

**State of New Hampshire**  
**Office of Professional Licensure and Certification**  
**Electricians' Board**  
**Concord, New Hampshire 03301**

**In the Matter of:**

Gregory Smith 12114M  
44 Drinkwater Road  
Exeter, NH 03833

**SETTLEMENT AGREEMENT**

In order to avoid the delay and expense of further proceedings and to promote the best interests of the public, the New Hampshire Electricians' Board (hereinafter "Board") and Gregory Smith, (hereinafter "Respondent"), licensed by the Board, do hereby stipulate and agree to resolve certain allegations of professional misconduct now pending before the Board according to the following terms and conditions:

1. Pursuant to RSA 319-C:6-a, 319-C:12, 319-C:12-b, and the Board of Electrician's Practice and Procedural Rules the Board has jurisdiction to investigate and adjudicate allegations of professional misconduct committed by electricians. Pursuant to RSA 319-C:12 and Elec 207.07 the Board may, at any time, dispose of such allegations by settlement and without commencing a disciplinary hearing.
2. The Board first granted the Respondent a license to practice electrical installations in the State of New Hampshire as a Master on August 7<sup>th</sup>, 2007. The Respondent currently holds master license number 12114M.
3. On April 14, 2020, Inspector Denis Laubdeau performed a random inspection at a residence, located at 38 Kings Highway, Hampton Beach, NH. There was a master electrician, an apprentice, and one unregistered individual, performing electrical installations. Ross Dannar was found unregistered. He was viewed in the process of installing switches. No other electrical code violations were found. This is in violation of the provisions of RSA 319-C: and the Board of Electrician's Practice and Procedural Rules.
4. The investigation revealed the following facts:

Mr. Smith failed to follow the requirements of RSA319-C:2(I) by allowing Mr. Danner to perform an electrical installation at 38 Kings Highway, Hampton Beach. The Board finds that Respondent committed the acts as described above and concludes that, by engaging in such conduct, Respondent violated RSA 319-C:12 II(c), 319-C:15 II(b), Elec and 405.01(a)(1).

5. The Respondent acknowledges that this conduct constitutes grounds for the Board to impose disciplinary sanctions, as stated in Elec 405.03(g), against the Respondent's license to practice as an electrician in the State of New Hampshire and represents that he has taken steps to avoid any repetition of such conduct.

6. There is no current record of a similar violation on file at the Board's office.

7. The Respondent is willing to accept that this is a first offense as described in Elec 405.03(c)(1). This shall be considered as a disciplinary action until May, 2027 as described in Elec 405.03(i).

8. The Respondent consents to the Board imposing the following discipline, pursuant to RSA 319-C:12, Elec 405.02(b), Elec 405.03(c)(1), Elec 405.03(d)(1) and 405.03(j)(3):

A. The Respondent is **reprimanded**.

B. The Respondent's license is **suspended** for a period of six months. The suspension will be deferred for 1 year provided the Respondent advises the Board on a monthly basis in a written report of the location of any current or projected jobs in NH. The reports shall include jobs (completed or projected) from the first day of the month to the first day of the following month. The report, supplied by the Board shall be received in the Board's office by the first day of the month, with the first report due July 1, 2020 and the last report due on June 1, 2021. A report shall be filed each month even if no work is performed in NH.

C. The Board may consider the Respondent's compliance with the terms and conditions herein in any subsequent proceeding before the Board regarding Respondent's license.

9. Respondent's breach of any terms or conditions of this *Settlement Agreement* shall constitute unprofessional conduct pursuant to RSA 319-C:12, and a separate and sufficient basis for further disciplinary action by the Board.

10. Except as provided herein, this *Settlement Agreement* shall bar the commencement of further disciplinary action by the Board based upon the misconduct described above. However, the Board may consider this misconduct as evidence of a pattern of conduct in the event that similar misconduct is proven against the Respondent in the future. Additionally, the Board may consider the fact that discipline was imposed by this Agreement as a factor in determining appropriate discipline should any further misconduct be proven against Respondent in the future.

11. This *Settlement Agreement* shall become a permanent part of the Respondent's file, which is maintained by the Board as a public document.

12. The Respondent voluntarily enters into and signs this *Settlement Agreement* and states that no promises or representations have been made to him other than those terms and conditions expressly stated herein.

13. The Board agrees that in return for the Respondent executing this *Settlement Agreement*, the Board will not proceed with the formal adjudicatory process based upon the facts described herein.

14. The Respondent understands that his action in entering into this *Settlement Agreement* is a final act and not subject to reconsideration or judicial review or appeal.

15. The Respondent has had the opportunity to seek and obtain the advice of an attorney of his choosing in connection with his decision to enter into this *Settlement Agreement*.

16. The Respondent understands that the Board must review and accept the terms of this *Settlement Agreement*. If the Board rejects any portion, the entire *Settlement Agreement* shall be null and void. The Respondent specifically waives any claims that any disclosures made to the Board during its review of this agreement have prejudiced his right to a fair and impartial hearing in the future if this *Settlement Agreement* is not accepted by the Board.

17. The Respondent is not under the influence of any drugs or alcohol at the time he signs this *Settlement Agreement*.

18. The Respondent certifies that he has read this *Settlement Agreement*. The Respondent understands that he has the right to a formal adjudicatory hearing concerning this matter and that at said hearing he would possess

the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on his own behalf, to contest the allegations, to present oral argument, and to appeal to the Building Code Review Board, pursuant to RSA 155-A:11-a. Further, The Respondent fully understands the nature, qualities and dimensions of these rights. The Respondent understands that by signing this *Settlement Agreement*, he waives these rights as they pertain to the misconduct described herein.

19. This agreement shall take effect as an *Order of the Board* on the date it is signed by an authorized representative of the Board.

**FOR RESPONDENT**

Date: 6/15/20

Greg Smith  
Respondent

**FOR THE BOARD**

This proceeding is hereby terminated in accordance with the binding terms and conditions set forth above.

Date: 6/15/20

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(Signature)  
[Signature]

Joseph G. Shoemaker, Director  
Division of Technical Professions  
NH Office of Professional Licensure and Certification  
Authorized Representative of the NH Electricians' Board