

# Meeting Minutes: Plumbing Board

Date: July 19, 2022  
Time: 9:30 a.m.  
Minutes by: Lyndy Logan  
Location: Minnesota Room, DLI, 443 Lafayette Rd. No., St. Paul, MN 55155

## **Members**

1. Richard Becker (Chair)
2. Mike Dryke
3. Kent Erickson (Secretary) – via phone
4. Mike Herman (Vice Chair)
5. Justin Parizek
6. Troy Seitz – via phone
7. Scott Stewart
8. Mike Westemeier (DLI CO's Designee)
9. Shane Willis  
David Weum (MDH CO's Designee) – via phone

## **Members Absent**

Sam Arnold  
Rick Wahlen

## **DLI Staff & Visitors**

Brittany Wysokinski (Board. Counsel, DLI)  
Lyndy Logan (DLI)  
Charlie Durenberger (DLI)  
Brad Jensen (DLI)  
Chuck Olsen (DLI)  
John Roehl (DLI)  
Nick Erickson (Housing First)  
Jeff Hill (MWQA)  
Mike Johnson (J-Berd Mechanical)  
Tom Pahkala (Plumbers #15)  
Gary Schick (City of Rochester)  
Brian Soderholm (MWQA)  
Scott Thompson (My Plumbing Training)

## **1. Call to Order, Chair Presiding**

- A.** The meeting was called to order by Chair Becker at 9:33 AM. Roll call was taken by the Secretary and a quorum was declared with 8 of 12 voting members (Willis joined the meeting at 9:43 a.m. resulting in 9 voting members), and one non-voting member, present in person or via phone.
- B.** Announcements – Introductions (members and attendees)
  - All handouts discussed and meeting information are posted on the Board's website.
  - Everyone present in person and via phone can hear all discussions.
  - All votes will be taken by roll call if any member is attending by phone.

## **2. Approval of meeting agenda**

A motion was made by Herman, seconded by Dryke, to approve the agenda as presented. The roll call vote was unanimous with 8 votes in favor; the motion carried.

## **3. Approval of previous meeting minutes**

A motion was made by Herman, seconded by Dryke, to approve the April 18, 2022, regular meeting minutes as presented. The roll call vote was unanimous with 8 votes in favor; the motion carried.

## **4. Regular Business**

Approval of expense reports – Chair Becker.

## 5. Special Business

- A. Officer nominations and elections  
Election of Officers (Turn meeting over to Mike Westemeier, Commissioner's Designee)
1. Chair  
Herman nominated Becker. The vote was 8 in favor with one abstention (Becker). The nomination passed.
  2. Vice-Chair  
Becker nominated Herman for Vice-Chair. The vote was 8 in favor with one abstention (Herman). The nomination passed.

*Shane Willis joined the meeting at 9:43 a.m., resulting in 9 voting members.*

3. Secretary  
Becker nominated Erickson for Secretary. The vote was 9 in favor with one abstention (Erickson). The nomination passed.  
(Turn meeting over to Board Chair)
- B. Enforcement & Licensing update – Charlie Durenberger – see **Attachment A**
- C. RFI – PB0155 – Charlie Durenberger, CCLD, DLI – see **Attachment B1** & related correspondence **Attachment B2**

**A motion was made by Herman, seconded by Dryke, to change the RFI submitted by Charlie Durenberger to an Open Forum Request. The roll call vote was unanimous with 9 votes in favor ; the motion carried.**

- D. RFI – PB0156 – MN Water Quality Association
- See **Attachment C** – RFI: Bypass Requirements for Water Conditioning Installations presentation
  - See **Attachment D** – Letter to the Board, RFI and Inspections

*Shane Willis departed the meeting at 10:45 a.m. resulting in 8 voting members.*

- **A motion was made by Herman, seconded by Stewart, that integral bypass appurtenances supplied with residential water softeners and filters meet the requirements of 611.5.**
- E. Department updates
- Westemeier said that plumbing plan review has a 7 week backlog, staff is working overtime and they're currently hiring for a new position.

## 6. Committee Reports

Construction Codes Advisory Council (CCAC) – Mike Herman (rep) / Richard Becker (alt). The last CCAC meeting was held on Jan. 20, 2022. The presentation can be found at <http://www.dli.mn.gov/sites/default/files/pdf/ccac-presentation0122.pdf>

**7. Complaints and Correspondence**

See **Attachment E** for correspondence related to RFI PB0156, Bypass Requirements for Water Conditioning Installations.

**8. Open Forum**

Charlie Durenberger’s RFI – PB0155 was changed to an Open Forum request (see Item C under Special Business, above).

**9. Board Discussion**

None

**10. Announcements**

Next regularly scheduled meeting in 2022, 9:30 a.m., in-person at DLI

- October 18, 2022

**11. Adjournment**

A motion was made by Herman, seconded by Dryke, to adjourn the meeting at 10:51 a.m. The roll call vote was unanimous with 8 votes in favor of the motion; the motion passed.

Respectfully submitted,

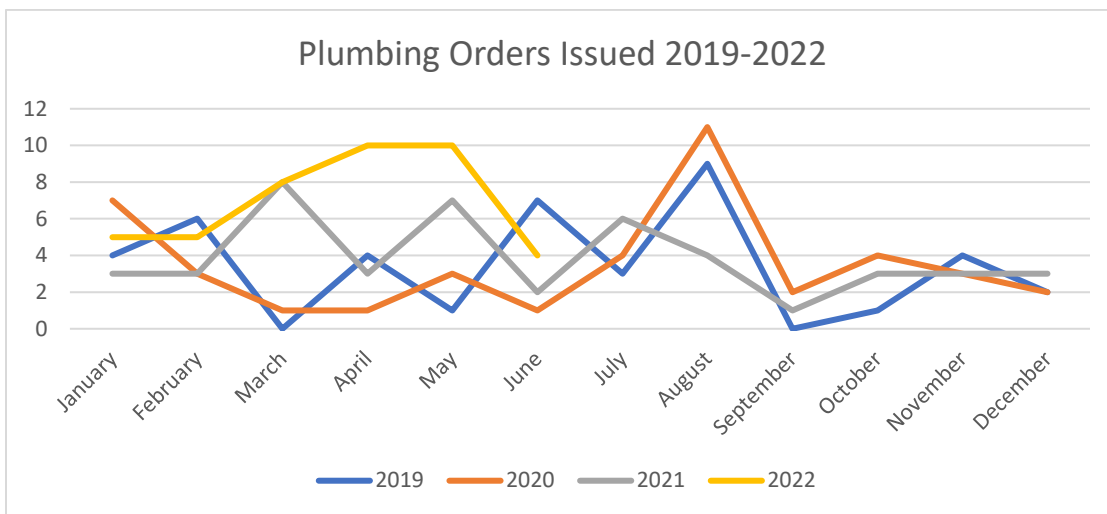
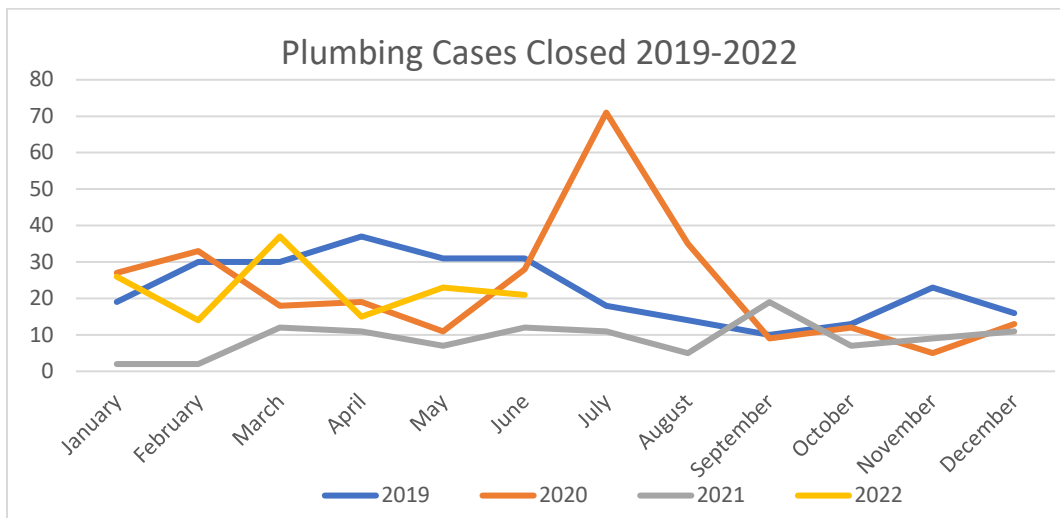
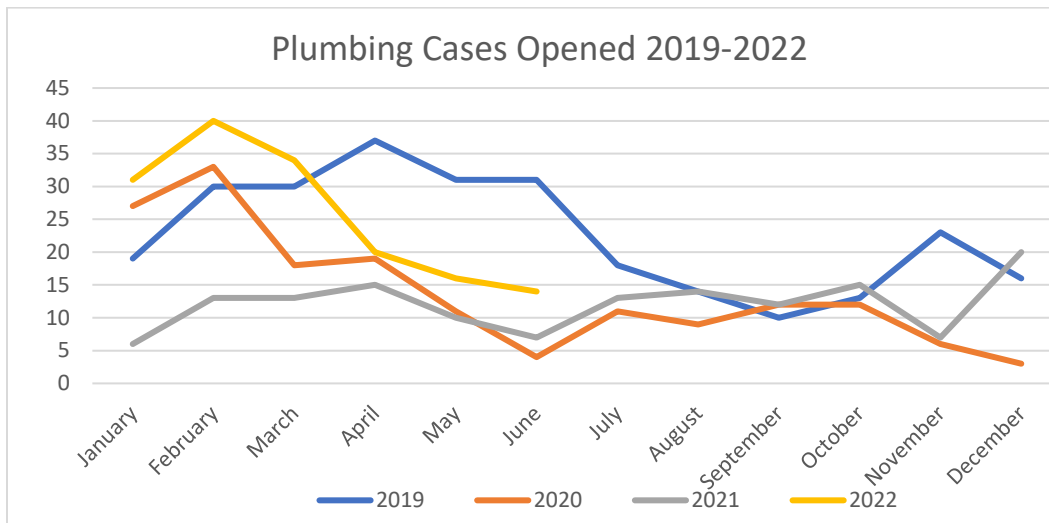
*Kent Erickson*

Kent Erickson  
Secretary

**Green meeting practices**

The State of Minnesota is committed to minimizing in-person environmental impacts by following green meeting practices. DLI is minimizing the environmental impact of its events by following green meeting practices. DLI encourages you to use electronic copies of handouts or to print them on 100% post-consumer processed chlorine-free paper, double-sided.

