-22-2 which establish standards for the competent practice of plumbing.

(Formerly: Acts 1972, P.L. 188, SEC. 1.) As amended by Acts 1981, P.L. 222, SEC. 205; P.L. 132-1984, SEC. 38; P.L. 2-2005, SEC. 66.

IC 25-28.5-1-8 Powers of commission

Sec. 8. The commission may:

(1) Adopt and promulgate rules and regulations for its guidance and for the regulation of its business and procedure consistent with the provisions of this chapter and in the manner provided in IC 4-22-2.

(2) Enter into such other contracts and authorize expenditures as its duties require, subject to the provisions of this chapter and IC 25-1-6.

(3) Do all things necessary for carrying into effect the provisions of this chapter.

(Formerly: Acts 1972, P.L. 188, SEC. 1.) As amended by Acts 1981, P.L. 222, SEC. 206; P.L. 2-2005, SEC. 67.

IC 25-28.5-1-9 Meetings of commission; notice; quorum; record

Sec. 9. The secretary shall call all meetings of the commission as directed by the chairman or upon request in writing by two (2) members, and at such time and places, within the state of Indiana as the commission business may require. Sufficient notice shall be given to permit members to attend all meetings. The presence of four (4) members of the commission in attendance at a commission meeting subject to notice as herein required, shall constitute a quorum for the transaction of commission business. Meetings of the commission may be held pursuant to written waiver of notice signed by all the members of the commission. A record shall be kept of all proceedings at meetings and of the vote taken on each act or transaction of the commission and a majority vote of all members shall be required to bind the commission.

(Formerly: Acts 1972, P.L. 188, SEC. 1.) As amended by Acts 1981, P.L. 222, SEC. 207.

IC 25-28.5-1-10 Office and supplies of commission; employees

Sec. 10. (a) The department of administration shall provide office space, furniture, and necessary supplies and the office files, records, and property of the commission.

(b) The licensing agency shall provide the board with employees necessary to administer the provisions of this chapter.

(Formerly: Acts 1972, P.L. 188, SEC. 1.) As amended by Acts 1981, P.L. 222, SEC. 208; P.L. 132-1984, SEC. 39.

IC 25-28.5-1-11 Unlawful acts

Sec. 11. It shall be unlawful for any person to act in the capacity of a plumbing contractor or journeyman plumber within this state without first obtaining a license as a plumbing contractor or journeyman plumber from the commission. This chapter however does not apply to helpers, laborers, registered apprentices, and other employees of a plumbing contractor or journeyman plumber, who do not in any manner hold themselves out to the public as being plumbers.

(Formerly: Acts 1972, P.L. 188, SEC. 1.) As amended by Acts 1981, P.L. 222, SEC. 209; P.L. 248-1985, SEC. 2.

IC 25-28.5-1-12 Licensing requirements; apprenticeship; nonresidents

Sec. 12. (a) Except as otherwise provided in this chapter, a natural person over the age of eighteen (18) years who resides in Indiana and any corporation which satisfies the further requirements of this chapter may be licensed by the commission as a plumbing contractor. Except as otherwise provided by this chapter, a natural person over the age of eighteen (18) years may be licensed by the commission as journeyman plumber.

(b) A person who desires to be licensed as a plumbing contractor or journeyman plumber is eligible for such a license upon the successful taking of the examination provided in section 15 of this chapter.

(c) To qualify for a journeyman plumber examination under subsection (b), an applicant who is an Indiana resident must provide evidence that the applicant has completed at least four (4) years in an apprenticeship program approved by the commission or present to the commission a notarized statement providing evidence that the applicant has at least four (4) years of experience in the plumbing trade in employment as set forth in section 32(2), 32(6), or 32(7) of this chapter. To qualify for a plumbing contractor license examination under subsection (b), an applicant who is an Indiana resident must provide evidence that the applicant has completed at least four (4) years in an apprenticeship program approved by the commission or present to the commission a notarized statement providing evidence that the applicant has at least four (4) years of experience in the plumbing trade in employment as set forth in section 32(2), 32(6), or 32(7) of this chapter, or has worked in a plumbing business under the direction of a licensed plumbing contractor for at least four (4) years.

(d) An applicant who is not an Indiana resident may qualify to take an examination under subsection (b) in the following manner:

(1) If the applicant holds a license in a state that does not have a reciprocity agreement with Indiana, the applicant must present the license to the commission to be eligible to take the examination.

(2) If the applicant resides in a state that does not have licensing requirements, the applicant before taking the examination must meet the appropriate requirements of subsection (b).

(e) If the applicant holds a license in a state that has a reciprocity agreement with Indiana, the appropriate license shall be issued automatically.

(Formerly: Acts 1972, P.L. 188, SEC. 1; Acts 1973, P.L. 262, SEC. 13.) As amended by Acts 1981, P.L. 222, SEC. 210; P.L. 200-1991, SEC. 7; P.L. 194-2005, SEC. 6.

RECEIVED

DEC 18 2007

Indiana Professional
Licensing Agency

48

DEC 27 2007

INDIANA PROFESSIONAL LICENSING AGENCY

STATE OF INDIANA
BEFORE THE INDIANA PLUMBING COMMISSION

IN THE MATTER OF)	CAUSE NO. IPC 07-16
PAUL J. DUNCAN,)	
JOURNEYMAN PLUMBER)	
EXAMINATION APPLICANT)	

ADMINISTRATIVE LAW JUDGE'S ORDER

Comes now, William Ciriello, the Administrative Law Judge designated by the Indiana Plumbing Commission ("Commission") in this proceeding, and hearing having been held, now issues and files his order. Notice is hereby given that any objection to the Administrative Law Judge's Order must be filed with the Commission, identifying the basis of the objection with reasonable particularity, no later than eighteen (18) days from the date of issuance of this order unless such date is a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency's offices are closed during regular business hours in which case the deadline would be the first day thereafter that is not a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency's offices are closed during regular business hours. This Administrative Law Judge's Order is not the final order of the Commission in this proceeding. However, in the absence of any objection, the Commission either will affirm the Administrative Law Judge's Order as its final order or will serve notice of its intent to review any issue related to the Administrative Law Judge's Order.

FINDINGS OF FACT

1. This proceeding is pending on Paul J. Duncan's (hereinafter "Petitioner") petition for review of the Commission's denial of admittance to the examination for a journeyman plumber license.
2. The Petitioner has not completed the required four (4) years in an apprenticeship program and his experience did not qualify as an exemption to the requirement for four years of apprenticeship in a Commission approved program.
3. The Petitioner appeared in person and without counsel at the October 23, 2007 hearing.
4. The Petitioner did not present sufficient evidence to make a showing of having completed four (4) years of a Commission approved apprenticeship program.
5. The Petitioner did not submit any additional evidence as of December 3, 2007.

CONCLUSIONS OF LAW

1. Indiana Code 25-28.5-1-12(c) states that:

To qualify for a journeyman plumber examination an applicant who is an Indiana resident must provide evidence that the applicant has completed at least four (4) years in an apprenticeship program approved by the commission or present to the commission a notarized statement providing evidence that the applicant has at least four (4) years of experience in the plumbing trade in employment as set forth in [the following:

Ind. Code 25-28.5-1-32(2) - An authorized employee of the United States, the state, or a political subdivision of the state if the employee does not profess to be for hire and is acting within the scope of the employee's employment.

Ind. Code 25-28.5-1-32(6) - Construction, alteration, improvement, or repair of a plumbing system, located on a site, the title of which is in the name of the United States of America, or to construction, alteration, improvement, or repair on a project where federal law supersedes this article.

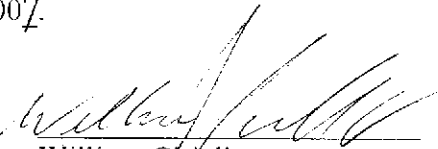
Ind. Code 25-28.5-1-32(7) - An individual who is employed or acts as a maintenance person at the individual's place of employment.]

2. The Petitioner did not present sufficient evidence to make a showing of having completed four (4) years of a Commission approved apprenticeship program nor of having the required experience to qualify for an exemption.

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Petitioner's application for admittance to the Journeyman Plumbing examination is DENIED.

ISSUED this 27th day of December, 2007.


William Ciriello
Administrative Law Judge
Indiana Plumbing Commission

Copies to:

Paul J. Duncan
51815 Hedge Lane
Granger, IN 46530
Certified Mail No. 7002 2410 0002 4164 4913
RETURN RECEIPT REQUESTED

Julie Alexander
Deputy Attorney General
Office of the Attorney General
Indiana Government Center South
402 W. Washington St., 5th Floor
Indianapolis, IN 46204

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

IPC 07-16
 Paul John Duncan
 51815 Hedge Lane
 Granger, IN 46530

COMPLETE THIS SECTION ON DELIVERY

A. Signature *Paul Duncan*
 Agent
 Addressee

B. Received by (Printed Name)
PAUL DUNCAN

C. Date of Delivery

D. Is delivery address different from item 1?
 IF YES, enter delivery address below: *30*
 Yes
 No

JAN - 2 2008

3. Service Type
 Certified Mail
 Registered
 Insured Mail
 Express Mail
 Return Receipt for Merchandise
 C.O.D.

4. Restricted Delivery? (Extra Fee)
 Yes
 No

7002 2410 0002 4164 4913

Domestic Return Receipt

PS Form 3811, February 2004

102595-02-M-1540

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

INDIANA PROFESSIONAL LICENSING
 402 W. Washington Street
 Room WQ72
 Indianapolis, IN 46204

Postage
 Certified Fee
 Return Receipt Fee (Endorsement Required)
 Restricted Delivery Fee (Endorsement Required)
 Total P^c *5.21*

Sent To
 Street, Apt. or PO Box
 City, State

IPC 07-16
 Paul John Duncan
 51815 Hedge Lane
 Granger, IN 46530

Postmark
 USPS
 (2/27)

PS Form 3800, June 2002 See Reverse for Instructions

52

WABASH COLLEGE

11-17-07
Filed

RECEIVED

November 7, 2007

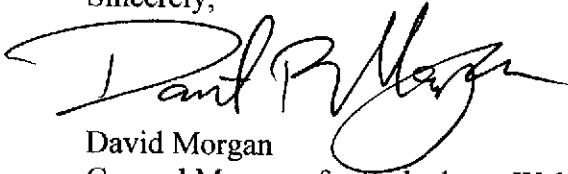
NOV 20 2007

Indiana Professional
Licensing Agency

To Whom It May Concern:

Mr. Richard French has been employed with Campus Services at Wabash College since 2005. During this time he has done plumbing repairs and installations as part of his duties. Please contact me if you have need for any additional information.

Sincerely,



David Morgan
General Manager for Sodexo at Wabash College
765-361-6382

Debra L. Martin
Notary - Debra L. Martin.
Commission Exp. 10-5-09
Montgomery County
Indiana



October 30, 2007

To Whom It May Concern:

Richard French was employed at Shady Knoll Apartments during 2003-2005. During that time Richard's duties did include extensive plumbing. You may contact me at the rental office with any questions.

Sincerely,

Belinda Magill
Property Manager
Shady Knoll and Autumn Woods Apts.

My commission expires 4-7-12

RECEIVED

NOV 20 2007

Indiana Professional
Licensing Agency

1 Wages, tips, other comp. 12736.28		4 Federal income tax withheld 953.99	
3 Social security wages 12736.28		4 Social security tax withheld 789.65	
5 Medicare wages and tips 12736.28		6 Medicare tax withheld 184.66	
a Control Number 001608 18/6X3	Dept 117130	Corp. A	Employer use only 151
c Employer's name, address, and ZIP code PEDCOR MANAGEMENT CORP 770 3RD AVE SW CARMEL IN 46032			
b Employer's FED ID number 35-1722212		d Employee's SSA number 313-84-0876	
7 Social security tips	8 Allocated tips		
9 Advance EIC payment	10 Dependent care benefits		
11 Nonqualified plans	12a See instructions for box 12		
14 Other	12b		
	12c		
	12d		
	13 Stat emp. Ret. plan 3rd party sick pay		
e/f Employee's name, address and ZIP code RICHARD FRENCH 513 S. GRACE AVE CRAWFORDSVILLE, IN 47933			
15 State IN 0029909200011	16 State wages, tips, etc. 12736.28		
17 State income tax 433.00	18 Local wages, tips, etc. 12736.28		
19 Local income tax 127.36	20 Locality name C-54		

W-2 Wage and Tax Statement 2004
 Copy B to be filed with employee's Federal Income Tax Return.

Form W-2 Wage and Tax Statement 2006
 Copy 2 To Be Filed With Employee's STATE, CITY or LOCAL Income Tax Return

Department of the Treasury-Internal Revenue Service OMB# 1545-0005

16-0812661	17 State wages, tips, etc. 26314.69	18 Local wages, tips, etc. 26314.69	19 Local income tax 276.72	20 Locality name MONTGOMERY
313-84-0876	3 Social security wages 26314.69	4 Social security tax withheld 1631.51	5 Medicare wages and tips 26314.69	6 Medicare tax withheld 381.56
	7 Social security tips 0.00	8 Allocated tips 0.00	9 Advance EIC payment 0.00	10 Dependent care benefits 0.00
	11 Nonqualified plans 0.00	14 Other		

13 Statutory State IN 16-0812661 001 8
 Retirement Plan No
 18 State IN 16-0812661 001 8
 19 State wages, tips, etc. 26314.69
 20 State income tax 894.72

13 See instructions for Box 12

This information is being furnished to the Internal Revenue Service. If you are required to file a tax return, a reduced penalty or other sanction may be imposed on you if this income is taxable and you fail to report it.

Employee's name, address, and ZIP code
 SODEXHO MANAGEMENT, INC. AGENT FOR
 SDH SERVICES WEST LLC
 19400 FERNWOOD ROAD
 BETHESDA MD 20817

Employee's name, address, and ZIP code
 09260 SA015994 R 175841
 RICHARD W FRENCH
 513 SOUTH GRACE AVE
 CRAWFORDSVILLE IN 47933

RECEIVED

NOV 20 2007

Indiana Profess
 Licensing Age

SS

RECEIVED
 NOV 20 2007
 Indiana Professional
 Licensing Agency

1 Wages, tips, other comp. 22204.94		2 Federal income tax withheld 1708.76	
3 Social security wages 22204.94		4 Social security tax withheld 1376.71	
5 Medicare wages and tips 22204.94		6 Medicare tax withheld 321.97	
a Control number 001608 18/6X3	Dept 117130	Corp T	Employer use only 148
c Employer's name, address, and ZIP code PEDCOR MANAGEMENT CORP 770 3RD AVE SW CARMEL IN 46032			
b Employer's FED ID number 35-172212	d Employer's SSA number 313-84-0876		
7 Social security tips	8 Allocated tips		
9 Advance EIC payment	10 Dependent care benefits		
11 Nonqualified plans	12a See instructions for box 12		
14 Other	12b		
	12c		
	12d		
	13 Stat emp/Ret. plan 2nd party sick p.		
e Employee's name, address and ZIP code RICHARD FRENCH 513 S. GRACE AVE CRAWFORDSVILLE, IN 47933			
15 State Employer's state ID no. IN 0029909200011	16 State wages, tips, etc. 22204.94		
17 State income tax 754.99	18 Local wages, tips, etc. 22204.94		
19 Local income tax 222.11	20 Locality name C-54		

Federal Filing Copy
W-2 Wage and Tax Statement 2005
 Copy to be filed with employer's Federal Income Tax Return.

