

STATE OF NEW HAMPSHIRE  
BOARD OF MECHANICAL SAFETY AND LICENSING  
CONCORD, NH

OPLC-FINANCE

In the matter of:

DOCKET #23-MECH-009

**Patrick Reardon**

Lic. #M5092-02 – Master Plumber

Lic. #GFE0802467 – Gas Fitter

**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 Mechanical Safety and Licensing Board (“Board”) and Patrick Reardon (“Respondent”) do hereby stipulate and agree to resolve certain allegations of unprofessional conduct now pending before the Board according to the following terms and conditions:

1. Pursuant to RSA 153:27-a, RSA 310:9, RSA 541-A, and Board Administrative Rule Mec 202.01, 204.01, and 205.01, the Board has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by licensees. Pursuant to Mec 213.01 and Plc 205.04, the Board may, at any time, dispose of such allegations by settlement and without commencing an adjudicative hearing.
2. The Respondent holds Master Plumber license #5092-02. The license is currently active and expires on April 30, 2024. The Respondent also holds Gas Fitter License #GFE0802467. The license is currently active and expires on April 30, 2024.
3. The Respondent stipulates that the Board could make the following factual findings:
  - A. Respondent performed plumbing work at a residence located in Francestown, NH in July 2017. The project involved expanding an existing bathroom and adding a laundry room to the second floor.

- B. At the time of the project there were other contactors involved as well as Respondent.
  - C. According to a complaint filed with the Board on or about January 1, 2023, (“Complaint”) the homeowners subsequently experienced intermittent sewer gas odors in the home.
  - D. After the work completed by Respondent, the homeowners hired an unrelated party to replace the septic system.
  - E. After the work completed by Respondent, the homeowners subsequently hired an unrelated plumber to determine the source of the odors.
  - F. During an investigation conducted by OPLC inspectors at the property on or about March 2, 2023, more than 5 years after the project was completed by Respondent, it was discovered Respondent failed to pull a plumbing permit as required by the town prior to the work being completed.
  - G. The March 2, 2023, inspection revealed several open sewage vent lines located in the second-floor plumbing system. An open plumbing vent was also discovered in a downstairs system installed by a prior and unrelated plumber.
- 4. Based on these facts, the Board could find that the Respondent violated Mec 604.01(c)(1) (See Mec 303.10(d)) by failing to acquire the required permits prior to conducting plumbing installation.
  - 5. Respondent consents to the Board imposing the following discipline, pursuant to Mec 604.02(a)(1) and RSA 310:12:
    - A. Respondent’s plumbing license will be subject to **REPRIMAND**.

6. Respondent's breach of any terms or conditions of this *Settlement Agreement* shall constitute unprofessional conduct and a separate and sufficient basis for further disciplinary action by the Board.
7. Except as provided herein, this *Settlement Agreement* shall bar the commencement of further disciplinary action by the Board based upon the unprofessional conduct described above. However, the Board may consider the fact that discipline was imposed by this Order as a factor in determining appropriate discipline should any further misconduct be proven against Respondent in the future.
8. This *Settlement Agreement* shall become a permanent part of Respondent's file, which is maintained by the Board as a public document.
9. 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. Respondent further agrees that no coercion or duress from any person has caused him to sign this *Settlement Agreement*.
10. The Board agrees that in return for Respondent executing this *Settlement Agreement*, the Board will not proceed with the formal adjudicatory process based upon the facts described herein. This *Settlement Agreement* shall constitute a final Board action on this matter.
11. Respondent understands that his execution of this *Settlement Agreement* is a final act and not subject to reconsideration, judicial review, or appeal.
12. Respondent acknowledges that he has had the opportunity to seek and obtain the advice of an attorney of his choosing prior to signing this *Settlement Agreement*.