# CCLD PLUMBING ENFORCEMENT STATISTICS 2019-2022



**Cases Active July 5, 2022: 117**

# CCLD LICENSE EXAM PASS RATES 2018-2022\*

(# passed/total exams)

\*2022 data through July 1, 2022

## ELECTRICAL

EXAM	2018	2019	2020	2021	2022	5 Year Avg.
Journey	29% (292/991)	39% (492/1,271)*	36% (396/1,089)	37% (535/1,465)	34% (250/736)	35% (1,965/5,552)
Master	44% (136/311)	45% (178/399)	45% (136/302)	42% (213/504)	48% (122/255)	44% (785/1,771)
PLT	50% (118/234)	48% (131/272)	47% (84/179)	39% (94/238)	34% (39/115)	45% (466/1,038)
Satellite	100% (2/2)	100% (1/1)	33% (1/3)	50% (1/2)	100% (1/1)	67% (6/9)

\*Number of exam questions reduced from 100 to 80 in March 2019

## ELEVATOR

EXAM	2018	2019	2020	2021	2022	5 Year Avg.
Journey	80% (20/25)	65% (13/20)	75% (36/48)	72% (21/29)	83% (10/12)	75% (100/342)
Master	83% (5/6)	50% (2/4)	100% (4/4)	78% (7/9)	67% (4/6)	76% (22/29)

## RESIDENTIAL BUILDING CONTRACTOR

EXAM	2018	2019	2020	2021	2022	5 Year Avg.
Builder	61% (687/1,127)	59% (746/1,262)	61% (524/853)	60% (720/1,206)	66% (492/747)	61% (3,169/5,195)
Remodeler	58% (30/52)	54% (32/59)	46% (16/35)	48% (45/96)	50% (20/40)	51% (143/282)
Roofer	67% (14/21)	55% (18/33)	68% (19/28)	50% (22/44)	62% (18/29)	59% (91/155)
MH Installer	30% (3/10)	73% (11/15)	80% (4/5)	50% (2/4)	33% (1/3)	58% (21/37)

## PLUMBING

EXAM	2018	2019	2020	2021	2022	5 Year Avg.
Journey	76% (185/242)	71% (177/249)	77% (174/225)	70% (242/348)	74% (173/234)	73% (951/1,298)
Master	74% (63/85)	66% (52/79)	84% (48/57)	79% (62/78)	89% (49/55)	77% (274/354)

## HPP

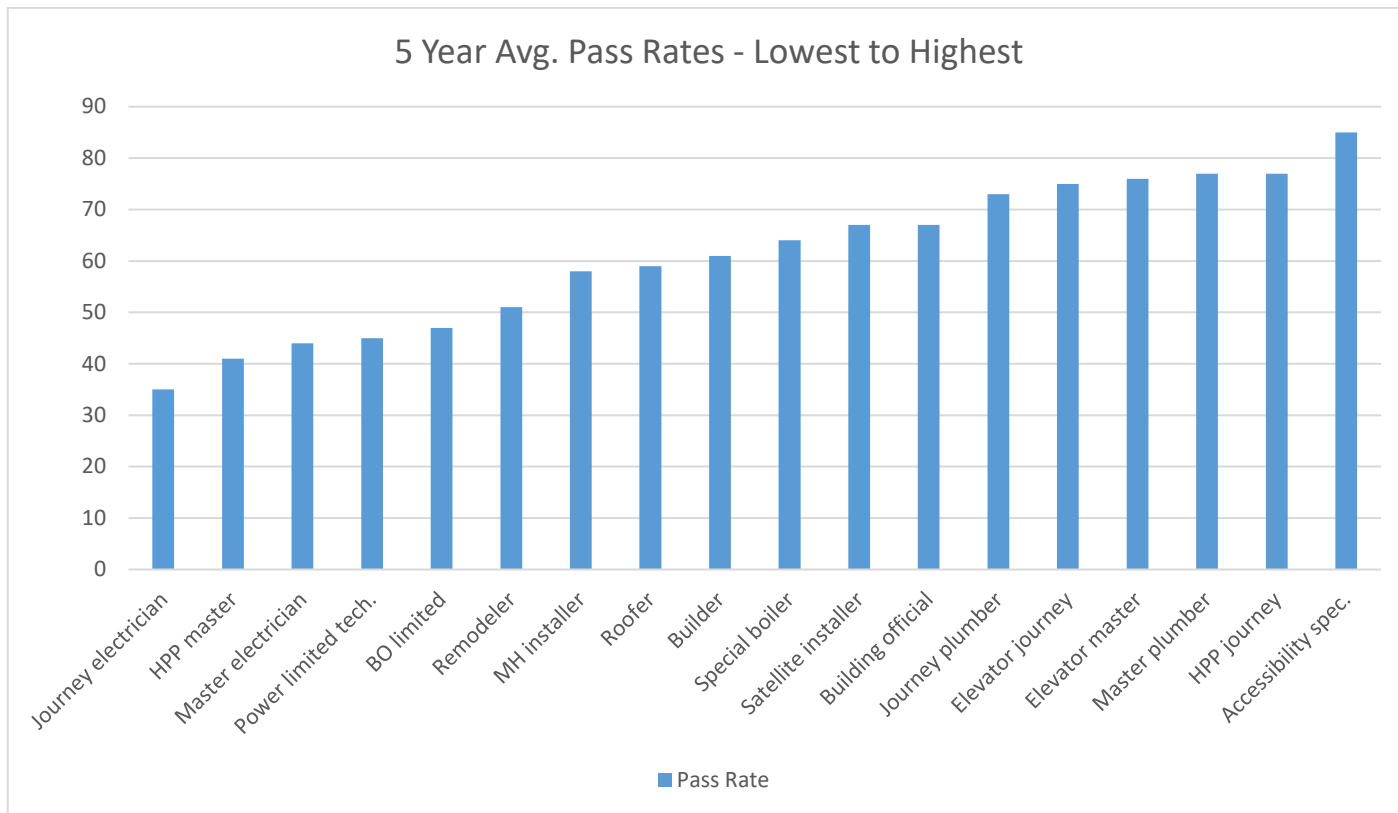
EXAM	2018	2019	2020	2021	2022	5 Year Avg.
Journey	74% (121/163)	67% (132/196)	71% (117/164)	70% (154/221)	77% (119/155)	72% (643/899)
Master	57% (13/23)	48% (10/21)	44% (8/18)	51% (20/39)	41% (7/17)	49% (58/118)

## BOILER

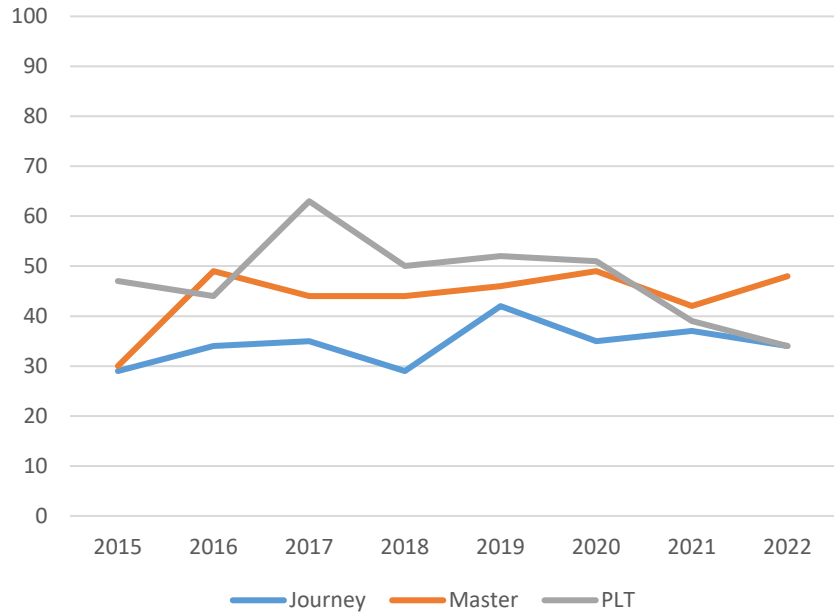
EXAM	2018	2019	2020	2021	2022	5 Year Avg.
Special	67% (1,508/2,237)	63% (1,376/2,193)	65% (873/1,336)	63% (1,298/2,058)	60% (673/1,114)	64% (5,728/8,938)

## BUILDING OFFICIAL

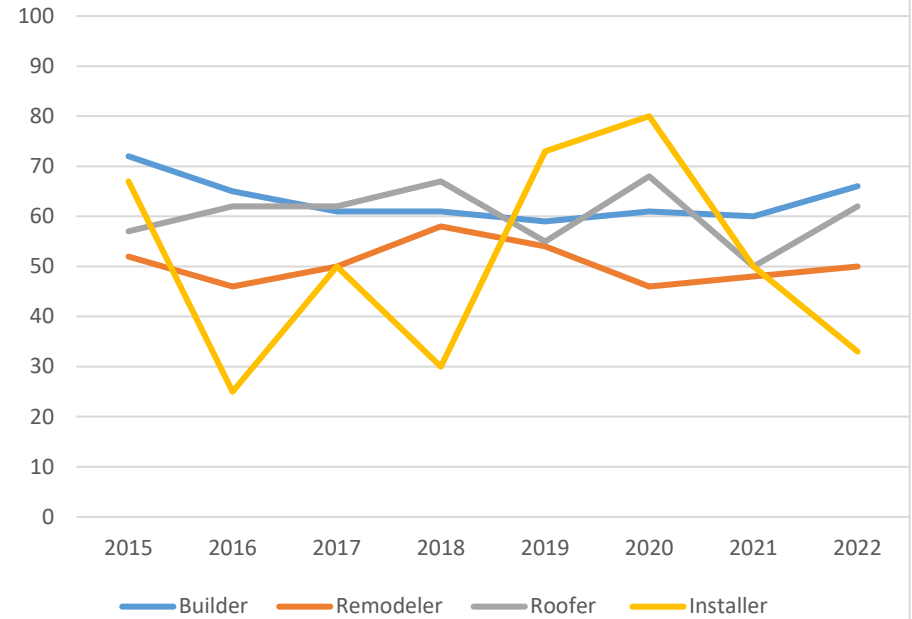
EXAM	2018	2019	2020	2021	2022	5 Year Avg.
Building official	72% (33/46)	62% (34/55)	67% (24/36)	71% (36/51)	58% (14/24)	67% (141/212)
BO limited	50% (54/108)	48% (49/103)	40% (24/60)	52% (46/89)	44% (25/57)	47% (198/417)
Accessibility	78% (7/9)	91% (32/35)	100% (4/4)	70% (14/20)	100% (5/5)	85% (62/73)