Department of the Treasury-Internal Revenue Service OMB 1545-0048

Form W-2 Wage and Tax Statement 2005 Copy B To Be Filed With Employer's FEDERAL Tax Return

1 Wages, tips, other compensation 4413.13

2 Federal income tax withheld 329.36

3 Social security wages 4413.13

4 Social security tax withheld 273.61

5 Medicare wages and tips 4413.13

6 Medicare tax withheld 63.99

7 Social security tips 0.00

8 Allocated tips 0.00

9 Advance EIC payment 0.00

10 Dependent care benefits 0.00

11 Nonqualified plans 0.00

12 Other

13 Stat emp/Ret. plan 2nd party sick p.

14 Other

15 State Employer's state ID no. IN 0029909200011

16 State wages, tips, etc. 22204.94

17 State income tax 754.99

18 Local wages, tips, etc. 22204.94

19 Local income tax 222.11

20 Locality name C-54

21 Employer's name, address, and ZIP code
SOREXO MANAGEMENT, INC. AGENT FOR
SON SERVICES WEST LLC
18400 FERRWOOD ROAD
BETHESDA MD 20817

22 Employer's name, address, and ZIP code
RICHARD W FRENCH
513 SOUTH GRACE AVE
CRAWFORDSVILLE IN 47933

23 Employer's name, address, and ZIP code
R 1755841

24 State Employer's state ID no. IN 16-0812661

25 State wages, tips, etc. 4413.13

26 State income tax 150.04

27 Local wages, tips, etc. 4413.13

28 Local income tax 44.14

29 Locality name MONTICERY

30 Locality name

This information is being furnished to the Internal Revenue Service. If you are required to file a tax return, a negligence penalty or other sanction may be imposed on you if this return is taxable and you fail to report a

16-0812661 001 8

IN 16-0812661 001 8

56

DEC 27 2007

INDIANA PROFESSIONAL
LICENSING AGENCY

STATE OF INDIANA
BEFORE THE INDIANA PLUMBING COMMISSION

IN THE MATTER OF) CAUSE NO. IPC 07- 17
RICHARD FRENCH,)
JOURNEYMAN PLUMBER)
EXAMINATION APPLICANT)

ADMINISTRATIVE LAW JUDGE'S ORDER

Comes now, William Ciriello, the Administrative Law Judge designated by the Indiana Plumbing Commission (hereinafter "Commission") in this proceeding, and hearing having been held, now issues and files his order. Notice is hereby given that any objection to the Administrative Law Judge's Order must be filed with the Commission, identifying the basis of the objection with reasonable particularity, no later than eighteen (18) days from the date of issuance of this order unless such date is a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency's offices are closed during regular business hours in which case the deadline would be the first day thereafter that is not a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency's offices are closed during regular business hours. This Administrative Law Judge's Order is not the final order of the Commission in this proceeding. However, in the absence of any objection, the Commission either will affirm the Administrative Law Judge's Order as its final order or will serve notice of its intent to review any issue related to the Administrative Law Judge's Order.

FINDINGS OF FACT

1. This proceeding is pending on Richard French's (hereinafter "Petitioner") petition for review of the Commission's denial of admittance to the examination for a journeyman plumber license.
2. The Petitioner has not completed the required four (4) years in an apprenticeship program and his experience did not qualify as an exemption to the requirement for four (4) years of apprenticeship.
3. The Petitioner appeared in person and without counsel at the October 23, 2007 hearing.
4. The Petitioner did not present sufficient evidence to make a showing of having completed four (4) years of a Commission approved apprenticeship program.
5. The Administrative Law Judge allowed for thirty (30) additional days for the Petitioner to submit additional evidence pertaining to the experience of the Petitioner.
6. The Petitioner did not submit any additional evidence as of December 3, 2007.

CONCLUSIONS OF LAW

1. Indiana Code 25-28.5-1-12(c) states that:

To qualify for a journeyman plumber examination..., an applicant who is an Indiana resident must provide evidence that the applicant has completed at least four (4) years in an apprenticeship program approved by the commission or present to the commission a notarized statement providing evidence that the applicant has at least four (4) years of experience in the plumbing trade in employment as set forth in [the following:

Ind. Code 25-28.5-1-32(2) - An authorized employee of the United States, the state, or a political subdivision of the state if the employee does not profess to be for hire and is acting within the scope of the employee's employment.

Ind. Code 25-28.5-1-32(6) - Construction, alteration, improvement, or repair of a plumbing system, located on a site, the title of which is in the name of the United States of America, or to construction, alteration, improvement, or repair on a project where federal law supersedes this article.

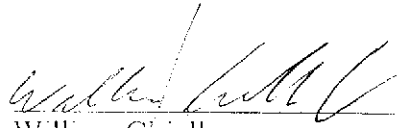
Ind. Code 25-28.5-1-32(7) - An individual who is employed or acts as a maintenance person at the individual's place of employment.]

2. The Petitioner did not present sufficient evidence to make a showing of having completed four (4) years of a Commission approved apprenticeship program nor of having the required experience to qualify for an exemption.

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Petitioner's application for admittance to the Journeyman Plumbing examination is DENIED.

ISSUED this 27th day of December, 2007.


William Ciriello
Administrative Law Judge
Indiana Plumbing Commission

Copies to:

Richard French
513 S. Grace Avenue
Crawfordsville, IN 47933
Certified Mail No. 7002 2410 0002 4164 4906
RETURN RECEIPT REQUESTED

Julie Alexander
Deputy Attorney General
Office of the Attorney General
Indiana Government Center South
402 W. Washington St., 5th Floor
Indianapolis, IN 46204

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

IPC 07-17
 Richard W. French
 513 S. Grace Avenue
 Crawfordsville, IN 47933

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Richard W. French Addressee

B. Received by (Printed Name) C. Date of Delivery
Richard W. French *DEC 27 2007*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type Express Mail
 Certified Mail Return Receipt for Merchandise
 Registered C.O.D.
 Insured Mail

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number 7002 2410 0002 4164 4906

(Transfer from service label)

Domestic Return Receipt

PS Form 3811, February 2004

7002 2410 0002 4164 4906

**U.S. Postal Service™
 CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)**

For delivery information visit our website at www.usps.com

402 W. Washington Street
 Room W072
 Indianapolis, IN 46204

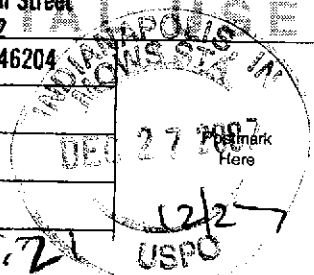
Certified Fee
 Return Receipt Fee
 (Endorsement Required)
 Restricted Delivery Fee
 (Endorsement Required)

Total Pct

5.72

Sent To
 Street, Ap
 or PO Box
 City, State

IPC 07-17
 Richard W. French
 513 S. Grace Avenue
 Crawfordsville, IN 47933



PS Form 3800, June 2002

See Reverse for Instructions

61

DEC 27 2007

STATE OF INDIANA
BEFORE THE INDIANA PLUMBING COMMISSION

INDIANA PROFESSIONAL
LICENSING AGENCY

IN THE MATTER OF) CAUSE NO. IPC 07- 18
EDDY LEWIS,)
JOURNEYMAN PLUMBER)
EXAMINATION APPLICANT.)

ADMINISTRATIVE LAW JUDGE'S ORDER

Comes now, William Ciriello, the Administrative Law Judge designated by the Indiana Plumbing Commission ("Commission") in this proceeding, and hearing having been held, now issues and files his order. Notice is hereby given that any objection to the Administrative Law Judge's Order must be filed with the Commission, identifying the basis of the objection with reasonable particularity, no later than eighteen (18) days from the date of issuance of this order unless such date is a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency's offices are closed during regular business hours in which case the deadline would be the first day thereafter that is not a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency's offices are closed during regular business hours. This Administrative Law Judge's Order is not the final order of the Commission in this proceeding. However, in the absence of any objection, the Commission either will affirm the Administrative Law Judge's Order as its final order or will serve notice of its intent to review any issue related to the Administrative Law Judge's Order.

FINDINGS OF FACT

1. This proceeding is pending on Eddy Lewis's (hereinafter "Petitioner") petition for review of the Commission's denial of admittance to the examination for a journeyman plumber license.
2. The Petitioner has not completed the required four (4) years in an apprenticeship program and his experience did not qualify as an exemption to the requirement for four (4) years of apprenticeship.
3. The Petitioner appeared in person and without counsel at the October 23, 2007 hearing.
4. The Petitioner did not present sufficient evidence to make a showing of having completed four (4) years of a Commission approved apprenticeship program.
5. The Petitioner did not submit any additional evidence as of December 3, 2007.

62

CONCLUSIONS OF LAW

1. Indiana Code 25-28.5-1-12(c) states that:

To qualify for a journeyman plumber examination an applicant who is an Indiana resident must provide evidence that the applicant has completed at least four (4) years in an apprenticeship program approved by the commission or present to the commission a notarized statement providing evidence that the applicant has at least four (4) years of experience in the plumbing trade in employment as set forth in [the following:

Ind. Code 25-28.5-1-32(2) - An authorized employee of the United States, the state, or a political subdivision of the state if the employee does not profess to be for hire and is acting within the scope of the employee's employment.

Ind. Code 25-28.5-1-32(6) - Construction, alteration, improvement, or repair of a plumbing system, located on a site, the title of which is in the name of the United States of America, or to construction, alteration, improvement, or repair on a project where federal law supersedes this article.


Ind. Code 25-28.5-1-32(7) - An individual who is employed or acts as a maintenance person at the individual's place of employment.]

2. The Petitioner did not present sufficient evidence to make a showing of having completed four (4) years of a Commission approved apprenticeship program nor of having the required experience to qualify for an exemption.

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Petitioner's application for admittance to the Journeyman Plumbing examination is DENIED.

ISSUED this 27th day of December, 2007.



William Ciriello
Administrative Law Judge
Indiana Plumbing Commission

Copies to:

Eddy Lewis
2479 Woodfield Blvd.
Franklin, IN 46131
Certified Mail No. 7002 0860 0000 8140 2023
RETURN RECEIPT REQUESTED

Eddy Lewis
2472 Woodfield Blvd.
Franklin, IN 46131
Certified Mail No. 7002 2410 0002 4164 4890
RETURN RECEIPT REQUESTED

Julie Alexander
Deputy Attorney General
Office of the Attorney General
Indiana Government Center South
402 W. Washington St., 5th Floor
Indianapolis, IN 46204

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

IPC 07-18
Eddy Lewis
2479 Woodfield Blvd.
Franklin, IN 46131

2. Article Number:
(Transfer from service label)

7002 0860 0000 8140 2053

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent Addressee
- B. Received by (Printed Name) Eddy Lewis Date of Delivery 12/27/07
- C. Is delivery address different from item 1? Yes No
- D. If YES, enter delivery address below:

3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.
4. Restricted Delivery? (Extra Fee) Yes No

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com
402 W. Washington Street
Room W072
Indianapolis, IN 46204

Postage 5.21

Certified Fee _____

Return Receipt Fee _____

Restricted Delivery Fee _____

(Endorsement Required)