13. 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. Respondent specifically waives any claims that any disclosures made to or by the Board during its review of this *Settlement Agreement* have prejudiced his right to a fair and impartial hearing in the future if this *Settlement Agreement* is not accepted by the Board.
14. Respondent is not under the influence of any drugs or alcohol and is otherwise of sound mind and judgment at the time he signs this *Settlement Agreement*.
15. Respondent certifies that he has read this and understands all of the terms of this *Settlement Agreement*.
16. Respondent understands that he has the right to a formal adjudicatory hearing concerning this matter and that at said hearing he would possess the rights 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 courts under RSA 310:14. Further, Respondent fully understands the nature, qualities and dimensions of these rights. Respondent understands that by signing this *Settlement Agreement*, he waives these rights as they pertain to the unprofessional conduct described herein.
17. This *Settlement Agreement* shall take effect as an Order of the Board when it is signed by an authorized representative of the Board.

Signatures on the Next Page

**FOR RESPONDENT**

Date: 12/14/23

  
Patrick Reardon

**FOR THE BOARD/\***

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

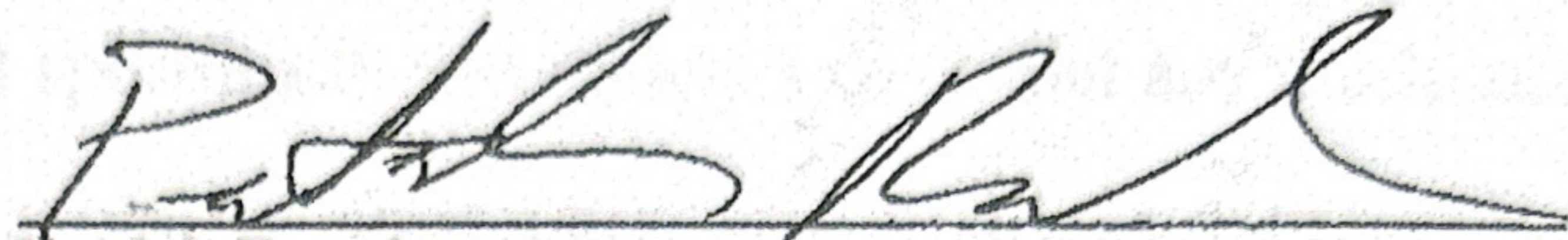
Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name and Title)  
Authorized Representative of the  
New Hampshire Mechanical Safety  
and Licensing Board

**FOR RESPONDENT**

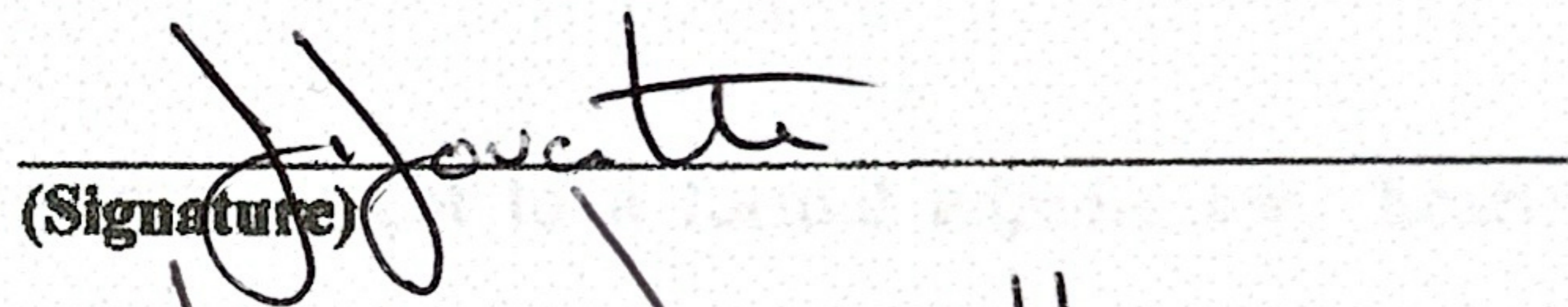
Date: 12/14/23

  
Patrick Reardon

**FOR THE BOARD/\***

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

Date: 1-19-24

  
(Signature)  
Jesse Doucette  
(Print Name and Title)  
**Authorized Representative of the  
New Hampshire Mechanical Safety  
and Licensing Board**