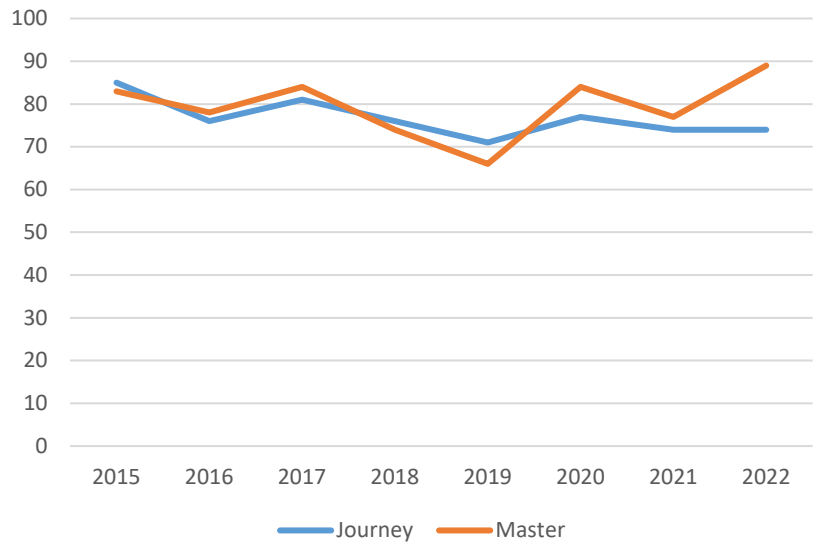
### Electrical Exam Pass Rates



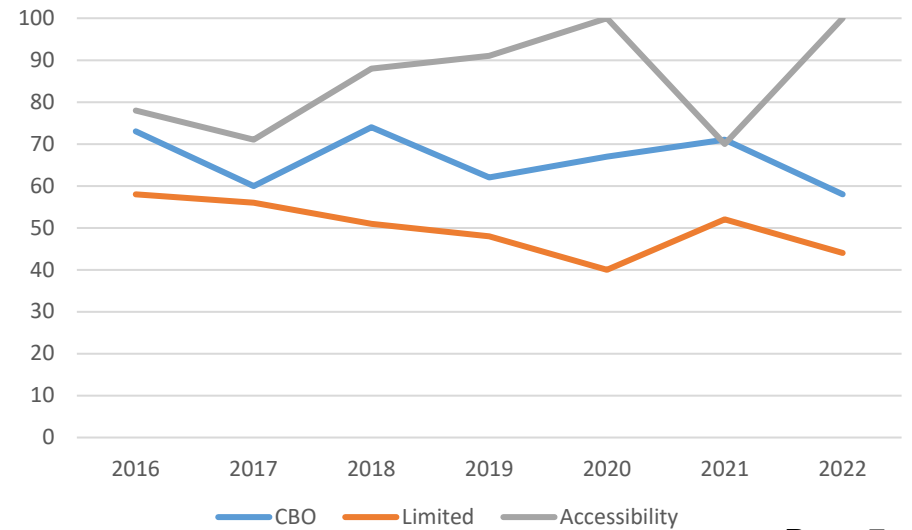
### RBC Exam Pass Rates

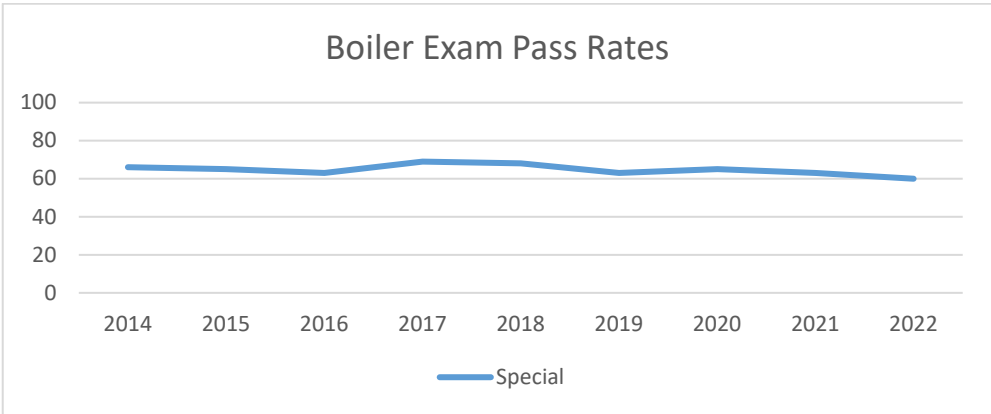
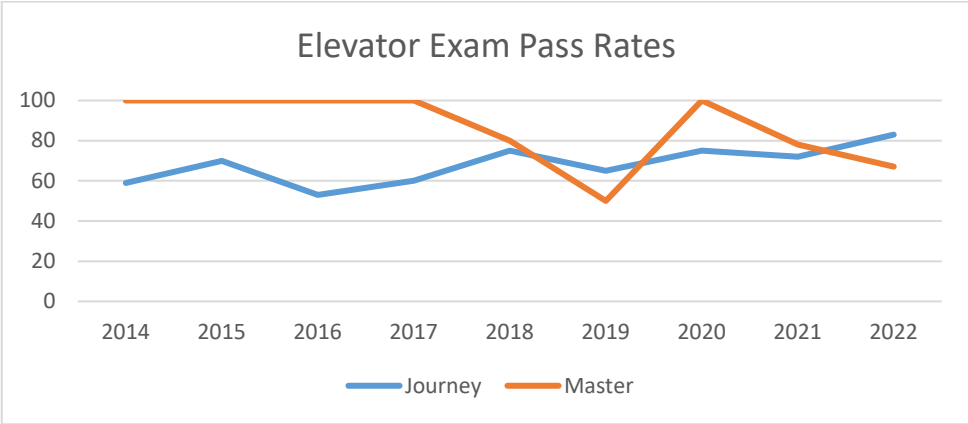
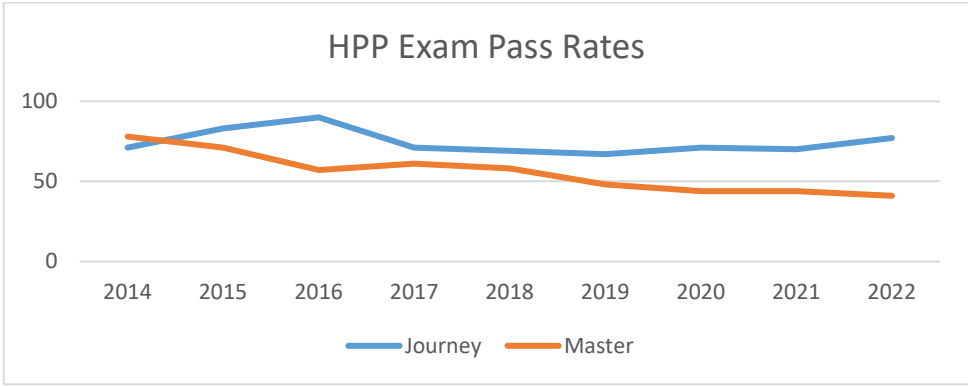