Total _____

Sent to _____

Street, Apt. or P.O. _____

City, S.T. _____

Franklin, IN 46131

IPC 07-18

Eddy Lewis

2472 Woodfield Blvd.

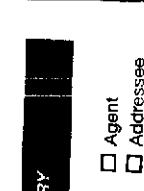
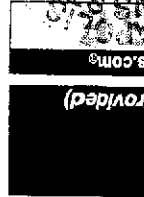
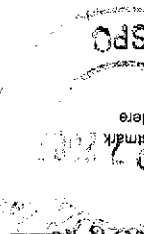
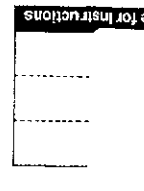
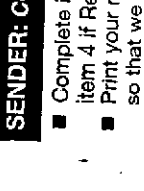
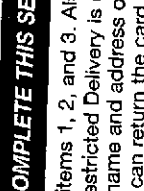
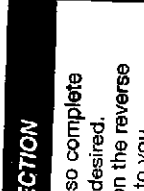
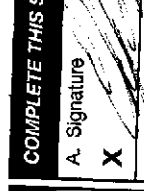
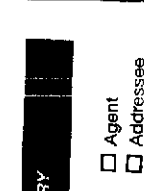
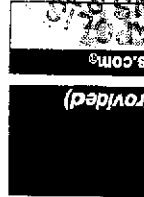
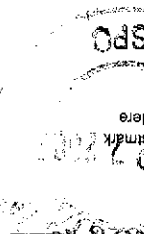
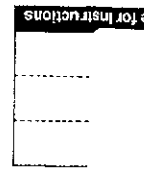
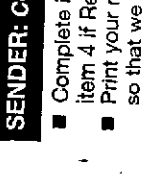
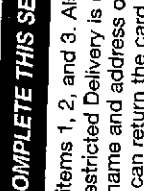
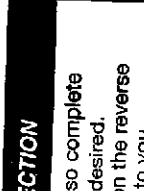
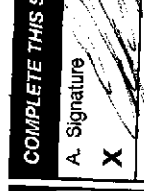
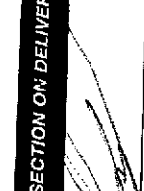
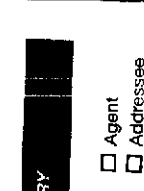
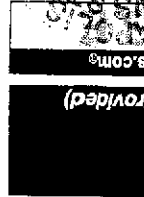
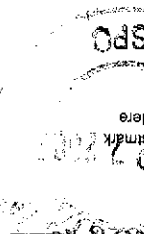
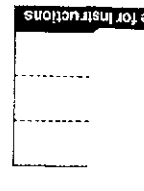
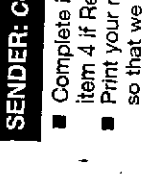
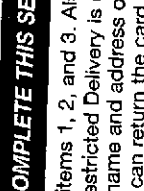
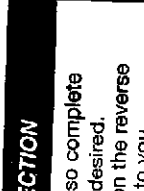
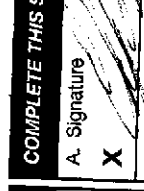
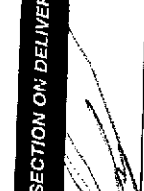
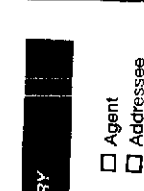
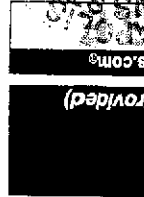
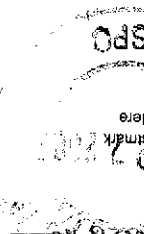
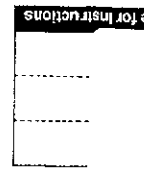
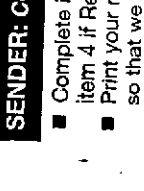
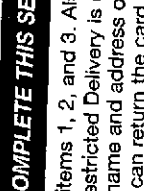
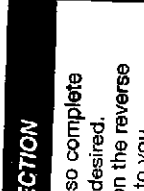
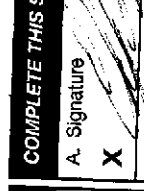
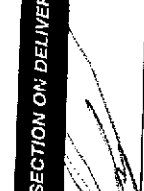
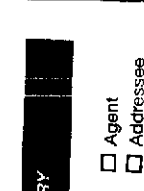
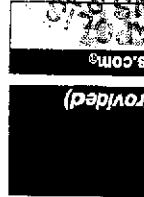
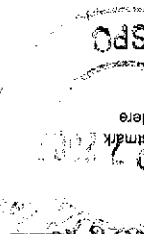
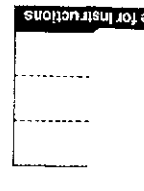
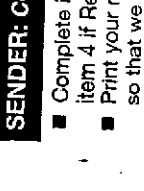
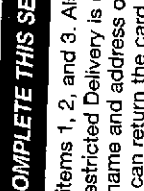
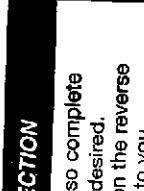
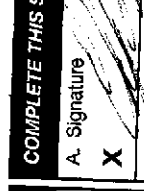
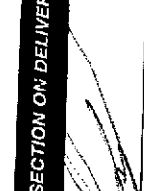
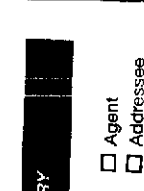
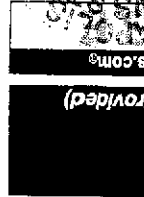
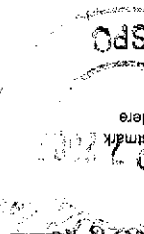
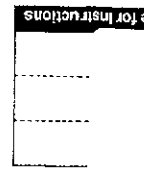
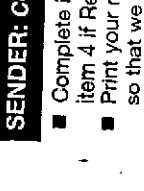
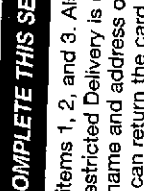
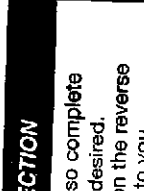
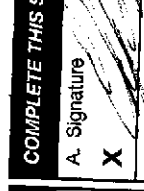
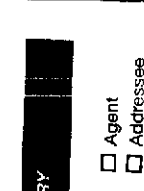
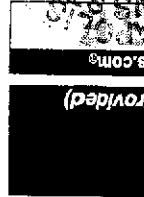
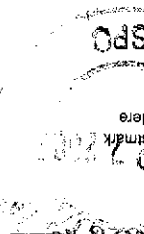
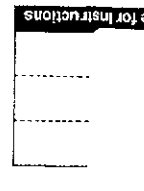
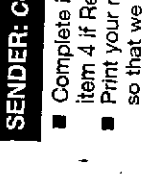
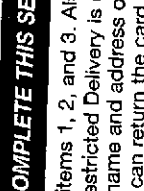
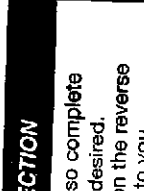
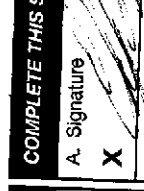
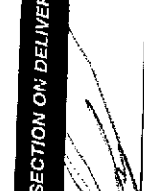
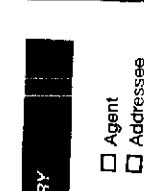
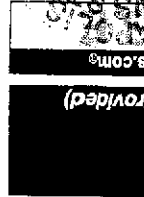
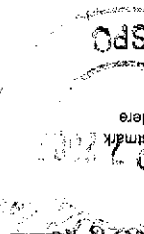
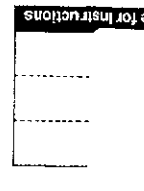
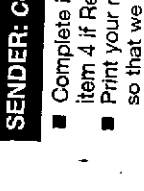
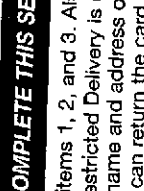
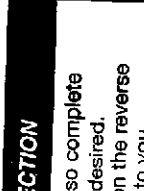
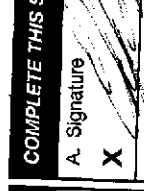
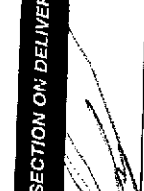
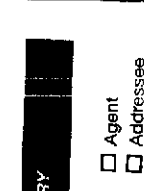
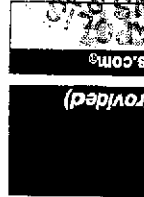
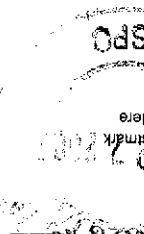
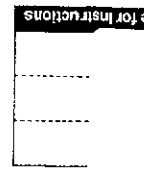
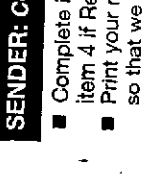
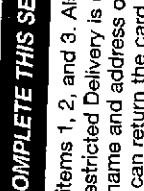
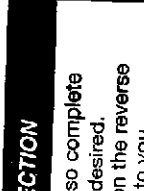
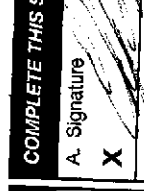
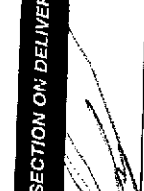
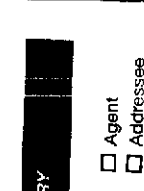
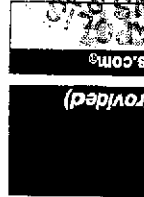
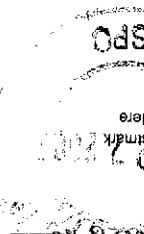
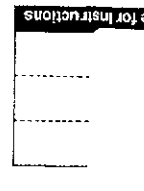
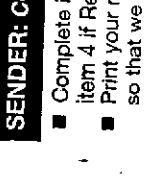
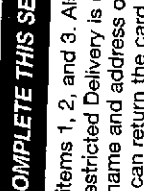
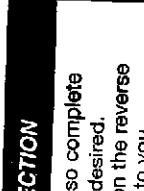
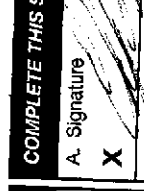
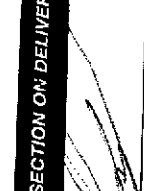
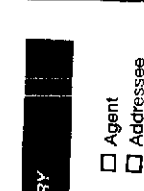
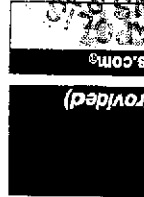
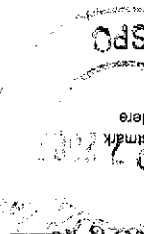
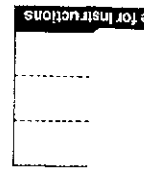
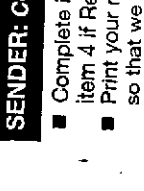
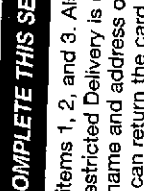
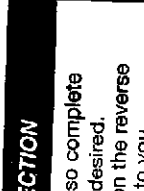
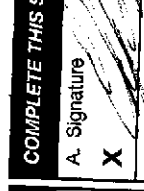
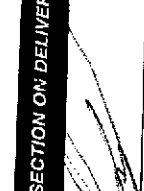
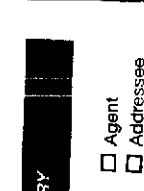
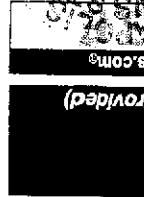
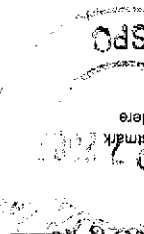
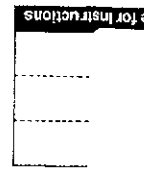
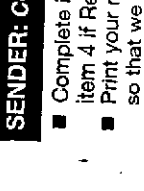
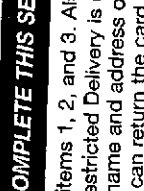
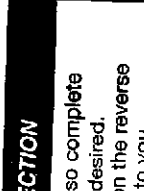
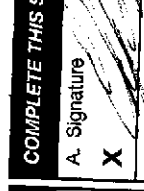
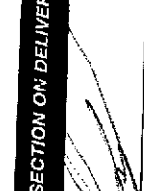
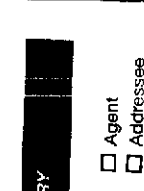
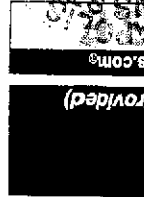
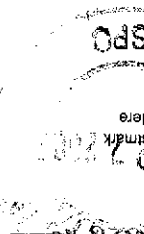
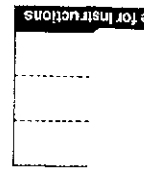
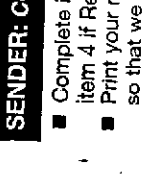
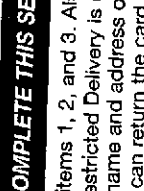
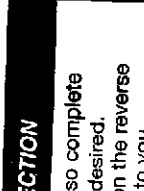
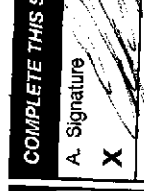
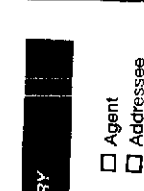
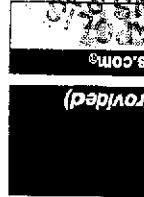
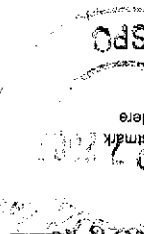
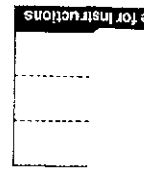
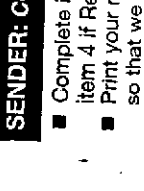
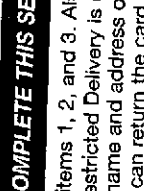
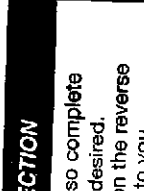
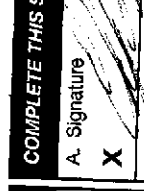
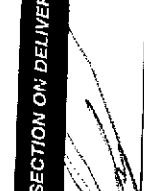
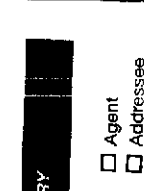
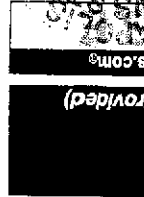
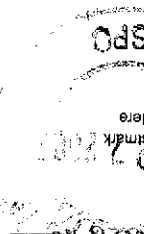
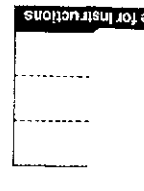
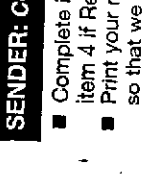
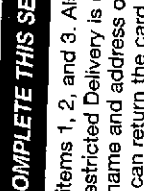
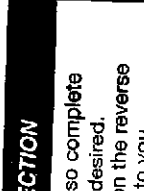
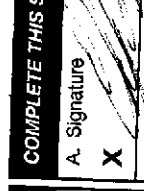
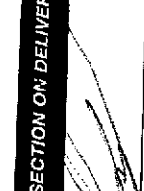
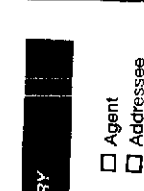
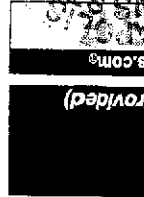
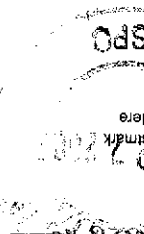
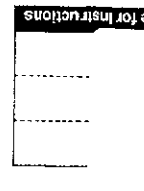
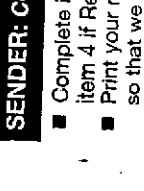
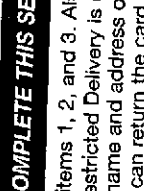
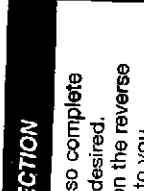
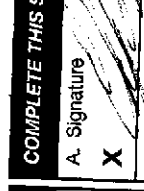
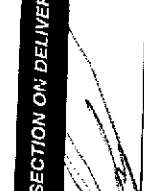
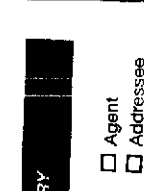
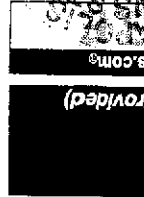
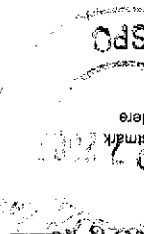
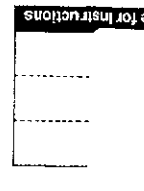
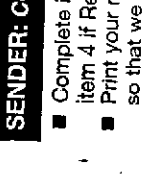
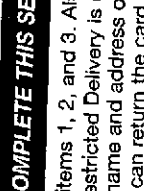
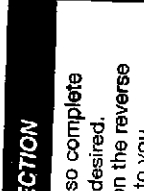
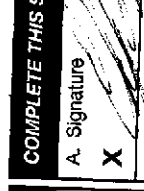
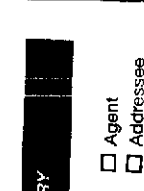
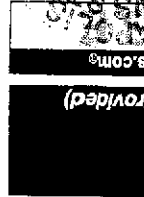
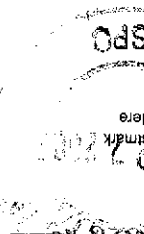
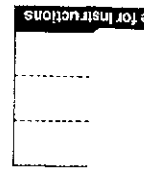
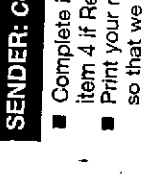
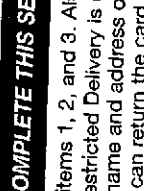
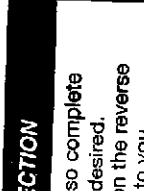
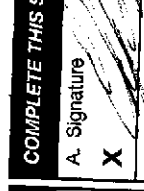
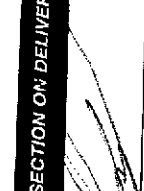
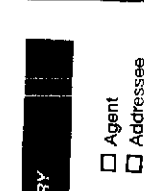
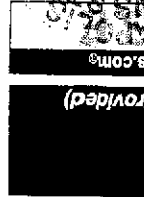
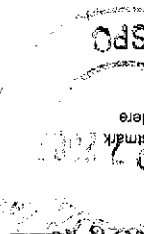
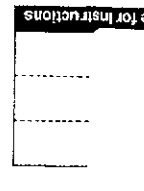
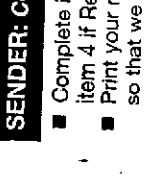
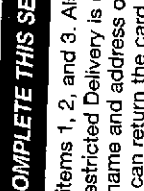
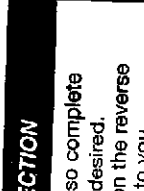
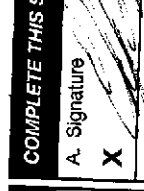
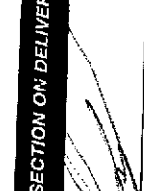
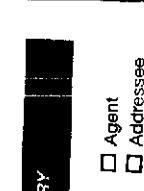
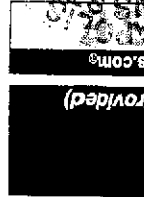
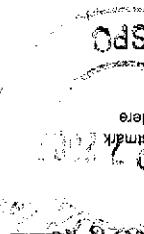
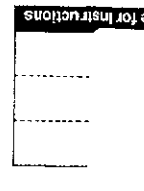
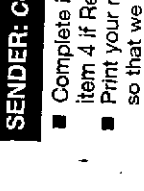
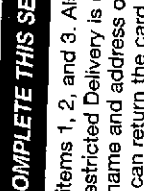
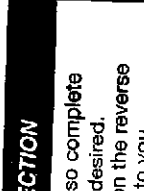
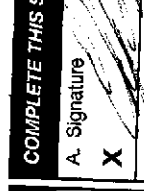
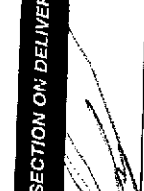
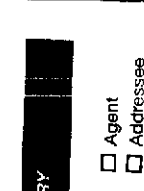
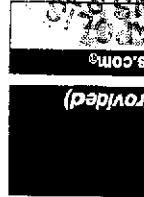
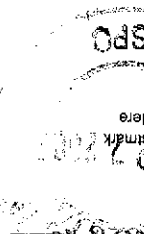
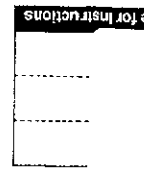
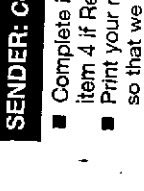
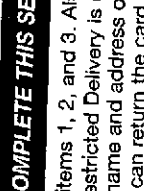
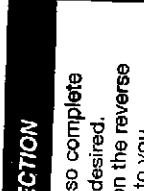
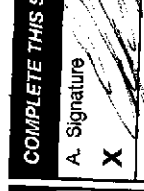
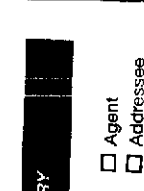
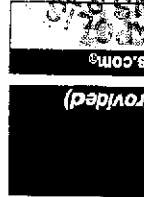
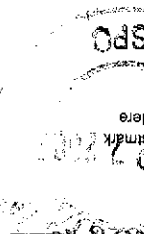
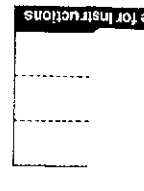
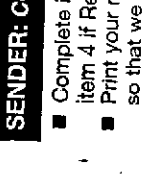
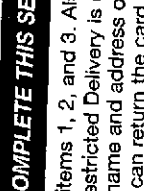
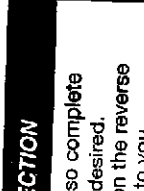
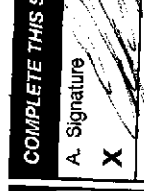
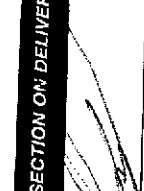
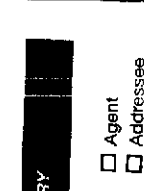
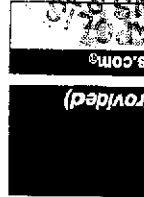
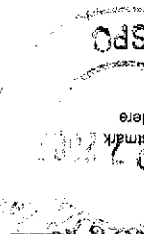
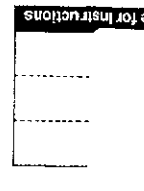
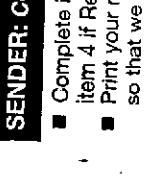
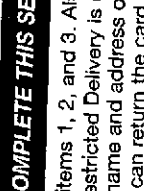
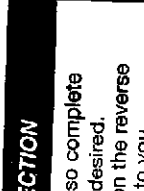
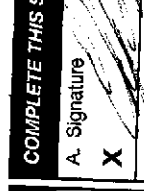
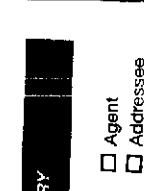
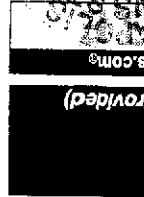
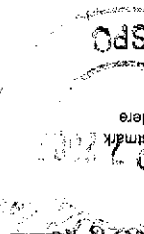
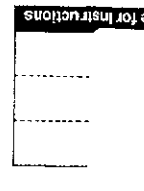
Franklin, IN 46131

