

DEFAULT ORDERS SCHEDULE

WHEREAS, on the 14th day of January, 2019, the Texas State Board of Plumbing Examiners, (“Board”), considered the following Administrative Penalties recommended by the Enforcement Committee, arising from Section 1301.704, Chapter 1301 of the Texas Occupations Code (“Plumbing License Law” or “PLL”);

WHEREAS, in accordance with Sections 1301.703(c) of the PLL, each Respondent listed herein was issued a Notice of Alleged Violation, stating the nature of the alleged violations involved and affording each Respondent an opportunity to an adjudicative hearing, if desired;

WHEREAS, each Respondent listed herein either (i) responded in writing accepting the determination of a violation and recommended penalty of the Enforcement Committee, in accordance with Section 1301.704(a)(1) of the PLL; or (ii) failed to make a timely written election in response to the Notice of Alleged Violation, resulting in a waiver of their right to a hearing, in accordance with Section 1301.704(c) of the PLL;

WHEREAS, on this same date, the Board, adopted a Default Final Order pertaining to each Respondent listed herein, containing findings of fact and conclusions of law, separately stated, and tailored to each individual Respondent;

WHEREAS, given the number of Respondents subject to the foregoing treatment, and in order to summarize and distill the information contained the Default Final Orders in an efficient manner, the Board wishes to adopt this Default Penalty Schedule, to aid in dissemination and public disclosure of the information by publication of this Default Orders Schedule; and,

NOW, THEREFORE, the Board hereby ADOPTS the following Default Orders Schedule, summarizing and memorializing the Default Orders considered and adopted by the Board on this date, listed in alphabetical order by the Respondent’s last name:

| No. | Respondent | License/ Registration No. | Case No. | Violation Summary | Penalty Amount |
|-----|---------------|------------------------------|------------|--|-------------------|
| 1 | Abales, Glenn | N/A | 2018-02045 | Contracting for or otherwise agreeing to perform plumbing work without securing the services of a RMP | \$5,000 |
| 2 | Alvarez, Rudy | N/A | 2018-02049 | Contracting for or otherwise agreeing to perform plumbing work without securing the services of a RMP; Engaging in plumbing without the proper license, endorsement, registration and/or requisite supervision | \$9,000 |

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| 3 | Bader, Steve | N/A | 2018-02148 | Contracting for or otherwise agreeing to perform plumbing work without securing the services of a RMP | \$5,000 |
| 4 | Burleson, Jerell M. | A-48876 | 2018-02047 | Contracting for or otherwise agreeing to perform plumbing work without securing the services of a RMP | \$5,000 |
| 5 | Calhoun, Mathew Stephen | A-87191 | 2018-02150 | Engaging in plumbing without the proper license, endorsement, registration and/or requisite supervision | \$1,000 |
| 6 | N/A | | | | |
| 7 | N/A | | | | |
| 8 | Escobar, Joseph | M-39261 | 2018-00940; 2018-01058; | Failing to timely obtain a plumbing permit in violation of a municipal rule or ordinance regulating sanitation, drainage or plumbing; Failing to provide the Board with a certificate of insurance before working as a RMP | \$5,000; \$5,000 |
| 9 | N/A | | | | |
| 10 | Perez, Gabriel | A-101434 | 2018-02152 | Engaging in plumbing without the proper license, endorsement, registration and/or requisite supervision | \$1,000 |
| 11 | Pineda de Paz, Marlon Yobani | A-128639 | 2018-02144 | Engaging in plumbing without the proper license, endorsement, registration and/or requisite supervision | \$1,000 |
| 12 | Rives, Martin | A-64008 | 2018-02067 | Engaging in plumbing without the proper license, endorsement, registration and/or requisite supervision | \$1,000 |
| 13 | Scheffler, Joey | A-59004 | 2019-00158 | Advertising or otherwise offering to perform or provide plumbing services without first securing the services of a RMP | \$4,000 |
| 14 | Trahan, Jason | M-40057 | 2018-02186 | Evading responsibility to a client; Failing to provide one or more items required for proper disclosure of the Board's regulatory oversight on a proposal, invoice, or contract for plumbing services | \$5,000 |
| 15 | Wall, Stephen | N/A | 2019-00160 | Advertising or otherwise offering to perform or provide plumbing services without first securing the services of a RMP | \$2,500 |

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| 16 | Waters, Terry G. | A-87529 | 2018-02039; 2018-02163 | Engaging in plumbing without the proper license, endorsement, registration and/or requisite supervision; Advertising or otherwise offering to perform or provide plumbing services without first securing the services of a RMP; Claiming that a person was a licensed plumber or registered with the Board when, in fact, they were not | \$1,000; \$7,000 |
|----|------------------|---------|---------------------------|--|---------------------|

The numbers listed in the Default Orders Schedule reflect the Respondents as they were listed on the publicly-posted agenda for said meeting. A notation of N/A for the Respondent indicates a Respondent that was removed from consideration and a Default Order was not adopted. The date of this Default Orders Schedule shall be the date it is executed by the Texas State Board of Plumbing Examiners or its designee. The underlying Default Orders shall constitute the official and final order of the Board for purposes of Chapter 2001 of the Texas Government Code. Any conflicts are resolved in favor of the underlying Default Order.

Executed the 14th day of January 2019.

By:



Julio Cerda, Board Chair
Texas State Board of Plumbing Examiners