### Plumbing Exam Pass Rates

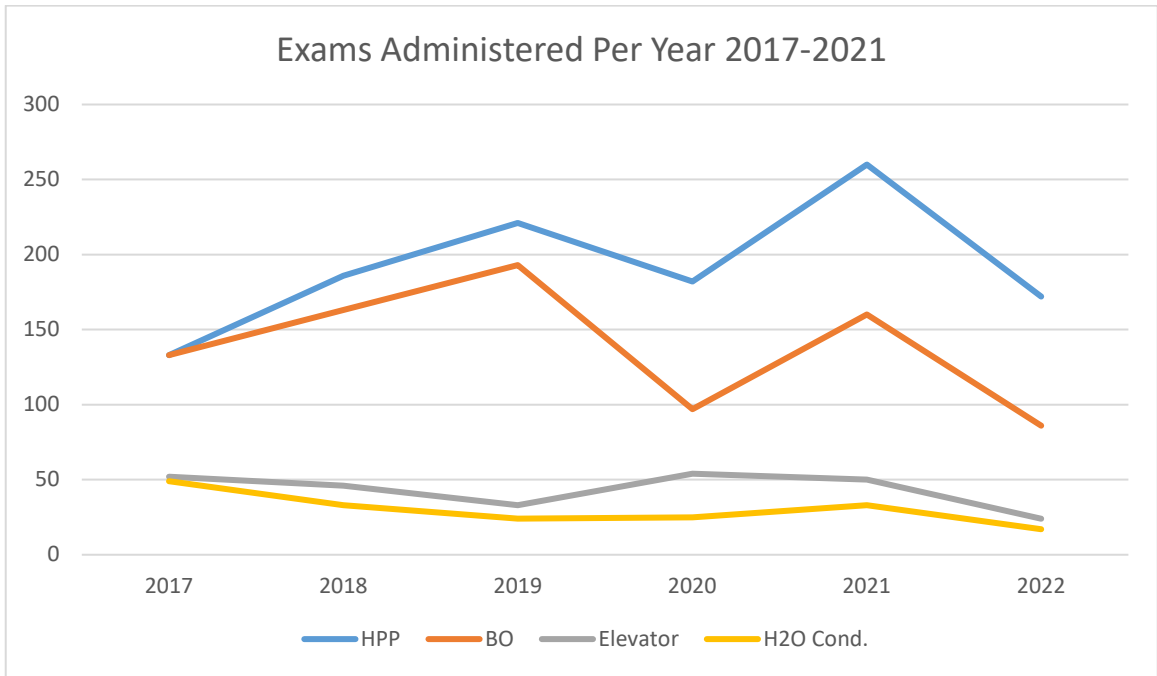
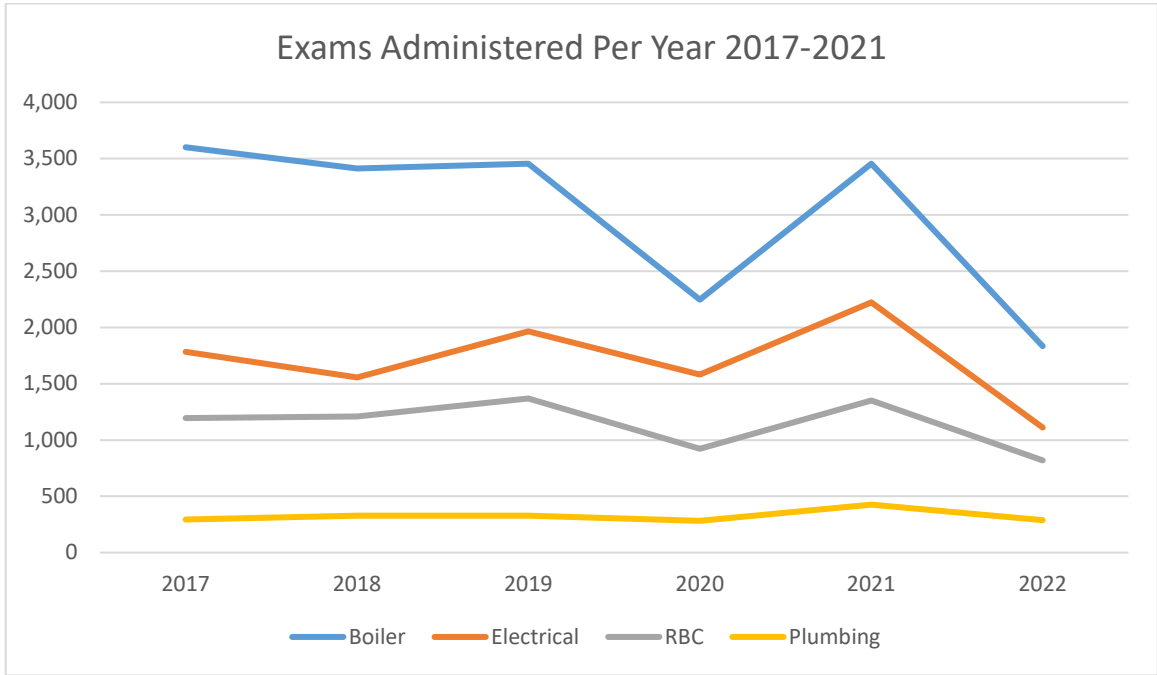


### Building Official Exam Pass Rates









## Plumbing Enforcement Actions

### 2022 Year to Date

A Consent Order is not a finding of fact or admission of guilt.

For more information about specific orders, please call 651-284-5069 or email [dli.contractor@state.mn.us](mailto:dli.contractor@state.mn.us).

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#### **ABRAHAM REMODELING & CLEANING LLC and Jose Enrique Aguilar Carcanmo**

- St. Paul, MN
- Administrative Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer; cease and desist from performing or offering to perform plumbing work in Minnesota; stay of \$10,000 monetary from 2021 Consent Order lifted and additional \$9,000 monetary penalty assessed – 3/22/2022
- RBC2201-0013/DLC

#### **ASAP Underground LLC, dba Discount Plumbing and Drain Cleaning – PC664926**

- Roseville, MN
- Consent Order: Respondent censured; \$2,500 monetary penalty with \$2,000 stayed with conditions – 5/25/2022
- PLB2201-0010/MG

#### **Berg, Ryan D., dba Maple Town Maintenance**

- Maple Grove, MN
- Consent Cease and Desist Order: Cease and desist from performing or offering to perform plumbing or electrical work until licensure achieved; \$2,500 monetary penalty stayed – 6/10/2022
- PLB2203-0001/MG

#### **Brophy, Patrick J. – PJ067106**

- Aitkin, MN
- Licensing Order: License suspended until continuing education completed and \$1,000 monetary penalty paid, during suspension, cease and desist from performing or offering to perform the work of a journeyworker plumber – 4/05/2022
- PLB2202-0015/SAS

### **Bruns, Gerald J., dba JB Plumbing & Heating**

- Evansville, MN
- Notice of Determination and Determination: Corrective action not achieved; \$2,500 forgivable penalty now due and owing – 1/18/2022
- PLB2104-0002/MG

### **Burth, Keith M. – PJ065607**

- North Branch, MN
- Licensing Order: License suspended until response provided to Commissioner's requests for information and \$1,500 monetary penalty paid; during suspension, cease and desist from performing or offering to perform plumbing work; cease and desist from contracting or offering to contract to perform plumbing work until plumbing contractor license obtained – 3/01/2022
- PLB2104-0010/MG

### **C&J Home Services LLC, C&J Perfection Painting & Drywall LLC, and Cesar Hernandez Castellanos**

- Burnsville, MN
- Consent Cease and Desist Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer, and cease and desist from performing or offering to perform plumbing work in Minnesota; \$10,000 monetary penalty with \$9,000 stayed – 5/19/2022
- MLT2203-0005/KF

### **C&L Maintenance Inc., dba CLM Midwest, and Guy Lollino and Kevin Chalmers**

- River Grove, IL
- Consent Cease and Desist Order: Cease and desist from performing or offering to perform electrical, plumbing, and mechanical work in Minnesota until all required licenses and certification obtained; \$15,000 monetary penalty with \$9,000 stayed – 2/22/2022
- ELE2112-0027/CMW

### **Commers Conditioned Water Company – WC644011**

- Blaine, MN
- Consent Order: Respondents censured; \$2,500 monetary penalty stayed with conditions – 6/16/2022
- PLB2205-0005/MG

### **Consolidated Plumbing and Heating, Inc. and Charles R. Wickenhauser – PC667869 and PM064624**

- Norwood, MN
- Consent Order: Respondents censured; \$2,500 monetary penalty stayed with conditions – 5/31/2022
- PLB2205-0008/MG

### **Cordani, Antonio Nicholas and Christopher Joseph Cordani, dba HGC Handyman Services**

- Oak Grove, MN
- Consent Cease and Desist Order: Administrative Order vacated; cease and desist from performing or offering to perform electrical, plumbing, and mechanical work in Minnesota until all required licenses, bonds, and registration are obtained; \$2,500 monetary penalty stayed – 3/07/2022
- MLT2201-0008/CMW

### **Countertop Classics, Inc. and Ronald L. Messer**

- Princeton, MN
- Consent Cease and Desist Order: Cease and desist from performing or offering to perform plumbing work in Minnesota until appropriate licensure and bonding are achieved; \$2,500 monetary penalty stayed – 1/25/2022
- PLB2108-0012/MG

### **Daly, Daniel R. – PM059328**

- Stillwater, MN
- Consent Order: Censure; Respondent must complete 16 hours of approved continuing education by May 25, 2022; \$1,000 monetary penalty with \$900 stayed – 4/07/2022
- PLB2111-0004/SAS

### **Donovan, Justin Wayne, dba JD mechanical – PC716267 and PM066637**

- Minneapolis, MN
- Consent Order: Censure; \$4,000 monetary penalty with \$2,500 stayed with conditions – 1/27/2022
- PLB2108-0013/CMW

### **Doors-R-Us, LLC and Rodney Roy Reichstadt**

- Chatfield, MN
- Consent Cease and Desist Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer, and cease and desist from performing or offering to perform plumbing work in Minnesota; \$15,000 monetary penalty with \$10,000 stayed – 6/03/2022
- RBC2202-0011/ALF, RBC2202-0014/ALF, and RBC2202-0015/ALF

### **Dot USA Remodel LLC and Juan Francisco Col Pop**

- Burnsville, MN
- Consent Cease and Desist Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer; cease and desist from performing or offering to perform electrical, plumbing, or mechanical work in Minnesota until all required licenses and bonds are obtained; \$7,000 monetary penalty with \$6,500 stayed – 3/15/2022
- MLT2201-0005/KF

## **Duff Properties L.L.C. and Michael Roy Duff, dba Handyman Mike**

- Apple Valley, MN
- Administrative Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer; cease and desist from performing or offering to perform electrical, plumbing, or mechanical work in Minnesota until all required licenses and bonding obtained; \$15,000 monetary penalty – 4/28/2022
- PLB2201-0030/SN and three others

## **Dulin Construction LLC and Jeffrey James Dulin**

- Lonsdale, MN
- Administrative Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer; cease and desist from performing or offering to perform electrical or plumbing work in Minnesota; stay of \$5,000 monetary penalty from 2021 Consent Order against Matthew Schumi lifted; additional \$12,500 monetary penalty assessed – 4/19/2022
- RBC2201-0015/ALF

## **Ehrmantraut, Christopher J. – PJ066535**

- Sebeka, MN
- Consent Order: Censure; Respondent must complete 16 hours of approved continuing education by June 8, 2022; \$1,000 monetary penalty \$900 stayed with conditions – 5/12/2022
- PLB2201-0022/SAS

## **Faulkner, Renzo Lamar**

- Zimmerman, MN
- Administrative Order: Cease and desist from acting or holding self out as a residential building contractor, remodeler, or roofer in Minnesota until licensure achieved; cease and desist from performing or offering to perform electrical or plumbing work in Minnesota until licensure achieved; \$12,500 monetary penalty – 6/08/2022
- MLT2204-0001/DLC

## **First Choice Handyman Services Limited Liability Company, and Samir Demir**

- Anoka, MN
- Consent Cease and Desist Order: Cease and desist from performing or offering to perform plumbing work in Minnesota until appropriate licensure and bonding are achieved; \$2,500 monetary penalty stayed – 2/01/2022
- PLB2111-0007/MG

### **Fowler, Joshua Deaun, dba Handyman Home Service's Limited Liability Company**

- Buffalo, MN
- Administrative Order: Cease and desist from acting or holding self out as a residential building contractor, remodeler, or roofer; cease and desist from performing or offering to perform electrical or plumbing work in Minnesota; \$22,700 monetary penalty – 3/01/2022
- MLT2110-0001/DLC, RBC2110-0012/DLC, and RBC2110-0020/DLC