PS Form 3800, June 2002

See Reverse for Instructions

Postmark Here DEC 27 2007

Postmark Here DEC 27 2007



FILED

DEC 27 2007

INDIANA PROFESSIONAL
LICENSING AGENCY

STATE OF INDIANA
BEFORE THE INDIANA PLUMBING COMMISSION

IN THE MATTER OF)	CAUSE NO. IPC 07-07
JOSEPH R. ABEYTA,)	
JOURNEYMAN PLUMBER)	
EXAMINATION APPLICANT)	

ADMINISTRATIVE LAW JUDGE'S ORDER

Comes now, William Ciriello, the Administrative Law Judge designated by the Indiana Plumbing Commission ("Commission") in this proceeding, and hearing having been held, now issues and files his order. Notice is hereby given that any objection to the Administrative Law Judge's Order must be filed with the Commission, identifying the basis of the objection with reasonable particularity, no later than eighteen (18) days from the date of issuance of this order unless such date is a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency's offices are closed during regular business hours in which case the deadline would be the first day thereafter that is not a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency's offices are closed during regular business hours. This Administrative Law Judge's Order is not the final order of the Commission in this proceeding. However, in the absence of any objection, the Commission either will affirm the Administrative Law Judge's Order as its final order or will serve notice of its intent to review any issue related to the Administrative Law Judge's Order.

FINDINGS OF FACT

1. This proceeding is pending on Joseph R. Abeyta's (hereinafter "Petitioner") petition for review of the Commission's denial of admittance to the examination for a journeyman plumber license.
2. The Petitioner has not completed the required four (4) years in an apprenticeship programs and his experience did not qualify as an exemption to the requirement for four (4) years of apprenticeship.

CONCLUSIONS OF LAW

1. Indiana Code 25-28.5-1-12(c) states that:

To qualify for a journeyman plumber examination an applicant who is an Indiana resident must provide evidence that the applicant has completed at least four (4) years in an apprenticeship program approved by the commission or present to the commission a notarized statement providing evidence that the applicant has at least four (4) years of experience in the plumbing trade in employment as set forth in [the following:

66

Ind. Code 25-28.5-1-32(2) - An authorized employee of the United States, the state, or a political subdivision of the state if the employee does not profess to be for hire and is acting within the scope of the employee's employment.

Ind. Code 25-28.5-1-32(6) - Construction, alteration, improvement, or repair of a plumbing system, located on a site, the title of which is in the name of the United States of America, or to construction, alteration, improvement, or repair on a project where federal law supersedes this article.

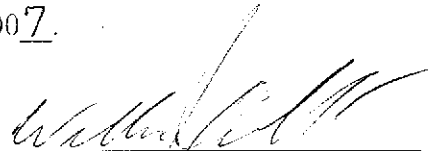
Ind. Code 25-28.5-1-32(7) - An individual who is employed or acts as a maintenance person at the individual's place of employment.]

2. The Petitioner did not present sufficient evidence to make a showing of having completed four (4) years of a Commission approved apprenticeship program nor of having the required experience to qualify for an exemption.

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Petitioner's application for admittance to the Journeyman Plumbing examination is DENIED.

ISSUED this 27th day of December, 2007.



William Ciriello
Administrative Law Judge
Indiana Plumbing Commission

Copies to:

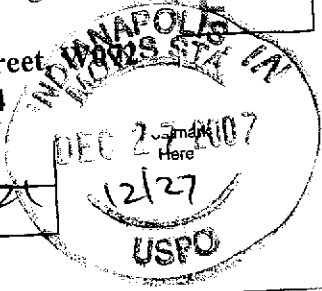
Joseph R. Abeyta
7314 Marshall Street
Merrillville, IN 46410
Certified Mail No. 7002 2410 0002 4164 4883
RETURN RECEIPT REQUESTED

Julie Alexander
Deputy Attorney General
Office of the Attorney General
Indiana Government Center South
402 W. Washington St., 5th Floor
Indianapolis, IN 46204

7002 2410 0002 4164 4883

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)

Professional Licensing Agency
Group# 10
402 W Washington Street
Indianapolis, IN 46204



Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total

Sent To

Street,
or PO Box
City, State

IPC 07-07
Joseph R. Abeyta
7314 Marshall Street
Merrillville, IN 46410

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

IPC 07-07
Joseph R. Abeyta
7314 Marshall Street
Merrillville, IN 46410

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Agent

Addressee" data-label="Text">

Addressee

Joseph R. Abeyta

B. Received by (Printed Name)

C. Date of Delivery

Tina Abeyta *12/31/07*

D. Is delivery address different from item 1? Yes No

If YES, enter delivery address below:

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number

(Transfer from service label)

7002 2410 0002 4164 4883

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

DEC 27 2007

STATE OF INDIANA
BEFORE THE INDIANA PLUMBING COMMISSION

INDIANA PROFESSIONAL
LICENSING AGENCY

IN THE MATTER OF) CAUSE NO. IPC 07-11
THE APPLICATION OF)
MICHAEL BERRYMAN,)
JOURNEYMAN PLUMBER)
APPLICANT)

ADMINISTRATIVE LAW JUDGE'S ORDER

Comes now, William Ciriello, the Administrative Law Judge designated by the Indiana Plumbing Commission ("Commission") in this proceeding, and hearing having been held, now issues and files his order. Notice is hereby given that any objection to the Administrative Law Judge's Order must be filed with the Commission, identifying the basis of the objection with reasonable particularity, no later than eighteen (18) days from the date of issuance of this order unless such date is a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency's offices are closed during regular business hours in which case the deadline would be the first day thereafter that is not a Saturday, a Sunday, a legal holiday under state statute or a day that the Indiana Professional Licensing Agency's offices are closed during regular business hours. This Administrative Law Judge's Order is not the final order of the Commission in this proceeding. However, in the absence of any objection, the Commission either will affirm the Administrative Law Judge's Order as its final order or will serve notice of its intent to review any issue related to the Administrative Law Judge's Order.

FINDINGS OF FACT

1. This proceeding is pending on Michael Berryman's (hereinafter "Petitioner") petition for review of the Commission's denial of licensure as a Journeyman Plumber because of examination failure.
2. The Petitioner failed to pass the written portion of the journeyman plumbing examination.
3. The Petitioner appeared in person and without counsel at the October 23 2007, hearing.
4. The Petitioner presented evidence that he believed that many of the questions required more data and that the questions had too many variables.
5. The Administrative Law Judge reviewed the questions and now finds that the questions had appropriate answers without more data needed.

CONCLUSIONS OF LAW

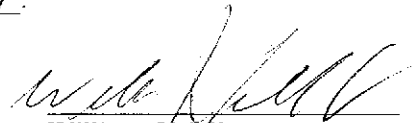
1. One of the requirements for licensure as a journeyman plumber is the passing of an examination as stated in Indiana Code 25-28.5-1-15. In 860 IAC 1-3, the Commission has adopted various rule provisions applicable to examinations. 860 IAC 1-3-1 is particularly applicable and reads as follows:

- (a) The journeyman plumber examination shall consist of a practical section and of a written section.
 - (b) The practical section of the examination shall include two (2) parts known as the following:
 - (1) The copper pipe project.
 - (2) The soil pipe project.
 - (c) The written section of the examination shall be a multiple-choice test.
 - (d) In order to pass the practical section of the examination, an individual must obtain scores of at least seventy percent (70%) on both of the following:
 - (1) The copper pipe project.
 - (2) The soil pipe project.
 - (e) An individual must obtain a score of at least seventy percent (70%) on the multiple-choice test in order to pass the written section of the examination.
2. The Petitioner did not pass the written section of the examination as required by 860 IAC 1-3-1.

ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Petitioner's application for licensure as a journeyman plumber is DENIED.

ISSUED this 27th day of December, 2007.


