

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

In the Matter of:

Rory D. Blanchard 7400J
127 Pleasant Street

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 Rory Blanchard (hereinafter "Respondent"), a journeyman licensed by the Board, do hereby stipulate and agree to resolve certain allegations of 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, RSA 541-A, and the Electrician's Board Administrative Rule ("Elec") 105, 203, 207, and 405, the Board has jurisdiction to investigate and adjudicate allegations of 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 at any time prior to a decision on the merits.
2. The Board first granted the Respondent a license to practice electrical installations in the State of New Hampshire as a journeyman on May 4, 1987 through examination. The Respondent currently holds journeyman license number 7400J.
3. In response to a complaint filed against the respondent on June 15, 2021, Electrical Inspector Henry Lesage and Chief Inspector Michael Soucy conducted an interview with Respondent and Respondent admits to operating an electrical business and working as Master Electrician while being licensed as Journeymen Electrician.
4. Respondent stipulates that if a disciplinary hearing were to take place, Hearing Counsel would

present evidence of the following facts, from which the Board could find that he engaged in misconduct under RSA 319-C:12 and unprofessional conduct under Elec 405.01:

A. Respondent violated RSA 319-C:2 (IV) by performing electrical installations without being employed and/or supervised by a master electrician.

B. Respondent violated Elec 405.01 by willfully or repeated violations of RSA 319-C.

5. The Board finds that Respondent committed the acts as described above and concludes that, by engaging in such conduct, Respondent violated RSA 319-C:2 (IV) and Elec 405.01.

6. Respondent acknowledges that the above-described conduct constitutes grounds for the Board to take disciplinary action against the Respondent's license to practice as an electrician in the State of New Hampshire, as stated in Elec 405.02.

7. Respondent represents that he has taken steps to avoid any repetition of such conduct in the future.

8. There is no current record of a similar violation on file at the Board's office as of the date of this *Settlement Agreement*.

9. 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 seven years after the execution of this *Settlement Agreement* as described in Elec 405.03(i).

10. For the purposes of determining disciplinary action, multiple offenses that occur on one job site or in one incident shall be considered separate offenses as described in Elec 405.03 (g).

11. The Respondent consents to the Board imposing the following discipline, pursuant to RSA 319-C:12, Elec 405.01, Elec 405.02, Elec 405.03(c)(1), and 405.03(j):

A. The Respondent is **REPRIMANDED**.

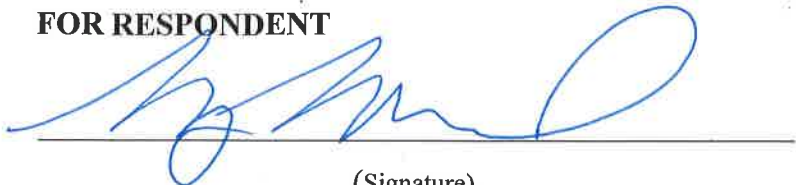
B. The Respondent's journeyman license is **SUSPENDED** for a period of (12) twelve months with all but (6) six months deferred. The period of suspension shall begin on the date this *Settlement Agreement* is issued as the Board's Order.

- C. The Respondent shall submit his NH Journeyman's license to the OPLC office within 7 days of notice of the execution of this *Settlement Agreement*. The respondent will be issued an apprentice card and will be allowed to work as an apprentice under the direct supervision of a master electrician.
- D. The Board may consider the Respondent's compliance or non-compliance with the terms and conditions herein in any subsequent proceeding before the Board regarding Respondent's license.
12. Respondent's breach of any terms or conditions of this *Settlement Agreement* shall constitute misconduct pursuant to RSA 319-C:12, and a separate and sufficient basis for further disciplinary action by the Board. The deferred suspensions may then be brought forward in addition to any further disciplinary action. 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 *Settlement Agreement* as a factor in determining appropriate discipline should any further misconduct be proven against Respondent in the future.
13. This *Settlement Agreement* shall become a permanent part of the Respondent's file, which is maintained by the Board as a public document.
14. 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.
15. 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.

16. 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.
17. 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*.
18. 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 and Respondent's admissions herein shall be of no effect and inadmissible in any proceeding or matter. 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.
19. The Respondent is not under the influence of any drugs or alcohol at the time he signs this *Settlement Agreement*.
20. 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.
21. 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: 12/21/21



(Signature)

Rory Blanchard

(Print)

FOR THE BOARD

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

Date: 1/11/22



(Signature)

Matthew C. Gannon Board

(Printed Name) Chairman

NH Office of Professional Licensure and Certification
Authorized Representative of the NH Electricians
Board