### **Goodmen Enterprise LLC, aka Goodmen Enterprise, Brandon Gilles L.L.C., and Brandon Jerome Gilles**

- Ramsey, Minneapolis, and Champlin, MN
- Administrative Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer; cease and desist from performing or offering to perform electrical, plumbing, or mechanical work in Minnesota; \$12,500 monetary penalty – 3/01/2022
- MLT2201-0004/CMW

### **Greenwald, Steve Alan, dba All Carpentry Services**

- Golden Valley, MN
- Consent Cease and Desist Order: Cease and desist from acting or holding self out as a residential building contractor, remodeler, or roofer; cease and desist from performing plumbing and/or electrical work in Minnesota until all appropriate licensure achieved; \$7,500 monetary penalty with \$7,000 stayed – 6/16/2022
- RBC2204-0036/KF

### **Haas, Sheldon L. – PJ066565**

- Fargo, ND
- Licensing Order: License suspended until continuing education completed and \$1,000 monetary penalty paid, during suspension, cease and desist from performing or offering to perform the work of a journeyworker plumber – 5/03/2022
- PLB2204-0007/KF

### **High Road Builders LLC and Earl Christian Rode IV, Individually and dba Rode's Remodeling & Repair L.L.C.**

- Minneapolis and North St. Paul, MN
- Administrative Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer; cease and desist from performing or offering to perform the services of an electrical, plumbing, or mechanical contractor; \$15,00 monetary penalty – 1/04/2022
- RBC2110-0035/CMW, MLT2112-0004/CMW, and RBC2007-0006/SAS

**HomeWorks Services Co., dba HomeWorks Plumbing Heating Air; HomeWorks Services LLC, dba HomeWorks Plumbing Heating Air; Andrew J. Ryan; Nicholas Sloan; Linfu Zhang; and Joshua J. Eicher - PC725118, PC783800, PM062990, and PA720368**

- Eagan, MN
- Consent Order: Respondents censured; license No. 725118 shall not be reinstated or used for any purpose; stay of \$10,000 monetary penalty from 2020 Consent Order lifted and additional \$15,000 monetary penalty is stayed with conditions – 6/15/2022
- PLB2103-0012/CMW and five others

**Jeanson, Brian G. – PJ089401**

- Lakeville, MN
- Consent Order: Censure; Respondent must complete 16 hours of approved continuing education by June 18, 2022; \$1,000 monetary penalty stayed – 3/29/2022
- PLB2203-0026/CN

**Jeffers, Kevin J. – WJ065664**

- Princeton, MN
- Consent Order: Censure; Respondent must complete 4 hours of approved continuing education by April 30, 2022; \$1,000 monetary penalty stayed – 3/08/2022
- PLB2201-0014/SAS

**JL services and plow Inc. and Jeremy S. Truong, dba JL Services Construction**

- Brooklyn Park, MN
- Administrative Order: Cease and desist from acting or holding self out as a residential building contractor, remodeler, or roofer; cease and desist from performing or offering to perform electrical or electrical work in Minnesota; \$14,000 monetary penalty – 4/05/2022
- MLT2202-0001/DLC

**Joe Nance Plumbing & Water Conditioning Systems LLC and Joseph A. Nance - PC712711**

- River Falls, WI
- Consent Order: Respondents censured; \$2,500 monetary penalty with \$2,000 stayed with conditions – 5/03/2022
- PLB2203-0031/MG

**Jovaag, Jeffrey S. – PJ062966**

- Shakopee, MN
- Consent Order: Censure; Respondent must complete 16 hours of approved continuing education by March 31, 2022; \$1,000 monetary penalty stayed – 3/08/2022
- PLB2201-0007/SAS

### **Kallioinen, Brian, dba BKMC – BC225195 and PC736918**

- Minneapolis, MN
- Consent Order: Respondent censured; \$3,000 monetary penalty with \$2,500 stayed with conditions – 4/06/2022
- PLB2112-0013/WGG

### **Kindt, Darin L. – PJ063892**

- Fairfax, MN
- Consent Order: Licensing Order vacated; Respondent censured; \$1,000 monetary penalty with \$900 stayed with conditions – 4/29/2022
- PLB2203-0014/KF

### **Klinzing, Cole E. – PJ742653**

- Solon Springs, WI
- Consent Order: Respondent censured; license suspended until Respondent completes 16 hours of continuing education; if continuing education not completed by 12/31/2023, license shall be revoked; \$1,000 monetary penalty stayed – 7/14/2022
- PLB2203-0020/SAS

### **Lawn N Order L.L.C. and Brandon Willard**

- Walnut Grove, MN
- Consent Cease and Desist Order: Cease and desist from acting or holding itself out as a residential building contractor, remodeler, or roofer; cease and desist from performing or offering to perform plumbing or electrical work until licensure obtained; \$10,000 monetary penalty with \$9,000 stayed – 1/05/2022
- MLT2106-0002/AWT

### **Lien, Jeffrey A.**

- Walker, MN
- Consent Cease and Desist Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer, and cease and desist from performing or offering to perform plumbing and electrical work in Minnesota; \$5,000 monetary penalty stayed – 5/06/2022
- MLT2203-0006/AWT

### **Madetzke, Andrew L. – PJ068277**

- Jasper, MN
- Licensing Order: License suspended until continuing education completed and \$1,000 monetary penalty paid, during suspension, cease and desist from performing plumbing work in Minnesota – 1/18/2022
- ELE2112-0008/SAS



### **Malec, Steven John, dba SJM Systems LLC**

- Minneapolis, MN
- Consent Cease and Desist Order: Cease and desist from performing or offering to perform plumbing work in Minnesota until appropriate licensure and bonding are achieved; \$2,500 monetary penalty stayed – 2/01/2022
- PLB2109-0001/MG

### **Meyer, James Gordon - PM061770**

- Lonsdale, MN
- Consent Order: Licensing Order vacated; censure; \$2,000 monetary penalty with \$1,500 stayed with conditions – 1/13/2022
- PLB2009-0002/MG

### **Minear, Nathan K. – PJ064445**

- Dexter, MN
- Consent Order: Censure; Respondent must complete 16 hours of approved continuing education by May 31, 2022; \$1,000 monetary penalty stayed – 3/22/2022
- PLB2202-0005/SAS

### **New Concept Plumbing, LLC – PC674339**

- Prior Lake, MN
- Consent Order: Licensing Order vacated; Respondent censured; \$5,000 monetary penalty with \$4,000 stayed with conditions – 5/25/2022
- PLB2112-0005/MG

### **Nordean, Steve P. – PJ060224**

- Aitkin, MN
- Consent Order: Licensing Order vacated; Respondent censured; \$1,000 monetary penalty with \$900 stayed with conditions – 4/25/2022
- PLB2202-0029/KF

### **Nstructions LLC and Wilbur D. Marshall**

- St. Paul, MN
- Consent Cease and Desist Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer, and cease and desist from performing or offering to perform plumbing and electrical work in Minnesota; \$4,000 monetary penalty stayed – 4/08/2022
- MLT2203-0002/CN

## **Oberstar-Cline, Tylor M.**

- Rogers, MN
- Consent Cease and Desist Order: Cease and desist from acting or holding himself out as a residential building contractor, remodeler, or roofer until licensure obtained; cease and desist from performing plumbing work in Minnesota; \$5,000 monetary penalty with \$4,500 stayed – 1/27/2022
- RBC2112-0015/CN

## **Omni Home Services LLC – BC764639**

- Blaine, MN
- Licensing Order: Censure; \$2,500 monetary penalty; cease and desist from performing or offering to perform the services of a plumbing contractor – 5/06/2022
- PLB2105-0001/MG

## **Penticoff, Todd Allen**

- Eagan, MN
- Consent Cease and Desist Order: Cease and desist from acting or holding self out as a residential building contractor, remodeler, or roofer; cease and desist from performing or offering to perform plumbing work in Minnesota; \$5,000 monetary penalty with \$4,500 stayed – 3/04/2022
- MLT2201-0002/CN

## **Precision Carpentry & Decks, Inc. and Matthew Schumi and Michael T. Schumi**

- Cottage Grove and Woodbury, MN
- Administrative Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer; cease and desist from performing or offering to perform electrical, plumbing, and mechanical work in Minnesota; stay of \$18,000 monetary penalty from 2020 Consent Order against Matthew Schumi lifted; additional \$30,000 monetary penalty assessed against all Respondents – 4/19/2022
- RBC22032-0011/AWT and RBC2204-0002/AWT

## **Remodel for Life LLC and James P. Hansel - PC724661**

- Burnsville, MN
- Consent Order: Respondents censured; cease and desist from performing or offering to perform plumbing and electrical work in Minnesota; \$5,000 monetary penalty with \$4,000 stayed – 5/13/2022
- PLB2203-0028/MG

### **River Rock Builders L.L.C. and Francisca Tapia – BC661155**

- Edina, MN
- Consent Order: Respondents censured; cease and desist from performing or offering to perform plumbing work in Minnesota; \$2,500 monetary penalty stayed – 3/17/2022
- PLB2202-0011/MG

### **Scala Design & Construction Services, Inc., Jose Escalante Gomez, and Erika Carillo**

- Chanhassen, MN
- Consent Cease and Desist Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer; cease and desist from performing or offering to perform electrical or plumbing work in Minnesota; \$7,500 monetary penalty with \$6,500 stayed with conditions – 2/11/2022
- RBC2109-0007/AWT

### **Schuba, Jeffrey C. – PJ089418**

- Maple Grove, MN
- Licensing Order: License suspended until continuing education completed and \$1,000 monetary penalty paid, during suspension, cease and desist from performing or offering to perform the work of a journeyworker plumber – 5/03/2022
- PLB2204-0006/KF

### **Steuck, Jeffrey Scott, dba Dane Farms Handyman Service and Dane Farms Home Services & Furnishings**

- Owatonna, MN
- Consent Cease and Desist Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer; cease and desist from performing or offering to perform electrical or plumbing work in Minnesota; \$7,500 monetary penalty stayed – 2/16/2022
- RBC2201-0001/ALF

### **Swangler, Joshua James**

- Rochert, MN
- Consent Cease and Desist Order: Cease and desist from performing or offering to perform plumbing work until licensure achieved; \$2,500 monetary penalty stayed – 7/01/2022
- PLB2205-0012/MG