William Ciriello
Administrative Law Judge
Indiana Plumbing Commission

Copies to:

Michael Berryman
2408 Scenic Drive NE Apt. 27
Lanesville, IN 47135
Sent by Certified Mail No. 7002 0860 0000 8140 2046
RETURN RECEIPT REQUESTED

Julie Alexander, Deputy Attorney General
Office of the Attorney General
Indiana Government Center South
402 West Washington Street, 5th Floor
Indianapolis, IN 46222

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

IPC 07-11
 Michael L. Berryman
 2408 Scenic Drive NE, Apt 27
 Lanesville, IN 47135

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 B. Received by (Printed Name) Addressee
 C. Date of Delivery
 D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7002 0860 0000 8140 2046

Domestic Return Receipt

102565-02-M-1540

2. Article Number
 (Transfer from service label)

PS Form 3811, February 2004

7002 0860 0000 8140 2046

**U.S. Postal Service
 CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)**

402 W. Washington Street
 Room W072
 Indianapolis, IN 46204

Postage
 Certified Fee
 Return Receipt Fee (Endorsement Required)
 Restricted Delivery Fee (Endorsement Required)
 Total

IPC 07-11
 Michael L. Berryman
 2408 Scenic Drive NE, Apt 27
 Lanesville, IN 47135

PS Form 3800, April 2002 See Reverse for Instructions

INDIANAPOLIS, IN
 DEC 27 2007
 USPO

11-8-07
Filed

Gary Lee Stanley, Jr.
7403 S Gobblers Knob Rd.
Williamsport, IN 47993

Compliance Division
402 West Washington Street Room W702
Indianapolis, Indiana 42604

November 07, 2007

RE: Mack Blair

Re: Examination Licensure and Unlicensed Practice

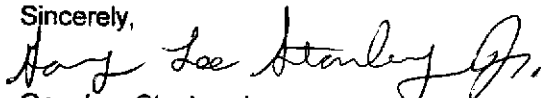
Dear William Nave:

To respond to the compliance division about the allegations:

- (a) I am currently and will continue to be compliant with the Commission's licensing requirements.
- (b) I have read the new Indiana statutes and rules and I understand them.
- (c) At this time I have no employees. I do understand anyone who engages in the practice of plumbing has to be a licensed apprentice or journeyman plumber.
- (f) I assure you, I will permanently cease and desist from allowing unlicensed employees to engage in plumbing work.

I am honored to have an Indiana plumbing contractors license. I have worked hard for many years to uphold the law and I respect the plumbing commission for what you are doing. I believe too many people have gotten away with doing plumbing work and not being licensed. I thank you for your hard work. I apologize for any wrongdoing that I have done, and this will never happen again. My address has since changed and therefore I have received your letter on November 3rd, 2007.

Sincerely,


Gary Lee Stanley, Jr.



402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Telephone: (317) 232-5887
Fax: (317)232-2312
Website: www.PLA.IN.gov

Governor Mitchell E. Daniels

Stanley Plumbing
Gary Lee Stanley, JR
9155 East 126th street
Fishers IN 46038

October 4, 2007

RE: Mark Blair

Re: Examination Licensure and Unlicensed Practice

Dear Gary Lee Stanley, JR:

An application for the plumber contractor or journeyman plumber examination for licensing was submitted to the Indiana Plumbing Commission ("Commission"). In the application, you and the applicant both signed a notarized affidavit stating that the applicant has obtained at least four (4) years of experience in the plumbing trade under your employment and supervision. Upon review of the application, it appears that you, as the employer, allowed the applicant to work in the plumbing trade without the applicant being licensed as a journeyman plumber or plumbing contractor or registered as an apprentice; therefore, the applicant's application has been denied. **You must immediately stop allowing unlicensed employees to perform plumbing work.** 1

According to Indiana Code 25-28.5-1-11, it shall be unlawful for *any person* to act in the capacity of a plumbing contractor or journeyman plumber within this state without first *obtaining a license as a plumbing contractor or journeyman plumber from the commission*. In addition, 860 IAC 1-5-5(a) provides that plumbing contractors *shall not allow any employee or subcontractor to act in the capacity of a plumbing contractor or journeyman plumber unless that employee or subcontractor has a plumbing contractor's license or a journeyman plumber's license*. A licensing violation such as this could result in disciplinary action, which includes a range of action from a letter of reprimand to revocation of your plumbing contractor's license. You have twenty (20) days from the date of this letter to respond, in writing, to the Compliance Division. The letter must address the allegations and your proposed compliance offer, which must include the following:

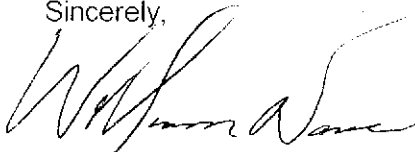
- (a) Your intent and plan to become compliant with the Commission's licensing requirements.
- (b) A statement of understanding of the Indiana plumbing statutes and rules.
- (c) A list of all principals and employees who engage in the practice of plumbing and their job descriptions.
- (d) Filing applications for all employees who meet the requirements for admission to the journeyman plumber or plumbing contractor examination.
- (e) Filing applications for apprentice registration for all employees who do not meet the requirements for admission to the journeyman plumber or plumbing contractor examination.

- (f) As an alternative to subsections (d) and (e), you may file a statement indicating that you, as the employer, will permanently cease and desist from allowing unlicensed employees to engage in plumbing work.

A current copy of the Indiana Plumbing Commission statutes and rules are available at our website at www.in.gov/pla/bandc/plumbing. You can view the list of approved apprenticeship schools at the Commission's website, click on **license express**, then **license search** and **click here to search for a Corporation, Shop, Business or Tobacco Retailer instead of a person** and then chose from the list the Professions, and click **license type:**, and then **search all** .

If you have any questions, please feel free to contact me at (317) 232-5887 or email me at wname@pla.in.gov.

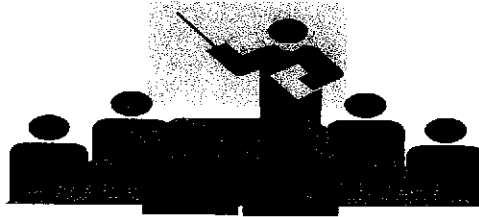
Sincerely,



William Nave
Director of Compliance

Enclosure

Certified Mail: 7001 2510 0006 3838 5856



1/2/08
Filed

**P.A.C.O.N.
Plumbing Apprenticeship School
896 Kieley Place
Cincinnati, OH 45217**

**Pacon Backflow School
Certification/Recertification**

**Pacon-Roc
Recertification of Contractors**

Indiana Plumbing Commission
402 West Washington Street, Room W072
Indianapolis, Indiana 46204

January 2, 2008

Dear Plumbing Commission:

In response to your written request, I am providing the following information regarding PACON Plumbing School. (Plumbers Apprenticeship Committee of Norwood)

- 1) Enrollment Count to date – 70 students
- 2) Regions covered – State of Ohio
- 3) Location – 896 Kieley Place
Cincinnati, OH

Enclosed is a Registered Apprenticeship Information sheet from the Bureau of Apprenticeship Training and a copy of the Certificate of Completion of Apprenticeship which each student receives upon completion of the four year program.

Please feel free to contact me with any further questions.
(513) 641-1982

Sincerely,

Tony Ventura
Apprenticeship Coordinator/ Owner

RECEIVED

JAN 04 2008

Indiana Professional
Licensing Agency

77

Certificate of Completion of Apprenticeship

ISSUED BY
THE OHIO STATE APPRENTICESHIP COUNCIL

This is to certify that: _____
has fulfilled the terms of the apprenticeship agreement in accordance with the registered standards and requirements, with related instruction and is hereby recognized and qualified as a journey person
PLUMBER

_____ together with all the rights, privileges and opportunities which everywhere pertain thereto.
In testimony Whereof, the Ohio State Apprenticeship Council of the Ohio Department of Job and Family Services in cooperation with the Bureau of Apprenticeship and Training, U.S. Department of Labor, do affix the Great Seal of the State of Ohio.

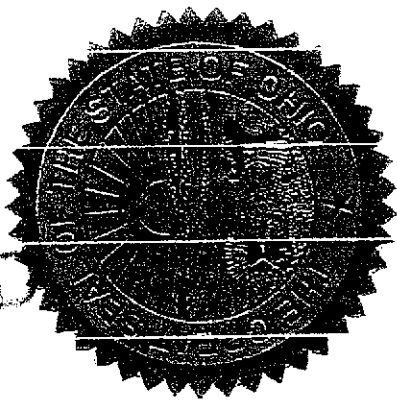
Witnessed Over Our Signatures and Seal:

Sponsored by: _____
P.A.C.O.N _____
Given at Columbus in the State of Ohio,
this 18th day of November A.D. 2006

Cincinnati, Ohio _____

Director, Ohio State Apprenticeship Council
Chairman, Ohio State Apprenticeship Council

BOB TAFT
GOVERNOR OF OHIO



RECEIVED
JAN 14 2007
Indian Department
Licensing Bureau

Program Sponsor					
Organization	P.A.C.O.N.		Org ID	S25443	
Address	896 KIELEY PLACE		Loc ID	L001	
City	CINCINNATI	State	OH	Zip Code	45217

Program Registration Information			
ATR	OH006	Program No	OH005820012
Bargain Agency	N/A	Program Type	4Group Non-Joint
Waiver?	No	Union Acronym	
Number of Employers	70	Size of Workforce	569

Sponsor Contact Information			
Contact Name	TONY VENTURA		
Phone	(513) 641-1982	Ext	Fax
Email			
SIC Category	1711	Products/ Services	PLUMBING, HEATING, AIR-CONDITIONING

Significant Dates	
Registration Date	06/22/1982

Occupation			
Occupation	0432 - PLUMBER		
Prisoner Indicator	No	Term Length	8000 hours
Written STA Agreement?	No	Probation Length	1000 hours

Journey Workers Employed			
Female	8	Total	426
Minority	64	Youth	0

RTI Information 1			
Instruction Method	Classroom	Delivery Technique	Time Based
Instruction Provider	Sponsor	Wages Paid during RTI?	NO
Hours Instruction Provided	During Non-Work Hrs	Total Length of Instruction	576 hours
RTI Provided by	Sponsor Only		

RTI Provider Information 1			
Provider Name	P.A.C.O.N.		
Provider Address	896 KIELEY PLACE		
Provider City	CINCINNATI	State: OH	Zip Code: 45217
Contact Name	TONY VENTURA	Contact Phone	(513) 641-1982

Wage Schedule Information								
Wage Record:	1	Start Date:	09/01/2006	Journey Wage:	\$18.00	Increment Type:	Percent	
Period	1	2	3	4	5	6	7	8
Term/Hours	1000	1000	1000	1000	1000	1000	1000	1000
Percent	50.000%	55.000%	60.000%	65.000%	70.000%	75.000%	80.000%	85.000%

CHECKED FEB 16 2007

Handwritten initials

RECEIVED

JAN 24 2008

Indiana Professional Licensing Agency

79



Indiana Plumbing Commission

402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Telephone: (317) 234-3022
Fax: (317) 233-5559
Website: www.pla.IN.gov

Governor Mitchell E. Daniels, Jr

PACON

Tony Ventura
896 Kieley Place
Cincinnati, OH 45217

December 13, 2007

Dear Mr. Ventura

Your application for Approval of Plumbing Apprentice School was tabled by the Indiana Plumbing Commission pending the following:

The enrolled count of the apprentices, the regions covered, and how many locations, and a copy of the verification from the Bureau of the Training.

Please return the requested documentation with a copy of this letter at least five (5) days prior to the January 23, 2007 commission meeting. If you have any questions, please contact me at (317) 234-3022, or pla10@pla.state.in.us.

Sincerely,

Lorrie Ruble
Case Manager

80

WORK PROCESS SCHEDULE

PLUMBER

GENERAL TRADE ORIENTATION	APPROXIMATE HOURS
Care and use of tools Test and measuring Types and uses of pipes, fittings, fixtures	1550
GENERAL PIPE FITTING PRACTICE	
Cut, ream, thread, burr, drill and assemble pipes Cut soil pipe, seal and chalk joints Care and use of oxygen/acetylene torch Care and use of welding equipment	2000
SERVICE INSTALLATION	
Sketch and read blueprints-layout work Measure plumb, square, level layout Make bills of material Cut openings Hang and brace pipe Make riggings and supports Install hot and cold water supply lines, valves, strainers, faucets, etc. Rough in drain in ground, suction and discharge lines Lay and connect drainage, soil pipe Install vent systems soil stacks Connect to sewer Install radiators, heating and ventilating units Install heating system controls	2550
FIXTURE INSTALLATION	
Sinks and tubs Water closets and urinals Showers and shower controls Drinking fountains Sprinkler systems, hangers, wet and dry pipe, sprinkler heads Floor drains	1900
TOTAL OJT HOURS	8000

82

RELATED INSTRUCTION OUTLINE

1st Year

Subject:

Introduction to Plumbing Code.....	66
Operation and use of all tools and equipment	35
Introduction of repair service and drain cleaning.....	35
Health & Safety.....	8

TOTAL..... 144 hours

2nd Year

Subject

Introduction to blueprints and sketching	55
Plumbing Code	45
Complete repair service and drain cleaning.....	40
Health & Safety	4

TOTAL..... 144 hours

3rd year

Subject

Fixture practices.....	30
Plumbing Code	20
Gas Code	20
Blueprint & sketching.....	36
Hang & brace pipes.....	34
Health & Safety	4

TOTAL..... 144 hours

4th year

Subject

Backflow Prevention.....	20
Fixture practices.....	25
Blueprint reading.....	25
Plumbing Code	36
Hang & brace pipes.....	34
Health & safety.....	4

TOTAL..... 144 hours

January 3, 2008

Gary L. Link
977 Woodland Lake Road
Morgantown, IN 46160

RECEIVED

Indiana Plumbing Commission
402 West Washington Street
Room WO 72
Indianapolis, IN 46204

JAN 07 2008

Indiana Professional
Licensing Agency

RE: Plumbing Contractor License
PC81054181
Expiration Date 12/31/2005

Dear Board Members:

I am writing asking for your consideration regarding the reinstating of my license. I did not realize it had expired due to the following medical issues.

In the spring of 2005 I was diagnosed with Acute Myelogenous Leukemia and spent over 50 days hospitalized getting the AML into remission. I am grateful that they were successful and that I am still in remission.

As a result of some of the tests necessary for the AML, it was found that I also had thyroid cancer and had that removed the next year. The recovery from these has been quite slow and I still am not able to do physically what I could before I became ill.

During these times, my plumbing license was due for renewal, and for some reason, we must have missed the paperwork. It wasn't until yesterday, when I was having an unrelated medical procedure that I found my plumbing license buried in my wallet and saw that it had expired. I called today and found that time has elapsed beyond what is allowed for the grace period.

I am formally asking for an exception and that I be allowed to renew my plumbing license.

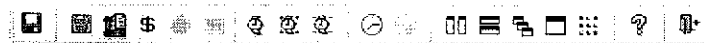
Thank you for your consideration.

Sincerely,



Gary L. Link

84



Licensee - Gary L. Link (Plumbing Commission)

General | Licenses | Education | Employment | Public Info | Supp. Info.

