

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
MICHAEL MEHEVIC, :
RESPONDENT. :

0005472

Division of Legal Services and Compliance Case No. 16 COM 182

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Michael Mehevic, Respondent
6319 River Bend Drive
Racine, WI 53404

Wisconsin Department of Safety and Professional Services
P.O. Box 8368
Madison, WI 53708-8368

Division of Legal Services and Compliance
Wisconsin Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Michael Mehevic is licensed in the State of Wisconsin as a Master Plumber, having license number 666581, first issued on February 27, 2014, and current through March 31, 2018. Respondent Mehevic's most recent address on file with the Department is 6319 River Bend Drive, Racine, Wis. 53404.

2. Respondent submitted an incomplete permit application to the Wisconsin Department of Transportation SE Region Utilities Permitting Section (DOT) on June 23, 2016,

related to the connection of a residential water service that required work within the State Highway's right-of-way.

3. On June 23, 2016, Doug Gendron from DOT received an email from Respondent requesting a permit. Mr. Gendron informed Respondent of all the information needed in the permit application in order to approve a permit.

4. Respondent did not provide all the information on the permit application required by DOT, specifically the Department of Natural Resources (DNR) information required.

5. Mr. Gendron informed Respondent of the missing, necessary information and informed Respondent that if all of the information was provided by June 27, 2016, he would be able to approve the permit on June 27, 2016.

6. Respondent proceeded to carry out the work without the permit on June 25, 2016.

7. On June 27, 2016, Mr. Gendron received a call from Robert Lui asking if he had approved a permit over the weekend to Respondent as Respondent started doing work on the job site over the weekend. Mr. Gendron confirmed that no permit was given as Respondent had not yet provided the necessary documentation to complete the permit application.

8. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 145.02(4), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent Mehevic violated Wis. Admin. Code § SPS by 305.10(2)(a)2. by violating state law by performing plumbing without a required Department of Natural Resources permit; moreover, Respondent Mehevic is subject to discipline under the same provision.

ORDER

1. The attached Stipulation is accepted.

2. Respondent Mehevic's Master Plumber License is SUSPENDED for three days to commence thirty days after the signing of this Order.

3. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Department in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

4. This Order is effective on the date of its signing.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: Al Rohmeyer
Al Rohmeyer, Acting Chief Legal Counsel
On Behalf of the Department

10/13/17
Date

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF

MICHAEL MEHEVIC,
RESPONDENT.

:
:
:
:

STIPULATION

0005472

Division of Legal Services and Compliance Case No. 16 COM 182

~~Respondent Michael Mehevic and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:~~

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the Department has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's Order, if adopted in the form as attached.

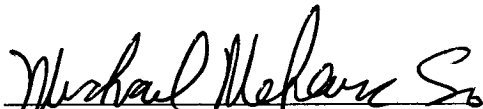
5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the

Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.

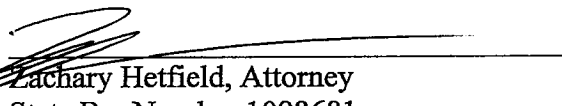
7. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.



Michael Mehevic, Respondent
6319 River Bend Drive
Racine, WI 53404

9-20-17
Date



Zachary Hetfield, Attorney
State Bar Number 1098681
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190
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zachary.hetfield@wisconsin.gov

10/9/17
Date