## **T2 Custom Solutions LLC, Tyler Clemens, and Tyler Banick**

- Pine Island, MN
- Consent Cease and Desist Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer, and cease and desist from performing or offering to perform plumbing and electrical work in Minnesota; \$5,500 monetary penalty with \$5,000 stayed – 4/25/2022
- RBC2203-0035/KF

## **Taylor's Plumbing & Heating Inc. - PC764296**

- International Falls, MN
- Consent Order: Respondent censured; \$2,500 monetary penalty stayed with conditions – 5/17/2022
- PLB2205-0002/MG

## **Ultimate Remodeling LLC and Dominik Dzbikowicz, dba Ultimate Remodeling Bath & Tile**

- Excelsior and Rochester, MN
- Administrative Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer; cease and desist from performing or offering to perform electrical, plumbing, or mechanical work in Minnesota until all required licenses and bonding obtained; stay of \$4,000 monetary penalty from 2017 Consent Order against Dzbikowicz lifted; additional \$10,000 monetary penalty assessed – 4/28/2022
- MLT2203-0001/KF and RBC2203-0029/KF

## **Wamhoff, Clinton Albert, dba Pro Handyman Services LLC**

- Circle Pines, MN
- Consent Cease and Desist Order: Cease and desist from acting or holding self out as a residential building contractor, remodeler, or roofer, and cease and desist from performing or offering to perform electrical or plumbing work in Minnesota; \$5,000 monetary penalty stayed – 7/08/2022
- RBC2111-0017/ALF

## **Warner, Jeffrey S. – WM710095**

- Dodge Center, MN
- Licensing Order: License suspended until continuing education completed and \$1,000 monetary penalty paid, during suspension, cease and desist from performing or offering to perform the work of a water conditioning master – 4/05/2022
- PLB2202-0024/SAS

## **Wighty's Remodeling LLC and Shawn M. Wighty**

- St. Paul, MN
- Consent Cease and Desist Order: Cease and desist from acting or holding selves out as a residential building contractor, remodeler, or roofer, and cease and desist from performing or offering to perform plumbing and electrical work in Minnesota; \$4,500 monetary penalty stayed – 5/11/2022
- RBC2204-0016/CN

Plumbing Board  
 c/o Department of Labor and Industry  
 443 Lafayette Road North  
 St. Paul, MN 55155-4344  
 www.dli.mn.gov

## Plumbing Board Request for Interpretation

PRINT IN INK or TYPE

NAME OF SUBMITTER Charlie Durenberger	Rule(s) to be interpreted (e.g., 4714.0330) 4714.0218
------------------------------------------	----------------------------------------------------------

The Minnesota Plumbing Code (MN Rules, Chapter 4714) is available at [www.dli.mn.gov/CCLD/PlumbingCode.asp](http://www.dli.mn.gov/CCLD/PlumbingCode.asp)

Has a request for interpretation been submitted to Department of Labor and Industry (DLI) staff, either as a verbal request or a written request?  Yes  No

If "No," contact DLI staff at 651-284-5898. The DLI is responsible for administration and interpretation of the Minnesota Plumbing Code, and all requests must be processed and provided a DLI interpretation before being referred to the Plumbing Board. This form is intended to be used to request an interpretation from the Plumbing Board only as a resolution of dispute with DLI interpretation.

Code/Rule to be interpreted: 4714.0218 and MS § 326B.46	Name of DLI employee gave interpretation: NA	Date interpretation originally requested: NA
------------------------------------------------------------	-------------------------------------------------	-------------------------------------------------

Provide a copy of the DLI interpretation with this request (a copy must be provided as reference).

Is there a local dispute with an Inspector of other official?

Yes  No

If Yes, state the name or type of official

State the circumstances of the initial dispute:

CCLD Enforcement recently received a complaint regarding an appliance installation company that is not licensed as a plumbing contractor, which exposed widely differing views among staff and others on when the replacement of certain appliances in residential homes like dishwashers, clothes washers, and refrigerators require licensure as a plumber.

Explain what you disagree with the interpretation given to you by DLI staff:

What is your interpretation of the language:

CCLD has received varied opinions as to exactly when a plumber license is required to replace appliances in residential homes and is seeking guidance from the Board on this issue with respect to the state plumbing licensing requirements of Minn. Stat. § 326B.46.

List any other information you would like the Board to consider:

### Information regarding submitting this form:

- Submit any supporting documentation to be considered electronically to [DLI.CCLDBOARDS@state.mn.us](mailto:DLI.CCLDBOARDS@state.mn.us). Once your Request For Interpretation form has been received, it will be assigned a file number. Please reference this file number on any correspondence and supplemental submissions.

### Information for presentation to the Committee:

- You will be notified with the date of the Committee Meeting in which your Request For Interpretation will be heard.
- Limit presentations to 5 minutes or less.
- Be prepared to answer questions regarding the Code, the circumstances that led to the dispute and please bring copies of any documentation.

### What you can do if you disagree with the Board's determination:


- You may appeal the Board's determination pursuant to Minn. Stat. Chapter 14.

**Office Use Only**

RFI File No. PB0155	Date Received by DLI 2/22/2022 (waived to review at July meeting)	Dated Received by Board 7/12/2022	Date of Board Meeting 7/19/2022
Title of RFI PB0155.RFI appliance licensing.CCLD	By:		

This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI).

**Submitted by:**

NAME		FIRM NAME	
Charlie Durenberger		DLI	
ADDRESS		CITY	STATE ZIP CODE
443 Lafayette Road N.		St. Paul	MN 55155
PHONE	SIGNATURE (original or electronic)	DATE	
651-284-5827		2/16/2022	

For assistance or questions on completing this form, please call 651-284-5898 or 651-284-5889.

Mailing address:

**Plumbing Board  
c/o Department of Labor and Industry  
443 Lafayette Road North  
St. Paul, MN 55155-4344**

From: Wright, Samuel  
To: Durenberger, Charles (DLI)  
Cc: Logan, Lyndy (DLI)  
Subject: RE: [CAUTION! EXTERNAL] RE: Best buy - Minnesota plumber licensing requirements  
Date: Monday, July 18, 2022 1:52:48 PM  
Attachments: image001.png  
image002.png  
image005.png  
image006.png  
image007.png

Hello Mr. Durenberger,

We currently are not prepared to offer any particular testimony, but that we are interested in having a few key stakeholders listen in by phone, if that is acceptable?

The stakeholders would be:

- Myself Samuel Wright Email: [Samuel.Wright@GeekSquad.com](mailto:Samuel.Wright@GeekSquad.com)
- Dan Lopez email: [Dan.Lopez@bestbuy.com](mailto:Dan.Lopez@bestbuy.com)
- Vanessa Decourcy email: [Vanessa.Decourcy@bestbuy.com](mailto:Vanessa.Decourcy@bestbuy.com)

Mrs. Logan - If you could approve are participation we would appreciate it.

I did see the dial-in information on the website (see below) Is this OK for us to call in using this information?

To participate by phone (audio only):

1. When it's time for the meeting, dial 1-866-705-2554
2. Enter guest passcode 112908#

<https://www.dli.mn.gov/about-department/boards-and-councils/plumbing-board>

Thank you

**Samuel Wright**  
Agent Defender & Senior Mission Specialist #36597  
Senior Analyst, OmniChannel Business Recovery and Licensing Compliance  
Territories 1 & 2  
DESK 612-291-4622  
Mobile 651-230-2254  
eFAX 952-430-4768



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From: Durenberger, Charles (DLI) <charles.durenberger@state.mn.us>  
Sent: Monday, July 18, 2022 10:41 AM  
To: licensecompliance <licensecompliance@bestbuy.com>  
Subject: [CAUTION! EXTERNAL] RE: Best buy - Minnesota plumber licensing requirements

⚠ This message is from an external sender and could be a phish. ⚠  
Slow down, read carefully and look for signs that it may be a phish. If you think it's malicious, click the report phish button or forward this email to [phishing@bestbuy.com](mailto:phishing@bestbuy.com).

Mr. Wright:

If you do decide to have someone from Best Buy participate in the Plumbing Board meeting tomorrow, would you be so kind as to email the Board's administrator, Lyndy Logan, to provide her with that individual's contact information and request permission to participate? Her email address is [lyndy.logan@state.mn.us](mailto:lyndy.logan@state.mn.us)

Thanks!

Charlie

From: Durenberger, Charles (DLI)  
Sent: Thursday, July 14, 2022 1:54 PM  
To: licensecompliance <licensecompliance@bestbuy.com>  
Subject: RE: Best buy - Minnesota plumber licensing requirements

Hello, Mr. Wright:

Thanks for your reply. The only reason I reached out to Best Buy is that I know Best Buy sells a lot of these appliances and is a good Minnesota corporate citizen – it has nothing whatsoever to do with any complaint we've received or any other reason. I also thought of Warners Stellan, but they do have a plumbing contractor license, so the issue is moot for them. If you think we should invite other retailers that offer appliance installation, I'd be happy to do that.

The reason I submitted the request for interpretation is that we took enforcement action against an individual who installs appliances and we believed that the work he was doing in installing dishwashers in particular constituted "plumbing work" but a legislator intervened on the individual's behalf and strongly objected to our interpretation. Quite honestly, we've never been crystal clear on where to draw the line on when to require plumbing licensure (and get very few complaints regarding the installation of household appliances), and it was suggested to me that we should ask the Plumbing Board for some guidance.

I guess the main reason I contacted you is to see if you want to have someone from Best Buy provide testimony to the Plumbing Board on this issue, as the discussion could impact your business, assuming you have employees or subcontractors who perform the installation of water-supplied residential appliances.



Thanks,

Charlie

---

**From:** licensecompliance <[licensecompliance@bestbuy.com](mailto:licensecompliance@bestbuy.com)>  
**Sent:** Thursday, July 14, 2022 1:41 PM  
**To:** Durenberger, Charles (DLI) <[charles.durenberger@state.mn.us](mailto:charles.durenberger@state.mn.us)>  
**Subject:** Best buy - Minnesota plumber licensing requirements

**This message may be from an external email source.**

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

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Hello Mr. Durenberger,

Thank you for reaching out.