Name: First: Gary L. Last: Link
SSN: SN? Gender: Male Age: Date Of Birth: 00/00/0000
Hold/Alert: Place of Birth: Date of Death: 00/00/0000

Address

Additional: 977 Woodland Lake Road
Morgantown IN 46160-
United States Brown

Phone: () - Unlisted?
Other: () - Unlisted?
Email:

Aliases
Addresses
Remarks
Other Phones

Ready

85

Licenses
PC810
Address
Detail
Supp.
Additio

Print History for Gary L. Link

Plumber Contractor Lic. #PC81054181

Batch Print Date	Batch Type	Print Batch ID	User ID
10/26/2001	49123 Plumbing Renew Form	14078	awalkins
11/15/2001	1098	14632	awalkins
01/09/2002	1098	17942	truble
10/31/2003	49123 Plumbing Renew Form	46337	jsmall
11/19/2003	1098	47299	jsmall
10/25/2005	49123 Plumbing Renew Form		mylinense

Reprint Count: 0

OK Help Cancel

Remarks

Licensee - Gary L. Link (Plumbing Commission)

License #	Type	Status	Probation?	Limited?
PC81054181	Plumber Contractor	Expired	<input type="checkbox"/>	<input type="checkbox"/>

Address: _____ Issue Date: 01/01/1900 Applicant Number: 259378

Detail: Obtained By: Examination

Supp. Info.: From State/Prov.: _____ From Country: _____

Additional: Expiration Date: 12/31/2005

Date This Status: 01/04/2006 Last Renewal Date: 11/19/2003 Renewal ID: _____

Reason Changed: Expired

Date Archived: _____

Effective Date: 01/01/1900

Last Reprint Date: _____

Reprint Count: 0

Remarks: _____

Fax

Jarboe Plumbing
11338 St. Wendel Rd
Evansville IN 47720

Phone# 812 963 6902
Fax# 812 435 8433
Attn: Frances Jarboe

Name: Indiana Professional Licensing Agency
Ms. Mary Kate Adams

Fax: 317 233 4236

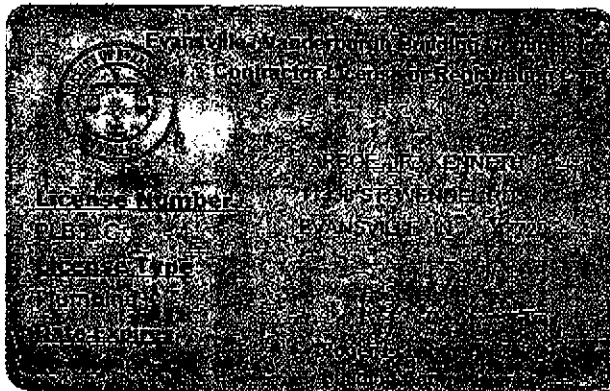
From: Frances Jarboe

Date: January 11 2008

Subject: Renewal of Master Plumbers License

Pages: 1

Renewal of Masters Plumbers License for Kenneth Jarboe/Jarboe Plumbing
Sending copy of City Plumbing License, did not send with first fax



89

Internet Explorer - License Management System

License Management System (PLumbing Commission)

General Licenses Education Employment Public Info Supp. Info

License #	Type	Status	Probation?	Linked?
PCB1053232	Plumber Contractor	Expired	<input type="checkbox"/>	<input type="checkbox"/>

Address: Issue Date: Detail: Obtained: Supp. Info: From State: Pr: Expiration D: Additional: Date This Stat: Reason Chang: Date Arch: Effective D: Last Reprint D: Reprint Co: Remarks:

Print History for Kenneth W. Jarboe, Jr.

Plumber Contractor Lic. #PCB1053232:

Batch Print Date	Batch Type	Print Batch ID	User ID
10/26/2001	491 23 Plumbing Renew Form	14076	awalkins
11/26/2001	1098	15066	awalkins
10/31/2003	491 23 Plumbing Renew Form	46337	jsmall
11/24/2003	1098	47520	jsmall
10/29/2005	491 23 Plumbing Renew Form		nylicense

OK Help Cancel

Ready

Start Group 10 - Inbox - License 2000 - INFLA... Open License 7:59 AM

90

General	Licenses	Education	Employment	Public Info	Supp. Info.																																																												
<table><tr><td>Name:</td><td>First: Kenneth V.</td><td>Last: Jarboe</td><td>Jr</td><td colspan="2"></td></tr><tr><td>SSN:</td><td></td><td>Gender: Male</td><td>Age:</td><td>Date Of Birth: 00/00/0000</td><td></td></tr><tr><td>Hold/Alert:</td><td>Place of Birth:</td><td colspan="2">Date of Death: 00/00/0000</td><td colspan="2"></td></tr><tr><td colspan="6">Address</td></tr><tr><td colspan="6">Additional: 1338 SW Wendel Road</td></tr><tr><td colspan="6">Evansville IN 47720</td></tr><tr><td colspan="6">United States Vanderburgh</td></tr><tr><td colspan="6">Phone: - Unlisted? <input type="checkbox"/></td></tr><tr><td colspan="6">Other: - Unlisted? <input type="checkbox"/></td></tr><tr><td colspan="6">Email:</td></tr></table>						Name:	First: Kenneth V.	Last: Jarboe	Jr			SSN:		Gender: Male	Age:	Date Of Birth: 00/00/0000		Hold/Alert:	Place of Birth:	Date of Death: 00/00/0000				Address						Additional: 1338 SW Wendel Road						Evansville IN 47720						United States Vanderburgh						Phone: - Unlisted? <input type="checkbox"/>						Other: - Unlisted? <input type="checkbox"/>						Email:					
Name:	First: Kenneth V.	Last: Jarboe	Jr																																																														
SSN:		Gender: Male	Age:	Date Of Birth: 00/00/0000																																																													
Hold/Alert:	Place of Birth:	Date of Death: 00/00/0000																																																															
Address																																																																	
Additional: 1338 SW Wendel Road																																																																	
Evansville IN 47720																																																																	
United States Vanderburgh																																																																	
Phone: - Unlisted? <input type="checkbox"/>																																																																	
Other: - Unlisted? <input type="checkbox"/>																																																																	
Email:																																																																	
Aliases:																																																																	
Addresses:																																																																	
Remarks:																																																																	
Other Elicons:																																																																	

License #	Type	Status	Prohibition?	Limited?
PC81069232	Plumber Contractor	Expired	<input type="checkbox"/>	<input type="checkbox"/>

Address	Issue Date: 01/01/1900	Applicant Number: 259325
Detail	Obtained By: Examination	
Supp. Info.	From State/Prov:	From Country:
Additional	Expiration Date: 12/31/2005	
	Date This Status: 01/04/2006	Last Renewal Date: 11/24/2003
	Reason Changed: Expired	Renewal ID:
	Date Archived:	
	Effective Date: 01/01/1900	
	Last Reprint Date:	
	Reprint Count: 0	

Remarks

42



1/15/08
Filed

9708 North 300 East • Syracuse, IN 46567
(574)658-9173 • Fax (574)658-3828 • License #1062629

January 15, 2008

Indiana Professional Licensing Agency
Frances L Kelly
PO Box 6191
Indianapolis, IN 46206-6191

Frances L Kelly,

My name is John Kozon and I recently received a call from one of the cities that we do business with, requesting an updated copy of my contractors license. I sent them my Plumbing Corporation License, and they advised me that the contractor's license was separate. I called the Indiana Professional Licensing Agency and they told me my contractor's license was expired and I would have to re-test. This upset me greatly and I do not understand how or why this occurred. I am requesting that I be allowed to renew my contractor's license. I will explain the steps I took and what I received from your office.

In 2005, I became aware in a conversation with Bill Cirrello that if your business was incorporated, you needed a Plumbing Corporation License. I then did two things. I instantly applied for my corporate license, and I attended our next local PHCC meeting and advised all our members of this information. Everyone there was as unaware of this as I was. I read every trade magazine, was a local PHCC President for three years, and spent six years on the state PHCC board. I was never informed that a corporate license was required, by anyone, at any level.

I received my Plumbing Corporate License in 2005 that expired 12/31/2005. Copy of my license is enclosed.

In November 2005 I received paperwork for license renewal for the Plumbing Contractors License. It was renewed instantly and a copy of my license expiring 12/31/07 is also enclosed.

On November 19, 2007, I received paperwork again for my Plumbing Corporation License. We were given a pin number, renewed online, and

promptly received our Plumbing Corporation License expiring 12/31/09. Copy is enclosed.

I would also like your office to check how promptly John Kozon and John Kozon Inc has always renewed their licenses. I have worked in this trade for over thirty years and employed hundreds of people. Our company has done the plumbing and heating work on over 5,000 homes, apartments, hotels, and commercial buildings. Now I am being told I did not renew my license. I could not disagree more. When I had a journeymen's license, I then tested for my contractor's license, passed and received a contractor's license. I did not receive a contractor's and journeymen's license. When I became aware I needed a Plumbing Corporation License, I did so and over two corporate license renewals, I never received anything to renew my contractor's license. I assumed the corporate license was all I needed and was never informed any differently.

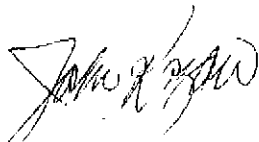
When we called your office on 1/14/2008 and they informed me my contractor's license was expired, we informed them that we never received any other paper work other than the Plumbing Corporation License. They said we had. I ask you, why would we renew one license and not the other if we had received it? The answer is simple, because we did not receive it. If you check my renewals over the past 25 years, you will find they were always done promptly, early, and never late.

I am requesting to renew my contractor's license. I have no idea why there are two licenses required, other than the obvious revenue produced for the State of Indiana, but I was never advised of the need for both.

**I would greatly appreciate a response as soon as possible.

Thank you,

John Kozon, President
John Kozon Inc.



Cc: Bill Circello
Cc: Mary Kate Adams



Indiana Professional Licensing Agency
402 West Washington Street, Room 4072, Indianapolis, Indiana 46204-3022

PLUMBING CORPORATION

License Number	Expiration Date	License Status
CP30500011	12/31/2009	Active

JOHN KOZON, INC.
9708 N 300 E
Syracuse IN 46567

Frances L. Kelly
Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency


STATE FORM 49122 (9-80)

Indiana Professional Licensing Agency
Plumbing
402 W. Washington St., Room 4072, Indianapolis, IN 46204
(317) 232-2900

PLUMBING CORPORATION LICENSE

License Number	Expiration Date	License Status
CP30500011	12/31/2007	Active

John Kozon, Inc.



Indiana Professional Licensing Agency
Plumbing
402 W. Washington St., Room 4072, Indianapolis, IN 46204
(317) 232-2900

PLUMBING CORPORATION LICENSE

License Number	Expiration Date	License Status
CP30500011	12/31/2005	Active

John Kozon, Inc.
9708 N 300 E
Syracuse, IN 46567

REPLICATE AT PERCUSSION

95

November 19, 2007


IMPORTANT LICENSURE INFORMATION

ADDRESS/NAME CHANGE - It is your responsibility to notify the Agency in writing of any change of address. A name change request must be accompanied by a legal name change document or you may request a *Name Change Affidavit* form by contacting our office at (317) 234-3022.

LICENSE VERIFICATION - To request a license verification to another state, you must forward a written request to the Indiana Professional Licensing Agency.


DUPLICATE POCKET CARD LICENSE - To request a duplicate pocket card license, you must forward a written request to the Agency stating the reason for a duplicate license, your license number and your signature. There is no charge for a duplicate pocket card license.

PLUMBING CORPORATIONS: Your license number may have changed. If your previous prefix was a "CP", the new prefix will change to a "CO". This is being changed to avoid a conflict in license numbers with another profession.

 Indiana Professional Licensing Agency 312 West Washington Street, Room 1072, Indianapolis, IN 46204 Phone: (317) 234-3022		
PLUMBING CORPORATION		
License Number	Expiration Date	License Status
CO30500011	12/31/2009	Active
John Kozon, Inc. 9708 N 300 E Syracuse IN 46567		
Valid Until Shown In Ink		

THIS LICENSE MAY BE LAMINATED

--	--	--

 Indiana Professional Licensing Agency 312 West Washington Street, Room 1072, Indianapolis, Indiana 46204 Phone: (317) 234-3022		
PLUMBING CORPORATION		
License Number	Expiration Date	License Status
CO30500011	12/31/2009	Active
JOHN KOZON, INC. 9708 N 300 E Syracuse IN 46567		
<i>Frances L. Kelly</i> Frances L. Kelly Executive Director Indiana Professional Licensing Agency		

STATE FORM 49-22 (6-04)

96

RENEW YOUR LICENSE AT www.in.gov/pla/express

IVR PIN
2786104 ENTER

AUTOSCH 3-DIGIT 465
JOHN KOZON, INC.
9708 N 300 E
SYRACUSE IN 46567-9357



Example of the License Renewal Page
at www.in.gov/pla/express

The screenshot shows the IPLA Professional Licensing Agency website. The main navigation menu includes License Express, Renew, Search, Track, and Download. The Renew section is highlighted, showing options to renew a license through the Professional Licensing Agency or the State Board of Technical Education. The Search section allows users to search and verify license holders. The Track section allows users to track license updates and notice of proceedings for occupational professionals. The Download section provides a Data Download of license licenses, including license number, name, issue date, expiration date, and status for each profession.

HELPFUL
TIPS

- **YOUR PLUMBING LICENSE(S) EXPIRE(S) ON DECEMBER 31, 2007.** If you have not renewed online by midnight on December 31, 2007 you will be charged a \$50.00 late fee for each license you are renewing. To renew your license as a plumbing contractor or a plumbing corporation the fee is \$100.00 and the fee for a journeyman plumber is \$30.00. All paper renewals postmarked after 12/31/2007 will be charged a \$50.00 late fee in addition to the renewal fees.
- **ADDRESS CHANGE.** You may update the address on your Plumbing license during the online renewal process.
- **NAME CHANGE.** A name change request must be accompanied by a legal name change document, such as a marriage certificate, divorce decree, social security card or other legal name change documents to the address listed below.
- **NOTE:** Your user I.D. is your license number and your password is your social security number. You will only use your PIN number for the Interactive Voice Response System (IVR).
- **NOTE PLUMBING CORPORATIONS:** Your user I.D. is your license number and your password is your license number.
- If you wish to receive a paper renewal and do not have an address change please call our Interactive Voice Response System (IVR) line at (317) 63RENEW and a form will automatically be mailed. If you have changed your address please contact us at renewal@PLA.IN.gov or by phone at (317) 234-3022.

