

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

In the Matter of:
John G. Maria
License No.: 13793M

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 John G. Maria (hereinafter "Respondent"), a master electrician 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:4, 319-C:5, 319-C:6-a, 319-C:12, 319-C:12-a, RSA 541-A, and the Electrician's Board Administrative Rules ("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, 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 master electrician on December 3, 2015. The Respondent currently holds master electrician license number 13793M. The Respondent is the master of record for Lowell Central Electric.
3. On December 17, 2021, Inspector Denis Laurendeau conducted a random unannounced inspection at the Market Basket Store in Milford, NH. During the inspection, Inspector Laurendeau encountered one employee of Lowell Central Electric Co. Inc., James F.

Cunningham unlicensed while making electrical installations.

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:1 and unprofessional conduct under Elec 405.01(a)(1)

- A. Respondent violated RSA 319-C:12(II)(c) and RSA 319-C:1 by engaging in unprofessional conduct when he failed to use a properly licensed electrician to make electrical installations.

5. The Board finds that Respondent committed the acts as described above and concludes that, by engaging in such conduct, Respondent engaged in misconduct when he violated 319-C:12(II)(c) and RSA 319-C:1.
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. 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).
9. 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), Elec 405.03(j):

- A. The Respondent is **REPRIMANDED**.

- B. The Respondent's license is **SUSPENDED** for a period of six (6) months. The suspension will be deferred for a one (1) year period provided the Respondent does not violate the provisions of RSA 319-C or the Board's administrative rules and the Respondent advises the Board on a monthly basis in a written report by completing the Probation Reporting Form of the location of any current or projected jobs in NH as required under Elec 405.02 (b). The

one-year period begins on the date that this *Settlement Agreement* is issued as the Board's Order. 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 form, supplied by the Board or downloaded from the Board's website (Electricians' Board Forms and Other Documents)¹, shall be received in the Board's office by the first day of the month,** with the first report due on the first day of the month following the execution of this *Settlement Agreement* and the last report due twelve (12) months after this *Settlement Agreement* is issued as the Board's Order. A report shall be filed each month even if no work is performed in NH.

- C. 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.
10. 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.
11. This *Settlement Agreement* shall become a permanent part of the Respondent's file, which is

¹ <https://www.oplc.nh.gov/electricians-board-forms-and-other-documents>


- 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 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.
 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: 7-5-2022

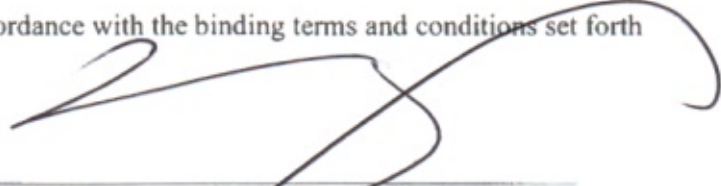

(Signature)

John G. Maria
(Print Name)

FOR THE BOARD

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

Date: 7/21/22


(Signature)

Matthew C. Carrone
(Print Name and Title)

Board Chairman