We received your email and we look forward to being available for the board meeting on the 19<sup>th</sup>.  
With that in mind, **Prior to the meeting I was hoping to get additional context into the reasoning you invited Best Buy specifically.**

In the attachment it states you are requesting an interpretation on the language from the board.  
Is this in responses to a question you may have about something Best buy currently is or is not doing?  
Or are we one of many that were sent this invite?

We would love to help in any way we can either way.

How can we best assist?

Thank you

**Samuel Wright**  
Agent Defender & Senior Mission Specialist 🍷 #36597  
**Senior Analyst, OmniChannel Business Recovery and Licensing Compliance**  
Territories 1 & 2  
DESK 612-291-4622  
eFAX 952-430-4768



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**From:** Durenberger, Charles (DLI) <[charles.durenberger@state.mn.us](mailto:charles.durenberger@state.mn.us)>  
**Sent:** Monday, July 11, 2022 11:16 AM  
**To:** licensecompliance <[licensecompliance@bestbuy.com](mailto:licensecompliance@bestbuy.com)>  
**Subject:** [CAUTION! EXTERNAL] Minnesota plumber licensing requirements

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Slow down, read carefully and look for signs that it may be a phish. If you think it's malicious, click the report phish button or forward this email to [phishing@bestbuy.com](mailto:phishing@bestbuy.com).

Hello:

In light of confusion in the appliance installation industry regarding Minnesota's plumber licensing requirements, I submitted the attached request for interpretation to the Minnesota Plumbing Board to get their feedback on when a state plumber license should be required in order to install residential appliances such as dishwashers, refrigerators, and clothes washers that require a water supply. The Board agreed to address the request at its next meeting on **Tuesday, July 19, 2022** at our office in St. Paul. Information on the Plumbing Board and its meetings can be found on our website: [Plumbing Board | Minnesota Department of Labor and Industry \(mn.gov\)](http://Plumbing Board | Minnesota Department of Labor and Industry (mn.gov))

Since it appears that Best Buy does not currently hold a Minnesota plumbing contractor license, and the Board discussion may have an impact on whether Best Buy may be required to obtain a plumbing contractor license, I'm reaching out to you to make you aware of the meeting so you can send a representative to observe and/or participate in the discussion if you wish to do so.

Sincerely,

**Charlie Durenberger**  
Director of Licensing and Enforcement | CCLD  
**Minnesota Department of Labor and Industry**  
443 Lafayette Road N., St. Paul, MN 55155  
Phone: (651) 284-5827 | Web: [www.dli.mn.gov](http://www.dli.mn.gov)



# MN Plumbing Board

RFI: Bypass Requirements for Water Conditioning Installations

7/19/2022

Submitted by the MN Water Quality Association



# Background

- Integral bypass appurtenances provided as a “standard” feature of residential water conditioning systems since the 1970’s.
  - Single or 2 valve assemblies allow for:
    - Isolation of water conditioning equipment for service
    - Temporary bypass of water conditioning equipment with untreated water
    - Removal of water conditioning equipment for service or direct replacement, without disruption of piping and untreated water flow
    - NSF-44 (and other) certifications. Integral bypass is an NSF requirement. Systems must be tested together with bypass. Removing it voids most NSF listings.



# Old MN Plumbing Code Language (pre-UPC)

## **4715.5200 CONNECTION WITH WATER DISTRIBUTION SYSTEM:**

Any water conditioning equipment may be installed only in connection with a water distribution system which has already been constructed. Such connection may be made either by cutting into a cold water line or by connecting to a joint specifically installed for the purpose. In connecting the equipment the contractor or installer may use only the type of pipe material which is permitted in the Minnesota Plumbing Code (parts 4715.0100 to 4715.2860).

Every Installation shall include the installation of a bypass valve which would allow the equipment to be serviced or removed without the need for shutting off the water service completely.

If the homeowner so requests, the installer or contractor is permitted to install a line which bypasses the water conditioning equipment and to connect this raw water line to any existing service outlet.

# 2015 Minnesota Plumbing Code (UPC-based)

*No language in section 4714.611.0 (Water Conditioning Equipment) which mentions bypass requirements.*

# 2017 Updates to MN Statutes

## Sec. 9.

**Minnesota Statutes 2016, section 326B.50, subdivision 3, is amended to read:**

### **Subd. 3. Water conditioning installation.**

"Water conditioning installation" means the installation of appliances, appurtenances, and fixtures designed to treat water so as to alter, modify, add or remove mineral, chemical or bacterial content, said installation to be made in a water distribution system serving:

(1) a single family residential unit, which has been initially established by a licensed plumber, and does not involve a direct connection without an air gap to a soil or waste pipe; or

(2) a multifamily or nonresidential building, where the plumbing installation has been initially established by a licensed plumber. Isolation valves shall be required for all water conditioning installations and shall be readily accessible. Water conditioning installation does not include:

(i) a valve that allows isolation of the water conditioning installation;

(ii) piping greater than two-inch nominal pipe size; or

(iii) a direct connection without an air gap to a soil or waste pipe.

(mandates isolation valves on commercial installations)

# RFA Submitted to Plumbing Board in 2019 by DOLI Staff

Plumbing Board  
 48 Department of Labor and Industry  
 400 Lake Street North  
 St. Paul, MN 55155-1004  
 612.296.3100  
 www.dli.mn.gov

**Plumbing Board  
Request for Action**

NAME OF SUBMITTER: \_\_\_\_\_

DATE OF PROPOSAL: \_\_\_\_\_

TYPE OF PROPOSAL:  Code Amendment  Request of an Existing Rule

Specify the purpose of the proposal (if accommodation for code change for future, appendments, variance, or method, attach all that apply):  
 Appendments to a code (existing equipment)  Test Method  Other (describe): \_\_\_\_\_

Does your submission include a Trade Study?  Yes  No

If Yes, attach "TRADE STUDY" prominently on next page of your submission that you believe contains basic sound information. Minnesota Statute 15.02, subdivision 100, defines "Trade Study" as follows:

"Trade study information" means government data, including a formula, graph, computer program, chart, table, technical or process data that was developed by the affected individual or organization. (1) That is the subject of a study by the individual or organization that are measurable under the circumstances to explain an activity, and (2) that serves independent economic value, either to parties from the individual or to the public, and not being readily available to other persons who can obtain economic value from its disclosure or use.

Note that, although "Trade Study" information is generally requested, the Board and its committees may determine "Trade Study" information at a public meeting of the Board or committee if it is deemed necessary for the Board or committee to conduct the business or approve the action it is to take at that meeting or the Board or committee to be public.

Describe the proposed change. The Minnesota Plumbing Code Minnesota Rules Chapter 1514 is available via the Online Rule Viewer at <https://www.legis.state.mn.us/mnr/onlineviewer>

NOTE:

- Please locate the Minnesota Plumbing Code and include all parts of the Code that require revision to accomplish your purpose.
- The proposed change, including suggested rule language, should be specific. If anything existing rule language contains type words and abbreviations, please use the same as the Minnesota Plumbing Code the word or abbreviation.

See Attached to Chapter 1514

Submitter Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Organization: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_

Primary reason for change (check only one)

Protect public health, safety, welfare, or security  
 Lower construction costs  
 Encourage new methods and materials  
 Change matter at national level  
 Other (describe): \_\_\_\_\_

Mandated by legislation  
 Provide uniform application  
 Clarify provisions  
 Situation unique to Minnesota

Additional benefits (check all that apply)

Early construction permits  
 Improve health of indoor environment  
 Provide more construction alternatives  
 Reduce regulatory burden (describe): \_\_\_\_\_

Provide more affordable construction  
 Provide building projects  
 Improve water quality protection  
 Decrease cost of enforcement

Executive legend (explain all proposed changes) (see 1)

1. Does the proposed change increase or decrease the cost of enforcement?  Yes  No  Yes, explain

2. Does the proposed change increase or decrease the cost of compliance?  Yes  No  Yes, explain

3. Are there any other costs or benefits to the proposed change?  Yes  No  Yes, explain

4. Were alternative methods considered?  Yes  No  Yes, why not?  No, explain what alternative methods were considered and why they were rejected.

5. If there is a trade study, try to explain why benefit that will offset the cost of the change. If there is no impact, state "N/A".

6. Provide a description of the classes of persons affected by a proposed change, who will bear the cost, and why all benefit.

7. Does the proposed rule affecting emergency egress of buildings exempt from the Minnesota Building Code under Minnesota Statutes, Section 5508.127?  Yes  No  Yes, explain

Do you have any existing Federal Standards?  Yes  No  Yes, list

Are there any differences between the proposed change and existing federal requirements?  
 Yes  No  Not applicable  Unknown  
 If yes, describe each difference & explain why each difference is needed & reasonable.

\*Please remember to attach all necessary explanations and supporting documentation\*\* Page 2 of 2

Code Section	Bill Chapter & Proposed Change	Justification
1514.0611	<b>611.3.1 Isolation and Bypass.</b> Every water conditioning installation shall include the installation of isolation valves and a bypass valve which would allow the equipment to be serviced or removed without the need for shutting off the water service completely.	Section 611.3.1 is added to clarify the requirement for isolation valves and bypass valves for water conditioning equipment in buildings. This requirement is added to clarify the requirement for isolation valves and bypass valves which would allow the equipment to be serviced or removed without the need for shutting off the water supply to the plumbing fixtures in a building.
1514.0615	<b>611.3.1.1 Drainage.</b> Every water conditioning installation shall include the installation of drainage valves and a bypass valve which would allow the equipment to be serviced or removed without the need for shutting off the water service completely.	Section 611.3.1.1 is added to clarify the requirement for drainage valves and bypass valves for water conditioning equipment in buildings. This requirement is added to clarify the requirement for drainage valves and bypass valves which would allow the equipment to be serviced or removed without the need for shutting off the water supply to the plumbing fixtures in a building.
1514.0620	<b>611.3.1.2 Drainage.</b> Every water conditioning installation shall include the installation of drainage valves and a bypass valve which would allow the equipment to be serviced or removed without the need for shutting off the water service completely.	Section 611.3.1.2 is added to clarify the requirement for drainage valves and bypass valves for water conditioning equipment in buildings. This requirement is added to clarify the requirement for drainage valves and bypass valves which would allow the equipment to be serviced or removed without the need for shutting off the water supply to the plumbing fixtures in a building.