Professional Licensing Agency Staff:

Angela Smith Jones, Board Director
Lorrie Ruble, Case Manager
Sylvia Grinstead, Case Manager

Mary Kate Adams, Assistant Board Director
Rebecca Tinsley, Case Manager
Kevin Moore, Case Manager

Indiana Professional Licensing Agency
402 West Washington Street, Room W072, Indianapolis, Indiana 46204

IPLA IS WORKING TO KEEP YOU WORKING... PLEASE HELP US BY USING THESE GUIDELINES.

97



Payment Receipt

This page serves as your receipt for this transaction. Your payment will appear on your credit card statement as "HEALTH/PROFESSIONAL LICENSE". To maintain this page for your records, you may print this page by clicking the "Print Receipt" button below.

What to do next?

Renewal

- Check back on the MyLicense site in 24 - 48 hours to see if your expiration date was extended.
- If so, you will receive your updated wallet card shortly.
- If not, this may mean there is a problem with your renewal application and you will be contacted.
- If you answered "Yes" to any of the disciplinary questions, you must provide additional information before your renewal can be processed. You may still work with your current license for up to 90 days while your renewal is being reviewed by the board.

Payment received - thank you.

Licensee: John Kozon, Inc.

License Number: CO30500011

Authorization Code: 319125

Received Date: 11/19/2007 2:52:33 PM

Transaction ID: 2710399

Credit Card Number: XXXX XXXX XXXX
4820

Fee Amount: \$100.00

Enhanced Fee: \$2.50

Instant Fee: \$3.07

Total Payment: \$105.57

[Print Receipt](#)

[Renew Another License](#)

[Logout](#)

98

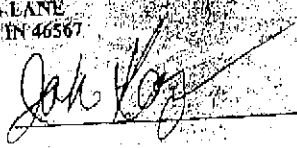
Indiana Professional Licensing Agency
Plumbing
302 W. Washington St., Room 1034, Indianapolis, IN 46204 (317) 232-2980

PLUMBER CONTRACTOR LICENSE

License Number	Expiration Date	License Status
PC81062629	12/31/2008	Active

JOHN KOZON
141 EMS DALLANE
SYRACUSE, IN 46367

Valid Unless
Signed in Ink



Fax Cover Sheet * Fax Cover Sheet * Fax Cover Sheet
Kozon Plumbing & Heating

9708 North 300 East • Syracuse, IN 46567
Phone: (574) 658-9173 • Fax: (574)658-3828

TO: Mary Kate Adams	FROM: John Kozon
FAX # 317-233-4236	PAGES: 8 (Includes This Sheet)
PHONE #:	DATE: 1/15/08
RE: Contractor's License Renewal	

MESSAGE:

Please review the attached letter to Frances Kelly.

Thank You,

John Kozon, President

John Kozon Inc

100

Licensee - John Kozon (Plumbing Commission)

License #	Type	Status	Probation?	Limited?
PC-S1882628	Plumber Contractor	Expired	<input type="checkbox"/>	<input type="checkbox"/>

Address	Issue Date: 01/01/1900	Applicant Number: 259782
Detail	Obtained By: Examination	
Supp. Info	From State/Prov:	From Country:
Additional	Expiration Date: 12/31/2005	
	Date This Status: 01/04/2006	Last Renewal Date: 11/12/2003
	Reason Changed: Expired	Renewal ID:
	Date Archived:	
	Effective Date: 01/01/1900	
	Last Reprint Date:	
	Reprint Count: 0	
Remarks		

Ready

start

AT&T Yahoo! (16.4...)

License 2000 - INFLA...

GROUP 10 - Indec... m...

10:04 AM

General Licenses Education Employment Public info Supp. info

License # Type Status Probation? Limited?

PC81062629 Plumber Contractor Expired

Address Issue D

Detail Obtained

Supp. Info From State Pr

Expiration D

Additional Date This Stat

Reason Chang

Date Archi

Effective D

Last Reprint D

Reprint Co

Remarks

Plumber Contractor Lic #PC81062629

Batch Print Date	Batch Type	Print Batch ID	User ID
10/26/2001	49123 Plumbing Renew Form	14078	awatkins
01/04/2002	1098	17710	awatkins
11/01/2003	49123 Plumbing Renew Form	46338	jsmall
11/17/2003	1098	46881	jsmall
10/25/2005	49123 Plumbing Renew Form		mjlucense

OK Help Cancel

102

Licensee - John Kozon (Plumbing Commission)

General	Licenses	Education	Employment	Public Info	Supp. Info.
Name: First: John Last: Kozon		Gender: Male Age: Date Of Birth: 00000000		Date of Death: 00000000	
SSN: Alt SSN: <input type="checkbox"/> Place of Birth:		Hold/Alert:			
Address: 141 EMS 021 Lane		Additional:		Aliases:	
Syracuse IN 46567		United States Indiana		Addresses:	
Phone: Unlisted? <input type="checkbox"/>		Other: Unlisted? <input type="checkbox"/>		Remarks:	
Email:				Other Phones:	

Attn: Angela Smith Jones

FILED
JAN 09 2008
Indiana Professional
Licensing Agency

I missed my hearing date on January 7th. I didn't receive my hearing notice in a sufficient amount of time. I would like to request another hearing date in front of the full plumbing board.

Thank you; my regards,

Brian J. Syp

Contact info: home 317-865-1049
cell 317-714-1898

Tuesday, January 08, 2008

FILED
JAN 09 2008
Indiana Professional
Licensing Agency

104

1051

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

IPC 07-23
 Brian J. Syra
 409 Orchard Lane
 Greenwood, IN 46142

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* Agent

B. Received by (Printed Name) Addressee
BRAND SALES

C. Date of Delivery
12-21-09

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number 7003 3110 0004 5111 7589
 (Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt

BEFORE THE INDIANA PLUMBING COMMISSION
CAUSE NO. IPC 07-23

IN THE MATTER OF)
THE APPLICATION OF)
BRIAN J. SYRA,)
PLUMBING CONTRACTOR APPLICANT)

FILED

DEC 26 2007

INDIANA PROFESSIONAL
LICENSING AGENCY

HEARING NOTICE

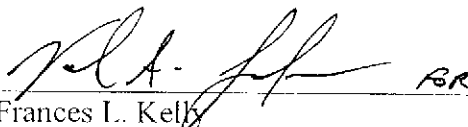
Comes now the Indiana Plumbing Commission (hereinafter "Commission") pursuant to IC 4-21.5-3-20 and issues the following hearing notice.

1. This notice is being provided to Petitioner, Brian J. Syra, 409 Orchard Lane, Greenwood, IN 46142.
2. This notice is being provided to counsel for the Commission, Julie Alexander, Deputy Attorney General, Office of the Attorney General, Indiana Government Center South, 402 West Washington Street, 5th Floor, Indianapolis, Indiana 46204, telephone number (317) 234-4668.
3. The official cause number of this action is IPC 07-23.
4. This action is pending before the Commission on the Petitioner's petition for review of the Commission's denial of licensure as a plumbing contractor because of examination failure.
5. A hearing regarding this matter will be held on the 7th day of January, 2008, at 10:10 a.m., local time, in Room W072 of the Indiana Professional Licensing Agency, Indiana Government Center South, 402 West Washington Street, Indianapolis, IN 46204.
6. The Commission is empowered to hear this matter pursuant to the authority of IC 4-21.5-3 and IC 25-28.5.
7. William Ciriello is the administrative law judge designated by the Commission in this matter. Angela Smith Jones, Commission Director, may be contacted to obtain information concerning hearing schedules and procedures by mail in care of the Indiana Professional Licensing Agency, Indiana Government Center South, 402 W. Washington Street, Room W072, Indianapolis, Indiana 46204, by email at pla10@pla.IN.gov, by facsimile at (317) 233-4236, or by telephone at (317) 234-3022.
8. The hearing will address the issues involved in the denial of licensure as a plumbing contractor because of examination failure as more fully described in the Commission's notice of denial, a copy of which is attached hereto as Exhibit "A", and the Petitioner's petition for review, a copy of which is attached hereto as Exhibit "B".

106

9. A party who fails to attend or participate in a prehearing conference, hearing, or other later stage of this proceeding may be held in default or have the proceeding dismissed under IC 4-21.5-3-24.

All of which is ORDERED, ADJUDGED AND DECREED this 26TH day of December, 2007.



Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

cc:

Brian J. Syra
409 Orchard Lane
Greenwood, IN 46142
CERTIFIED MAIL NO.: 7003 3110 0004 5111 7589

Julie Alexander
Deputy Attorney General
Office of the Attorney General
Indiana Government Center South
402 W. Washington Street, 5th Floor
Indianapolis, Indiana 46204



Indiana Plumbing Commissio
402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Telephone: (317) 234-3022
Fax: (317) 233-5559
Website: www.pla.IN.gov

Governor Mitchell E. Daniels, Jr

Brian J. Syra
409 Orchard Lane
Greenwood IN 46142

Dear Brian J. Syra

September 17, 2007

The Indiana Plumbing Commission regrets to inform you that your application for licensure as a plumbing contractor has been denied pursuant to IC 25-28.5-1-15, because you have failed to achieve a passing score on the plumbing contractor examination. Your examination results are as follows:

Date	Type	Candidate#	Score	Results
August 29, 2007	Written	125	53	Fail
August 29, 2007	Drawing	125	30	Fail

Please be advised that if you desire administrative review of this application denial, you must file a written petition for review at the above address with the Indiana Plumbing Commission stating the reason for the review. As the petitioner, you would have the burden of proving in an administrative hearing that the decision to deny application was incorrect. If you do not file a petition for review, this action will be final.

If you file a petition for review, it must be filed no later than eighteen (18) days from the above stated date unless such date is a Saturday, Sunday, legal holiday under state statute or day that the Professional Licensing Agency's offices are closed during regular business hours in which case, the deadline would be the first day thereafter that is not a Saturday, Sunday, or legal holiday under state statute or day the Professional Licensing Agency's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative law judge of the Indiana Plumbing Commission will conduct an administrative proceeding.

Should you choose to petition for review, you may review your examination following board action granting your petition, upon making an appointment with the board office at (317) 234 3022.

Sincerely,


Lorrie Ruble
Case Manager

Exhibit
A

108

FILED 5/27

1-20-07

10-9-07

SEP 26 2007

INDIANA PROFESSIONAL
LICENSING AGENCY

Due to past events pertaining to my
 Journeyman's license. And going before
 The Adm Judge there was ~~was~~ ^{correct} answer
 Mark wrong by individual grading test
 The outcome was in my FAVOR. I AM
 5 question short of passing written EXAM.

Best regards

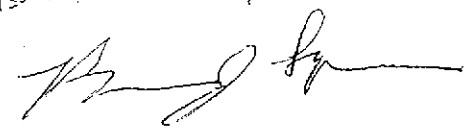
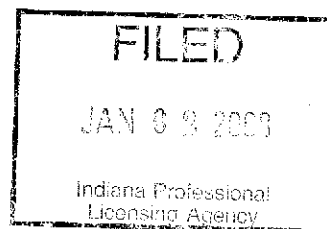


Exhibit
B

109

January 2, 2008

Mary Kate Adams
Assistant Board Director
402 W Washington Street, Room W072
Indianapolis, IN 46204



Dear Ms. Adams,

This letter is to inform you that I wish to drop my pending appeal regarding state licensure for a plumbing license. I received word today that I have passed the State Exam which was given on December 19, 2007.

If you have any questions, please call me on my cell phone at 765-230-7113.

Thank you,

Jeffrey P. Jones
1180 N 400 W
Crawfordsville, IN 47933

110

Jeffrey Jones
1180 N 400 West
Crawfordsville, IN 47933
765-364-0627-H
765-230-7114-C
jonesj@wabash.edu

FILED

NOV 13 2007

INDIANA PROFESSIONAL
LICENSING AGENCY

Dear Ms. Grinstead,

I appreciate your prompt and courteous service while I have been seeking my plumbing license. You have been very helpful to me.

As you mentioned to me, I would like to make an appointment to review my two prior failed written tests. I believe I took them in August and October respectively. I appreciate you suggesting this to me, as I feel it will be very helpful for me to see my correct answers and the one that I missed. I know that this is short notice since I am scheduled to retake the test December 19th, but I am hoping that I can accomplish this soon so I can prepare.

If you could contact me on my cell phone at your convenience to make this arrangement I would greatly appreciate it.

Respectfully,

Jeffrey Paul Jones

Exhibit
B

111



Indiana Plumbing Commission
402 West Washington Street, Room W072
Indianapolis, Indiana 46204
Telephone: (317) 234-3022
Fax: (317) 233-5559
Website: www.pla.IN.gov

Governor Mitchell E. Daniels, Jr

Jeffrey Paul Jones
P.O.Box 347
Crawfordsville IN 47933

Dear Jeffrey Paul Jones

October 25, 2007

The Indiana Plumbing Commission regrets to inform you that your application for licensure as a plumbing contractor has been denied pursuant to IC 25-28.5-1-15, because you have failed to achieve a passing score on the plumbing contractor examination. Your examination results are as follows:

Date	Type	Candidate#	Score	Results
August 29, 2007	Copper Project	113	43	Pass
August 29, 2007	Drawing	113	74	Pass
October 17, 2007	Soil Project	115	28	Fail
October 17, 2007	Written	115	55	Fail

Please be advised that if you desire administrative review of this application denial, you must file a written petition for review at the above address with the Indiana Plumbing Commission stating the reason for the review. As the petitioner, you would have the burden of proving in an administrative hearing that the decision to deny application was incorrect. If you do not file a petition for review, this action will be final.

If you file a petition for review, it must be filed no later than eighteen (18) days from the above stated date unless such date is a Saturday, Sunday, legal holiday under state statute or day that the Professional Licensing Agency's offices are closed during regular business hours in which case, the deadline would be the first day thereafter that is not a Saturday, Sunday, or legal holiday under state statute or day the Professional Licensing Agency's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative law judge of the Indiana Plumbing Commission will conduct an administrative proceeding.

Should you choose to petition for review, you may review your examination following board action granting your petition, upon making an appointment with the board office at (317) 234-3022.

