

months imprisonment with 5 months and 15 days suspended. Respondent was also fined \$300.00 and placed on probation for 3 years.

6. On April 25, 1994, Respondent was found guilty in the Superior Court of the State of Delaware, Kent County, on two charges of "Unlawful Sexual Contact Second Degree" (Court Action Nos. IP94040052 and IP94040065). Respondent was sentenced to, *inter alia*, 24 months at "Supervision Level 5" with the Delaware Department of Corrections on each of these charges.

7. On April 25, 1994, Respondent was also found guilty in the Superior Court of the State of Delaware, Kent County on two charges of "Unlawful Sexual Penetration third degree-victim less than 16 years old" (Court Action Nos. IP94040054 and IP94040071). Respondent was sentenced to, *inter alia*, three (3) years at "Supervision Level 5" with the Delaware Department of Corrections on each of these charges

8. Respondent violated 24 *Del. C.* §1412(a) when he failed to disclose his felony criminal history and convictions to the Division on his Application for a license as a master electrician.

9. Respondent violated 24 *Del. C.* §1412(a)(4) because of the felony convictions described in ¶¶5-7 above.

10. Respondent also violated 24 *Del. C.* §1408(10) because of the felony convictions described in ¶¶5-7 above and his failure to disclose his criminal conviction record and/or pending criminal charges to the Board of Electrical Examiners as required by statute.

WHEREFORE, pursuant to 29 *Del.C.* § 8735 and Chapter 14 of Title 24, the State of

Delaware requests the following:

- (i) The Board set a time for a hearing on the allegations set forth above;
- (ii) Serve Respondent with a copy of the Complaint;
- (iii) Find Respondent guilty of violating the provisions of 24 *Del.C.*

§§1412(a)(1), 1412(a)(4) and 1408(10); and

- (iv) Impose such disciplinary measures as the Board deems appropriate.

/s/ Katisha D. Fortune
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(302) 577-5700

Date: April 26, 2013

5. Abott holds a "T2" electrician license ("T2-0002861") that expired on June 30, 2012. A "T2" license holder is a limited electrician, and is only permitted to work in structures that contain four (4) or fewer dwelling units. A "T2" license holder would not be permitted to perform electrical work on properties such as the Commerce Street Property because that property contains more than four (4) dwelling units.

6. Several days after Vincent inspected the electrical work completed by Kirk and Abott, Vincent contacted Kirk and informed him that Respondent would be charging Encore Electric a price of twenty dollars per room per apartment for the inspection services performed in June, 2012.

7. On July 17, 2012, Kirk signed a contract with First State Inspection Agency ("First State") for electrical inspections at the Commerce Street Property. Robert Smith performed the electrical inspections on behalf of First State. Smith's inspection revealed electrical code violations in each of the apartments inspected at the Commerce Street Property.

8. Respondent violated 24 *Del. C.* §1421(h) when a Division investigator requested that Respondent produce the application for electrical inspection for electrical work performed at the Commerce Street Property three separate times in August 2012 and Respondent failed to do so.

9. Respondent violated 24 *Del. C.* §§1421(f) and (l)(3) when Respondent inspected and approved electrical work performed by Shawn Kirk, an unlicensed electrician.

10. Respondent violated 24 *Del. C.* §§1421(l)(3), 1421(l)(4) and 1402(12) when he witnessed, inspected and approved electrical work performed by Mark Abott for the Commerce Street Property, even though Abott was not licensed in Delaware to perform electrical work in buildings with more than four (4) dwelling units.

WHEREFORE, pursuant to 29 *Del.C.* § 8735 and Chapter 14 of Title 24, the State of

Delaware requests the following:

- (i) The Board set a time for a hearing on the allegations set forth above;
- (ii) Serve Respondent with a copy of the Complaint;
- (iii) Find Respondent guilty of violating the provisions of 24 *Del.C.* §§1421(h), 1421(f), 1421(l)(3), 1421(l)(4) and 1402(12); and
- (iv) Impose such disciplinary measures as the Board deems appropriate.

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