

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



### Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

#### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DSPS website:** An individual who believes that information on the website is inaccurate may contact [DSPS@wisconsin.gov](mailto:DSPS@wisconsin.gov)

The Department's investigation found a small claims judgment against CC Electric and Miguel Herrera for the work associated with this project in the amount of \$3,603.

The Department provided you with an opportunity to respond and you stated that CC Electric was not in contract with Complainant. The Department finds this statement lacks merit as the invoice lists CC Electric and the permit was pulled by Samuel Henly.

The Department's investigation found that Mr. Herrera does not possess any electrical certificates, licenses, or registrations, and therefore would not be permitted to perform the work on the project or pull a permit.

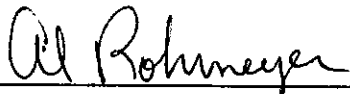
The Department finds that as a Registered Master Electrician and an Electrical Contractor you have a responsibility to ensure that projects are done by licensed individuals. Upon information and belief, you pulled a permit for a project whereby Mr. Herrera would perform the electrical work. This is a violation of Wis. Admin. Code § SPS 305.437(3)(b) and § 305.41(4)(a).

The Department finds that you engaged in misconduct by pulling the permit for Herrera without providing any services to Complainant. This is a violation of Wis. Admin. Code § SPS 305.10(1)(a)5. Complainant entered into an agreement with Herrera that listed CC Electric for \$3,500. The permit was pulled by Samuel Henly. Therefore, Henly and CC Electric took on the risk of the project for Herrera. The small claims judgment against CC Electric confirms this financial misconduct.

Therefore, based on the foregoing, the Department finds that a total suspension of 56 days is appropriate and is entered pursuant to the terms laid out in this document.

You have the right to request a hearing on the suspension by sending a request for hearing to the Department of Safety and Professional Services, Chief Legal Counsel, P.O. Box 7190, Madison, Wisconsin 53707-7190, which must be received by the Department no later than 30 days from the date of mailing of this Notice. Any hearing on the suspension will be held in accordance with the requirements set forth in Wis. Stat. ch. 227.

Dated at Madison, Wisconsin on April 21, 2021.



Al Rohmeyer  
Chief Legal Counsel,  
Department of Safety and Professional Services