Sincerely,

Sylvia S. Grinstead
Case Manager

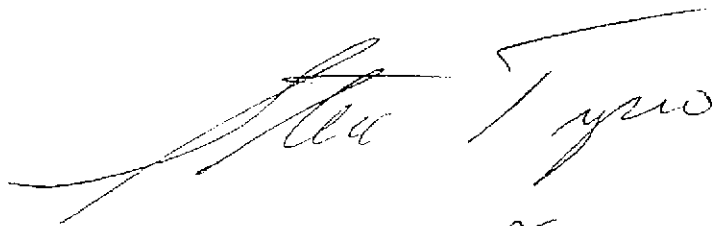
Exhibit
A

112

TO: INDIANA PROFESSIONAL
LICENSING AGENCY

I, STEVEN L TURPEN, DO HEREBY
WITHDRAW MY PETITION FOR REVIEW
OF MY PLUMBING CONTRACTORS TEST

IPC 07-9



1-4-08

BEFORE THE INDIANA
PLUMBING COMMISSION

IN THE MATTER OF)
THE APPLICATION OF)
STEVEN L. TURPEN,)
PC JOURNEYMAN PLUMBER)
APPLICANT)

CAUSE NO. IPC 07-19

FILED

DEC 27 2007

INDIANA PROFESSIONAL
LICENSING AGENCY

NOTICE OF PROPOSED DISMISSAL ORDER

A hearing was scheduled to be held on October 23, 2007 at 9:30 a.m. in the office of the Indiana Professional Licensing Agency, Room W072, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, before William Ciriello, the Administrative Law Judge designated by the Indiana Plumbing Commission (hereinafter "Board") in this matter. This proceeding was set to consider Steven L. Turpen's (hereinafter "Petitioner") petition for review of the Board's denial of petitioner's application for licensure as a journeyman plumber. The Administrative Law Judge, after taking official notice of petitioner's file in this matter and pursuant to Indiana Code § 4-21.5-3-24 now issues this Notice of Proposed Dismissal Order on the following grounds:

STATEMENT OF GROUNDS

1. Petitioner's address is 4507 Brenda Drive Anderson, Indiana 46013, and is on file with the Board.
2. Petitioner's application for a journeyman plumber license was originally denied on August 7, 2007, pursuant to Indiana Code section 25-28.5-1-15.
3. Petitioner filed a timely petition for administrative review of his denial pursuant to Indiana Code section 4-21.5-3-7.
4. An administrative hearing was set in this matter.
5. The Indiana Professional Licensing Agency sent a notice to Petitioner at his address on file with the Commission, informing him of the date, time and location of the hearing scheduled for October 23, 2007.
6. Petitioner was provided with adequate notice of hearing pursuant to Indiana Code section 4-21.5-3-20.
7. Petitioner failed to appear for the scheduled hearing in this matter.

CONCLUSIONS OF LAW

1. Indiana Code section 4-21.5-3-24 provides in pertinent part:
 - (a) At any stage of a proceeding, if a party fails to:
 - (1) file a responsive pleading required by statute or rule;
 - (2) attend or participate in a prehearing conference, hearing, or other stage of the proceeding; or
 - (3) take action on a matter for a period of sixty (60) days, if the party is responsible for taking the action;

the administrative law judge may serve upon all parties written notice of a proposed default or dismissal order, including a statement of the grounds.

2. Petitioner failed to meet his burden of proof by failing to appear at the hearing.

ORDER

For the Petitioner's failure to appear for the scheduled hearing date, the Administrative Law Judge issues this Notice of Proposed Dismissal Order.

In accordance with Indiana Code section 4-21.5-3-24, the Petitioner must file a written motion within seven (7) days of service of this Notice of Proposed Dismissal Order requesting that the Administrative Law Judge not enter a dismissal order in this case and stating the reasons relied upon by Petitioner for the request.

Failure of the Petitioner to file such a written motion within seven (7) days shall result in the issuance of the dismissal order by the Administrative Law Judge. If the Petitioner timely files a written motion, the Administrative Law Judge may either enter the dismissal order or refuse to enter the order. The Administrative Law Judge shall consider the motion along with any other relevant facts in determining whether a dismissal order shall be entered. Should a dismissal order be entered against the Petitioner, the Administrative Law Judge may hold further proceedings as deemed appropriate, if any, to complete the case without the participation of the Petitioner.

SO ORDERED, this 27th day of December, 2007.

INDIANA PLUMBING COMMISSION



William Ciriello
Administrative Law Judge

115

Distribution:

Steven L. Turpen
4507 Brenda Drive
Anderson, Indiana 46013
CERTIFIED MAIL NO: 7002 2410 0002 4164 4876
RETURN RECEIPT REQUESTED

Julie C. Alexander
Deputy Attorney General
Office of the Attorney General
Indiana Government Center South
402 West Washington Street, 5th Floor
Indianapolis, Indiana 46204



INSPECTION • TESTING • CERTIFICATION

January 14, 2008

Shelly Harris
Indiana Department of Administration
Procurement Division
402 West Washington Street, Room W478
Indianapolis, IN 46204

Re: Development and Administration of the Indiana Journeyman Plumbing Exam and the Indiana Plumbing Contractor Exam.

Dear Shelly Harris,
Please accept this formal proposal for the development and administration of the exams that were shown in your recently withdrawn RFP 7-72. It is our understanding that you are open to considering unsolicited proposals at this time.

The "National Inspection Testing Certification Corporation" (NITC) specializes in administering exams in the construction industry, particularly in the Plumbing and Piping Industry. NITC and IAPMO (International Association of Plumbing and Mechanical Officials) are strategic partners in this regard. IAPMO relies upon NITC for the test development and test administration of its national code administration examinations. This allows IAPMO to assist in responding to the testing and licensing needs of its jurisdiction and agency members.

NITC is a highly respected testing agency having acquired the ISO 9001-2000 Quality Management System registration and accreditation of the ANSI ISO/IEC 17024 standard for bodies operating certification of personnel.

The following is for your consideration:

2.4 Technical Proposal

(1) NITC will develop an exam for Journeyman Plumber and Plumbing Contractor utilizing the criteria in RFP 7-72 at a cost of \$5000 per exam. These exams will be both computer based and paper/pencil. These exams will be designed with a two hour



117

completion time frame. The computer based exams will be held at ACT testing centers within Indiana.

The administration of the 90 question Journeyman Plumber exam shall cost \$105 per exam.

The administration of the 76 question Plumbing Contractor exam shall cost \$90 per exam.

(2) NITC shall develop the Journeyman Plumber exam and the Plumbing Contractor exam as specified in RFP 7-72.

(3) NITC shall ensure that all exams conform to the requirements of all Indiana laws, rules, and regulations that apply to administering exams.

(4) NITC shall comply with administering exams by computer or paper/pencil on the same day. NITC shall include 10 questions within the Journeyman Plumber exam and 20 questions within the Plumbing Contractor exam that pertain to Indiana licensing.

(5) NITC shall use the services of "ACT" computer based testing. At the conclusion of the exam, the applicant can view his/her score and print out the results. A photo I.D. card will be mailed to the successful applicant within seven (7) working days of the exam, providing an appropriate photo has been supplied.

(6) NITC shall develop a candidate bulletin for each exam that will be posted on our web site www.nationalitc.com and any other web site designated by the State of Indiana.

(7) NITC shall obtain the State's approval for all Candidate Bulletins prior to posting on web sites.

(8) NITC shall deliver the following examination services:

- a. NITC shall establish an examination schedule.
- b. NITC shall maintain and provide accurate information to the applicants and the state based on information furnished to NITC by the State of Indiana.
- c. NITC shall be responsible for reviewing the eligibility of the applicant that is supplied by the applicant on his/her application. NITC will not be responsible for verifying eligibility other than that which is stated on the application.
- d. NITC can develop the said examinations in Spanish at a cost of \$5000 each. NITC does not have the ability to develop exams in any language except English and Spanish.
- e. NITC uses "ACT testing centers. There are six (6) testing centers in Indiana, and others are available in the adjoining states. (see www.nationalitc.com)

- f. NITC shall develop all examinations electronically and paper/pencil.
- g. NITC has a toll free number (877-457-6482) and web site www.nationalitc.com that may be used for the purpose of scheduling appointments
- h. NITC shall collect fees from the candidates during the registration process. NITC accepts credit cards, personnel checks, and electronic checks.
- i. NITC shall negotiate all potential rate increases with the State.
- j. NITC shall provide immediate candidate score reports when taking the exams at ACT centers, electronically. Paper/Pencil exams are mailed back to the NITC office, graded, and the results are mailed back to the applicant.
- k. NITC complies with the federal ADA. See our web site www.nationalitc.com. Go to NITC Rules & Procedures (bottom left corner).
- l. NITC shall e-mail a monthly report to the state with the info as outlined in (l).
- m. NITC shall e-mail a monthly report to the apprenticeship program & state as outlined in (m).
- n. Same as above.
- o. NITC shall provide for candidate review of the appropriate exam in accordance with the guidelines mutually agreed upon by NITC and the State.
- p. NITC shall answer all questions regarding the said exams.

(9) NITC has complied with all requirements of the ANSI accreditation to ensure security and confidentiality of all applicants' personal information.

(10) If awarded this contract, NITC shall administer for the State of Indiana, the plumbing licensing examinations and the state law licensing examinations.

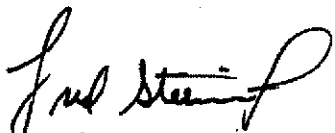
(11) If awarded this contract, NITC shall provide computer based testing at ACT centers. This system includes on-site examination scoring at the conclusion of each exam. The successful examinee will be mailed a photo I.D. card within seven (7) days, providing the applicant has provided the proper photo to NITC. If awarded this contract, the IAPMO insignia can appear on the I.D. card if the State of Indiana so desires.

(12) If awarded this contract, NITC will have certification processors to answer any and all questions pertaining to the examinations. Information shall also be provided on the NITC web site at www.nationalitc.com. Additionally, IAPMO will establish a point of contact for any and all questions or concerns pertaining to the services provided.

NITC is looking forward to the opportunity to provide valid and reliable professional testing services that will represent the highly-regarded professionalism of the State of Indiana.

Thank you for considering NITC.

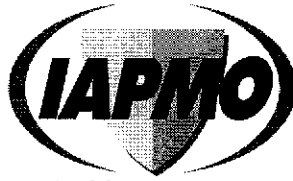
Sincerely,

A handwritten signature in black ink, appearing to read "Fred Steiner". The signature is fluid and cursive, with a large initial "F" and a long, sweeping tail.

Fred Steiner
NITC Quality Manager

Cc: Kathleen Mihelich, IAPMO Director of Career Services

120



*Working in concert with government and industry for
safe, sanitary plumbing and mechanical systems*

IAPMO CONSTRUCTION TRADES TESTING PROGRAMS

IAPMO understands the broad responsibility of local, state and other governmental jurisdictions to assure the public's safety and appreciates the expansive resources required to meet the responsibility.

This is why IAPMO is making available **four unique, innovative, and contemporary testing programs that accomplish economical and easy-to-administer identification of individuals who possess the trade knowledge necessary to be licensed to work.**

IAPMO is able to offer the technically sophisticated programs described below as the result of a partnership with an esteemed testing company whose roots grew from legacy companies with long histories of test innovations. The online secured technology utilized for IAPMO's programs is proven and stable after more than seven years of live implementation and refinement with multiple clients. The infrastructure is located in a Class A data center facility exceeding industry standards for security, HVAC, network and power. The building provides 24 hour security and uninterrupted AC and DC power. The infrastructure is also protected by multiple firewalls and monitored for intrusion.

The programs are affordable for jurisdictions and put them in control of their testing programs. The level of control depends on the program preferred.

1. PRIVATE PROGRAM

Jurisdictions develop their own tests and self-proctor the tests.

The jurisdiction:

- produces and disseminates candidate information
- sets the test fees
- handles registrations
- collects the fees

121

The tests are developed using test development software on IAPMO's secure portal and delivered via the same secure portal.

The tests are administered at a location chosen by the jurisdiction. For each test, an authorization code is electronically provided to the jurisdiction's proctor. The code will launch the secure test which cannot be printed, exported or edited by the test taker or the proctor. The score report, which displays the jurisdiction's name and information, is provided at the completion of the test.

The jurisdiction pays an annual license fee for use of the test development software and the delivery portal and also pays IAPMO a fee per exam administered. Test development assistance is available for a contract fee. There is specific computer hardware required at the jurisdiction's testing site.

2. DISTINCTIVE PROGRAM

Jurisdictions develop their own tests which are proctored electronically; on-line.

The jurisdiction:

- produces and disseminates candidate information
- sets the test fees
- handles registrations
- collects the fees

The tests are developed using test development software on IAPMO's secure portal and delivered via the same secure portal.

The tests are administered at a location chosen by the jurisdiction. For each test, an electronic proctor monitors the test activity. The secure test cannot be printed, exported or edited by the test taker or the proctor. The score report, which displays the jurisdiction's name and information, is provided at the completion of the test.

The jurisdiction pays an annual license fee for use of the test development software and the delivery portal and also pays IAPMO a fee per exam administered. Test development assistance is available for a contract fee. There is specific computer hardware required at the jurisdiction's testing site.

122

3. COMPREHENSIVE PROGRAM

Jurisdictions contract with IAPMO to develop custom tests, which are then proctored at a third-party site.

IAPMO:

- contracts with a third-party test developer, for a contract fee, to develop the custom tests
- produces candidate information

The jurisdiction:

- participates in the development of the tests
- sets the test fees

The third party test administrator:

- handles registrations
- collects fees
- administers the test
- issues the score report

The tests are developed according to a national standard for testing and measurement which assures the jurisdiction and the test taker that the tests are valid, reliable, and legally defensible.

The jurisdiction contracts with IAPMO for the test development fees which are determined based on the scope of the work required.

The jurisdiction pays an annual license fee for the use of the test delivery portal and also pays IAPMO a fee per exam administered. Test development is contracted at a fee to be determined based on the scope of the work required.

4. NATIONAL PROGRAM

Jurisdictions ask IAPMO to seek available national tests that would best meet their needs, which are then proctored at a third-party site.

IAPMO:

- conducts preliminary needs analysis and considers all potential third party national programs
- IAPMO partners include:
 - GITS
 - Kryterion

- NITC
- Prometric

The jurisdiction:

- Identifies and selects the national tests that are needed for its program
- produces and disseminates candidate information

The third party administrator:

- sets the fees
- handles registrations
- collects fees
- administers the tests
- issues the score reports

Costs associated with this program are determined by the third party administrator.

MEETING DATES FOR 2008

INDIANA PLUMBING COMMISSION
APPLICATION REVIEW 8:00 A.M.
MEETING TIME: 9:30 A.M.

DATES		ROOMS
January	23, 2008	W072
March	26, 2008	W072
May	28, 2008	W072
July	23, 2008	W072
September	24, 2008	W072
November	26, 2008	W072