

DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
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**BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSE OF DANNY MATTHEWS	. FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
TO PRACTICE AS AN APPRENTICE PLUMBER IN THE STATE OF UTAH	: : :
	: Case No DOPL-OSC-2010-453

FINDINGS OF FACT

1. The Division of Occupational and Professional Licensing (the "Division") filed a Notice of Agency Action in this matter on the 27th day of January 2012.
2. This action is based upon Division records as reflected in the Notice of Agency Action filed herein which show that Danny Matthews ("Respondent"), failed to comply with an order issued January 27, 2012, as a result Respondent has engaged in unprofessional conduct, in violation of Utah Code Annotated Subsection 58-1-501(2)(a)
3. Respondent filed a response to the Notice of Agency Action on or about October 5th, 2012. That response claims Respondent is contesting the latest charges filed against him but admitted that the stolen checks which was the subject of the latest charges were deposited into Respondent's bank account. The Respondent's response did not show he timely complied with the conditions of his probation specified in the notice of agency action including failure to timely notify the Division of additional charges, failure to submit employer reports and failure to submit drug testing through his probation.

According to Division records, Respondent has engaged in unprofessional conduct as outlined above, and this conduct constitutes a basis to discipline Respondent's license pursuant to Utah Code Annotated Subsections 58-1-401(1) and (2).

CONCLUSIONS OF LAW

4 Respondent's failure to comply with probation constitutes a sufficient basis for further disciplinary action against Respondent

5 The Notice of Agency Action and documents attached thereto provide a basis to conclude that Respondent has failed to comply with an order, in violation of Utah Code Annotated Subsection 58-1-501(2)(a) Based on these violations, Respondent has engaged in unprofessional conduct as defined by Utah Code Annotated Subsection 58-1-501(2)(a), and Respondent may no longer meet the qualification for licensure as provided by Utah Code Annotated Section 58-55-306.

6. The Division is authorized to discipline Respondent's apprentice plumber license as provided by Utah Code Annotated Subsection 58-1-401(1) because Respondent did not comply with the terms of probation

7. The Division is authorized to discipline Respondent's apprentice plumber license as provided by Utah Code Annotated Subsection 58-1-401(2)(a), for engaging in unprofessional conduct as provided by Utah Code Annotated Subsection 58-1-501(2)(a), for failure to comply with Division's January 27, 2012 Order.

ORDER

WHEREFORE, IT IS ORDERED Respondent's license to practice as an apprentice plumber in this state shall be revoked

On behalf of the Construction Services Commission and the Division of Occupational and professional licensing, I hereby certify the foregoing Findings of Fact, Conclusions of Law, and Order were submitted to the Construction Services Commission and the Division on the 31ST day of October 2012 for their review and action



Dan S Jones, Bureau Manager

ORDER

THE ABOVE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER in the matter of Danny Matthews is hereby adopted by the Construction Services Commission of the State of Utah

DATED this 31st day of Oct., 2012

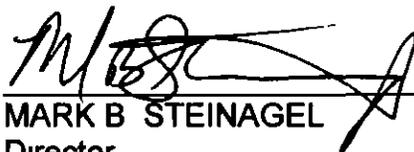


CONSTRUCTION SERVICES COMMISSION
Representative

I concur with the above Order, which the Construction Services Commission has approved

DATED this 31st day of October, 2012

DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING



MARK B STEINAGEL
Director

Agency review of this order may be obtained by filing a request for agency review within thirty (30) days after the date of this order. If you choose to file a request for agency review, you must adhere to the attached procedures.