

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
TANNER COWAN, :
RESPONDENT. :

000618 6

Division of Legal Services and Compliance Case No. 17 COM 213

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

Tanner Cowan
515 Galena Road
Janesville, WI 53548

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 Department has reviewed this Order and considers it acceptable.

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

FINDINGS OF FACT

1. Respondent, Tanner Cowan, possesses no plumbing license in the state of Wisconsin.
2. John Glick, Environmental Specialist for the City of Janesville, stated that he observed Respondent running water lines at 415 Rimrock Road.
3. On or about April 18, 2018, Mike Hoff, Master Plumber, admitted to Investigator Thomas Miller that Respondent strapped PEX water lines to joints.

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, and is authorized to enter this Order pursuant to Wis. Stat. § 101.02.

2. Wis. Stat § 145.01(10) defines plumbing as “all piping, fixtures, appliances, equipment, devices, and appurtenances in connection with water supply systems, water distribution systems, wastewater drainage systems, reclaimed water systems, and stormwater use systems, including hot water storage tanks, water treatment devices, and water heaters connected with these systems and also includes the installation thereof.”

3. Wis. Stat. § 145.06 states that “no person may engage in or work at plumbing in the state unless licensed to do so by the department. A master plumber may work as a journeyman. No person may act as a plumbing apprentice or pipe layer unless registered with the department.”

4. By the conduct described in the Findings of Fact, Respondent Tanner Cowan violated Wis. Stat. § 145.06 by engaging in plumbing without a license.

5. Wis. Admin. Code § SPS 305.125(1)(a) states that pursuant to s. 145.12 (5), Stats., the department may assess a forfeiture in the amount listed in pars. (b) to (i) to a violator of the licensing requirements under s. 145.06, Stats.

6. Wis. Admin. Code § SPS 305.125(1)(c)1 states that the amount of forfeiture assessed against an individual who does not hold the appropriate type of plumbing license under subch. IX and who installs plumbing where a master plumber is in charge of the plumbing installation shall be: First violation offense — \$100.

7. Mike Hoff’s admission and Mr. Glick’s statements are sufficient evidence for the Department to find that there is a reasonable basis that Respondent has violated Wisconsin statutes and code and therefore forfeiture is appropriate.

8. As a result of the violations noted in the Conclusions of Law, Respondent Tanner Cowan is subject to discipline pursuant to Wis. Stat. § 145.12.

ORDER

1. Respondent Tanner Cowan is assessed an administrative forfeiture in the amount of **\$100.00** in accordance with Wis. Admin. Code § SPS 305.125(1)(c)1-2.

2. Within 30 days from the date of this Order, Tanner Cowan shall pay the forfeiture of **\$100.00**.

3. Payment of forfeiture shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

4. Respondent has the right to request a review of the assessment of forfeiture by sending a request to the Division Administrator, Division of Industry Services, P.O. Box 7302, Madison, Wisconsin 53707-7302, which must be received by the Division no later than 30 days from the date of mailing of this Notice. Any review of the assessment of forfeiture will be held in accordance with the requirements set forth in Wis. Admin. Code § SPS 305.125(6-8). The request must include a statement of the specific reasons why the administrative forfeiture and the grounds for the assessment should be overturned. Wis. Admin. Code § SPS 305.125(6)(a)(3). Any issues not addressed in the statement shall be deemed waived for consideration by the Department at the review, and the Department shall only consider the reasons specified in the statement. Wis. Stat. § 101.02(6)(f).

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

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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

5-9-19
Date