

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
MIKE HOFF, :
RESPONDENT. : 0006187

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:

Mike Hoff
P.O. Box 142
Footville, WI

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 Mike Hoff is licensed in the state of Wisconsin as a Master Plumbing, having license number 225168, first issued on October 30, 2003, and current through March 31, 2023. Hoff's most recent address on file with the Department is P.O. Box 142, Footville, WI 53537.
2. John Glick, Environmental Specialist for the City of Janesville, stated that he observed Rick Hoff installing PVC pipe for underground plumbing at 4019 Kipling Drive, Janesville, WI.
3. A DSPS record search found that Rick Hoff does not have any plumbing licenses in the state of Wisconsin.

4. On or about April 18, 2018, Respondent admitted to Investigator Thomas Miller that his employees Rick Hoff and Tanner Cowan dug and ran one-inch lines while he went to a supply store to obtain additional materials.

5. John Glick stated that he observed Tanner Cowan running water lines and that Rick Hoff was moving a stack in the basement at 415 Rimrock Road, Janesville, WI.

6. A DSPS record search found that Tanner Cowan does not have a plumbing license in the state of Wisconsin.

7. On or about April 18, 2018, Respondent admitted to Investigator Thomas Miller that Rick Hoff was helping him move the stack and that Rick cut and put piping in place. Respondent further stated that Tanner Cowan strapped ran lines and strapped PEX 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. § 145.06 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.”

3. 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.”

4. By the conduct described in the Findings of Fact, Respondent Mike Hoff violated Wis. Stat. § 145.06 by allowing individuals to engage in plumbing without a license on a project where Hoff was the Master Plumber.

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)(f)1 states that the amount of forfeiture assessed against a master plumber who allows an individual who does not hold the appropriate license under subch. IX to install plumbing when that master plumber is in charge of the plumbing installation shall be: First violation offense — \$1,500.

7. Wis. Admin. Code § SPS 305.125(1)(f)2 states that the amount of forfeiture assessed against a master plumber who allows an individual who does not hold the appropriate license under subch. IX to install plumbing when that master plumber is in charge of the plumbing installation shall be: Second violation offense — \$1,750.

8. Respondent's admissions and Mr. Glick's statements are sufficient evidence for the Department to find that there is a reasonable basis that he violated Wisconsin statutes and code at two separate locations and therefore forfeitures in the amounts of \$1,500 and for \$1,750 could be assessed against Respondent.

9. As a result of the violations noted in the Conclusions of Law, Respondent Mike Hoff is subject to discipline pursuant to Wis. Stat. § 145.12.

ORDER

1. Respondent Mike Hoff is assessed an administrative forfeiture in the amount of **\$1,500.00** in accordance with Wis. Admin. Code § SPS 305.125(1)(f)1 for allowing individuals who do not hold the appropriate license to install plumbing.

2. Within 30 days from the date of this Order, Mike Hoff shall pay the forfeiture of **\$1,500.00**.

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. 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. In the event Respondent fails to timely submit payment of the forfeiture as ordered and as set forth above, Respondent's license (no. 225168) may, in the discretion of the Department, be **SUSPENDED**, without further notice or hearing, until Respondent has complied with payment of the forfeiture.

5. 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).

6. 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