

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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- 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.
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- 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>

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**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)

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

HALES CORNERS  
HEATING AND AIR CONDITIONING

RESPONDENT.

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: NOTICE OF SUSPENSION  
: AND NOTICE OF RIGHT  
: TO REQUEST HEARING

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**ORDER 0008724**  
Order: \_\_\_\_\_

Case # 21 COM 167

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TO: Hales Corners Heating and Air Conditioning  
Scott Puffer  
10700 W Parnell Ave  
Hales Corners WI 53130

Pursuant to Wis. Admin. Code §§ SPS 305.10(1)(a)5&8 you are notified that your HVAC Contractor Registration #881057 is hereby **suspended** for 10 days. The suspension shall begin on 10/1/2023 and expire on 10/11/2023. Upon completion of the suspension you may request reinstatement of your credential. The credential will remain suspended until you make a request for reinstatement. You may send your request to [dpscredtrades@wisconsin.gov](mailto:dpscredtrades@wisconsin.gov).

The basis for this suspension is as follows:

**Suspension due to failure to follow local laws/regulations. Wis. Admin. Code § SPS 305.10(1)(a)8:**

The Department received a complaint that you failed to pull a permit for an HVAC job at 1517 David Lane, Waukesha, WI 53189. The Department opened an investigation into the matter. The investigation found that in the fall of 2021 you attempted to pull a permit for the project, performed the project, and then later you were told by the City of Waukesha that the permit was denied because you did not possess the required local HVAC qualifier credential. You stated that the reason the work was done prior to the permit approval was because the home was without heat and that work needed to be completed immediately.

You then stated that Waukesha told you that you needed to take the qualifier exam to obtain the credential. You stated that you received the wrong books for the exam multiple times and that, as of this writing, you had not passed the test to obtain the credential.

The Department finds that this behavior is subject to discipline as allowed by Wis. Admin. Code § SPS 305.10(1)(a)8. An HVAC Contractor is required to follow the regulations of the local municipality before performing work and you failed to comply with said regulations. The work involved is directly related to your registration as an HVAC Contractor.

**Suspension due to misconduct. Wis. Admin. Code § SPS 305.10(1)(a)5:**

During the investigation it was determined that the issue was finally resolved in the fall of 2022 after third-party contractors were allowed to pull permits for the project and Waukesha was able to inspect and pass the project. The matter was then resolved to the satisfaction of the homeowner in the fall of 2022.

The Department inquired as to why there was such a delay between the install and the project being resolved in the fall of 2022. You told the Department that Waukesha would not allow you to hire a third-party contractor to pull a permit for the project and that was part of the reason for the delay in finalizing the project. The Department requested documentation from you that confirmed that reasoning. You provided a letter from your company as well as Waukesha's response. The Department noted that the original letter from your company was dated October 24, 2022, approximately a year after the work was performed. The Department finds that this letter is not in line with the timeline you provided to the Department as to why there was a delay. The Department finds the delay in resolving the issue with the Complainant to be misconduct as defined by Wis. Admin. Code § SPS 305.003(43) and you are subject to discipline as allowed by Wis. Admin. Code § SPS 305.10(1)(a)5.

A suspension of 10 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. Your request for hearing must set out specifically and in full detail every reason why such order is unreasonable, and every issue to be considered by the department on the hearing. You shall be deemed to have finally waived all objections to any irregularities and illegalities in the order upon which a hearing is sought other than those set forth in the petition. 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 21 August, 2023.

*Aloysius Rohmeyer*

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