Code Section	Bill Chapter & Proposed Change	Justification
4714.0611	<b>611.3.1 Isolation and Bypass.</b> Every water conditioning installation shall include the installation of isolation valves and a bypass valve which would allow the equipment to be serviced or removed without the need for shutting off the water service completely.	Section 611.3.1 is added to clarify the requirement for isolation valves and bypass valves for water conditioning equipment in buildings. This requirement is added to clarify the requirement for isolation valves and bypass valves which would allow the equipment to be serviced or removed without the need for shutting off the water supply to the plumbing fixtures in a building.

4714.0611	<p><b>611.3.1 Isolation and Bypass.</b> Every water conditioning installation shall include the installation of isolation valves and a bypass valve which would allow the equipment to be serviced or removed without the need for shutting off the water service completely.</p>	<p>Section 611.3.1 is added to clarify the requirement for isolation valves and bypass valves for water conditioning equipment by Chapter 326B.50, and as necessary for repair or replacement of water conditioning equipment without disrupting the water supply to the plumbing fixtures in a building.</p>
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# Current Language (2020 MN Plumbing Code)

## **4714.611.5 Isolation and Bypass:**

Every water conditioning installation shall include the installation of isolation valves and a bypass valve which would allow the equipment to be serviced or removed without the need for shutting off the water service completely.

- This is now being interpreted by DOLI to mean that a separate, 3-valve bypass assembly must be field-installed, and that the integral appurtenances used by the industry are not code compliant.
  - Note: Integral bypass appurtenances included with softeners/filters are still required to maintain NSF certifications.



Source: 2020 MN Plumbing Code



# MWQA Concerns:

- Increased cost of water conditioning installations
  - Financial burden to consumers (less affordable: \$200-\$400 per install)
  - Is there a health benefit?
  - Is there a significant consumer benefit?
    - Equipment lasts 15-25 years
    - Water likely to be turned off anyway during replacement
- Inconsistent enforcement
- MN WQA does not believe it was the intent of the 2019 RFA to change existing practices (very little SONAR-related discussion when the RFA was introduced and approved).
  - WQA (National) is not aware of any other states with this requirement

# MWQA Request:

That the MN Plumbing Board interpret section 4714.611.5 of the code such that the integral bypass appurtenances supplied with residential water softeners and filters DO in fact meet the intent and requirements of the code.

THANK YOU TO THE BOARD AND DOLI STAFF  
FOR YOUR TIME AND CONSIDERATION



July 1, 2022

Mr. Richard Becker  
 Chair, Minnesota Plumbing Board  
 Minnesota Department of Labor and Industry  
 443 Lafayette Road North  
 St. Paul, Minnesota 55155



Subject: Remote Water Softener By-Passes

Dear Chair Becker and Members of the Plumbing Board:

Please find attached to this letter a Request for Interpretation (RFI) of Minnesota Plumbing Code from the Minnesota Water Quality Association (MWQA). We believe that language in Minnesota 2020 code, specifically paragraph 611.5, has been interpreted in error to require three-valve bypass assemblies on residential water conditioning equipment. We feel that this current interpretation by the Department of Labor and Industry (DOLI) does not reflect the intent of the plumbing board that authorized changes to this section and furthermore is inaccurate because integral service bypass appurtenances satisfy the requirements outlined in code.

### **Background**

Bypass assemblies on residential water conditioning equipment have been accepted practice since before 1970. In 2017 changes were made to the definition of water conditioning installations to require “readily accessible” isolation valves on “multifamily or non-residential buildings.” The requirement for these commercial installations was added to define the scope of work that falls within the purview of licensed water conditioning contractors.

During final preparations for the adoption of the Minnesota 2020 plumbing code, Department staff indicated that adding the language to the section in question was an innocuous change that was not intended to be a substantive deviation from current practices. Rather, the code change was intended to bring parity to the code language, without uprooting the established use of integral service bypass appurtenances in residential settings.

However, during a member conference hosted by the Minnesota Water Quality Association in October of 2021, department staff announced during a presentation that integral service bypass appurtenances utilized by the industry for the last 30 years are no longer adequate to meet code, and that separate isolation valves and bypass piping would now be required.

### **Unintended Consequences**

This latest interpretation is fraught with issues and unintended consequences that were never discussed or contemplated by the board. They include the following:

- Adding valves and plumbing unique to each installation adds significant cost to the consumer. Anecdotally, contractors are charging \$200 to \$400 in additional fees in municipalities that have implemented the three-valve remote by-pass requirement.
- A remote three-valve by-pass does not provide any value in the protection of public health.
- A remote by-pass does not provide a significant advantage to the purchasing consumer for the future replacement. Water conditioning equipment will last 15 to 25 years. The installation of

replacement equipment with a new by-pass is not a burden in additional labor or plumbing - such that the consumer should have to pay for that benefit years in advance. Additionally, even remote bypass assemblies often require moving and valve replacement when water conditioning equipment is ultimately replaced; so the water service is often shut off .

### **Suggested Interpretation**

The interpretation of the code at line 611.5, “Every water conditioning installation shall include the installation of isolation valves and a by-pass valve which would allow the equipment to be serviced or removed without the need for shutting off the water service completely”, that precludes the use of industry accepted integral service bypass appurtenances is inaccurate.

The Minnesota Water Quality Association and the industry members it represents request that the Plumbing Board vote to support an interpretation of the code that does not preclude the use of integral service bypass appurtenances to meet code requirements because these mechanisms effectively meet the desired intent of the code as reflected in the RFA.

Integral Service By-pass appurtenances are installed on the piping and then connected to a softener using unions, o-rings or gasketed fittings. Often unions are provided on both sides of the by-pass appurtenance. The bypass appurtenance, when cycled, allows untreated water to go around (bypass) the softener, providing uninterrupted water to the home. The softener can be easily and quickly removed for service, with no interruption to water supply. Once serviced, the softener can be reattached, the bypass appurtenance opened, and softened water service resumed. Cycling the device isolates the softener, allows it to be serviced, and allows it to be removed without interruption of water service. Thus, the intent of the code is met.

The primary arguments that lead MWQA to believe that the interpretation outlined above is correct:

1. Integral Service By-Passes Appurtenances are acceptable as defined in 611.5.

They meet the requirements of Minnesota Code;

- shutting all water off to the equipment for service, and
  - shutting all water off if the equipment is removed, and
  - supplying water service to the building while the equipment is serviced.
2. The industry has moved to integral service by-pass appurtenances that are matched to a water softener. They have improved greatly and are dependable. Newer versions provide the additional functions of a diagnostic position and a shut-off position. They are standardized to assist in plumber, contractor, or internet phone support to the consumer.
  3. The cost to the consumer has not been justified.

For the reasons outlined above, we would appreciate the Board’s consideration and interpretation of Code paragraph 611.5 that recognizes that integral service bypass appurtenances meet code.

Sincerely,

MINNESOTA WATER QUALITY ASSOCIATION

Scott Schiesser, MWS

President

Minnesota Licensed Water Conditioning Master

Jeffrey B. Hill, MWS

Minnesota Water Conditioning Master

Minnesota Water System Operator (MDH)

Minnesota Plumbing Code Advisory Committee (2005-2008)

## Plumbing Board Request for Interpretation

PRINT IN INK or TYPE

NAME OF SUBMITTER

Rule(s) to be interpreted (e.g., 4714.0330)

The Minnesota Plumbing Code (MN Rules, Chapter 4714) is available at [www.dli.mn.gov/CCLD/PlumbingCode.asp](http://www.dli.mn.gov/CCLD/PlumbingCode.asp)

Has a request for interpretation been submitted to Department of Labor and Industry (DLI) staff, either as a verbal request or a written request?  Yes  No

If "No," contact DLI staff at 651-284-5898. The DLI is responsible for administration and interpretation of the Minnesota Plumbing Code, and all requests must be processed and provided a DLI interpretation before being referred to the Plumbing Board. This form is intended to be used to request an interpretation from the Plumbing Board only as a resolution of dispute with DLI interpretation.

CODE/RULE to be interpreted:

NAME OF DLI employee gave interpretation:

DATE interpretation originally requested:

Provide a copy of the DLI interpretation with this request (a copy must be provided as reference).

Is there a local dispute with an Inspector of other official?

If Yes, state the name or type of official

Yes  No

State the circumstances of the initial dispute:

Explain why you disagree with the interpretation given to you by DLI staff:

What is your interpretation of the language:

List any other information you would like the Board to consider:

### Information regarding submitting this form:

- Submit any supporting documentation to be considered electronically to [DLI.CCLDBOARDS@state.mn.us](mailto:DLI.CCLDBOARDS@state.mn.us). Once your Request For Interpretation form has been received, it will be assigned a file number. Please reference this file number on any correspondence and supplemental submissions.

### Information for presentation to the Board.

- You will be notified with the date of the Board Meeting in which your Request For Interpretation will be heard.
- Limit presentations to 5 minutes or less.
- Be prepared to answer questions regarding the Code, the circumstances that led to the dispute and please bring copies of any documentation.

### What you can do if you disagree with the Board's determination:

- You may appeal the Board's determination pursuant to Minn. Stat. Chapter 14.

RFI File No. <b>PB0156</b>	Date Received by DLI 7/1/2022	Dated Received by Board 7/12/2022	Date of Board Meeting 7/19/2022
-------------------------------	----------------------------------	--------------------------------------	------------------------------------

Title of RFI PB0156.MN Water Quality Association	By: RFI.7.1.2022
-----------------------------------------------------	---------------------

This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI) Voice or TDD (651) 297-4198.

**Submitted by:**

NAME		FIRM NAME	
ADDRESS		CITY	STATE      ZIP CODE
PHONE	SIGNATURE (original or electronic)	DATE	

For assistance or questions on completing this form, please call 651-284-5898 or 651-284-5889.

Mailing address:

**Plumbing Board**  
**c/o Department of Labor and Industry**  
**443 Lafayette Road North**  
**St. Paul, MN 55155-4344**

\*\*\* Please remember to attach all necessary explanations and supporting documentation\*\*\* Page 2 of 2

July 18, 2022

Mr. Richard Becker  
Plumbing Board  
Minnesota Department of Labor and Industry  
443 Lafayette Road North  
St. Paul, MN 55155

**RE: MN Plumbing Code 611.5 Interpretation**

Dear Chair Becker and Members of the Plumbing Board,

On behalf of the Water Quality Association (WQA), we would like to express our concern regarding the interpretation of the Minnesota 2020 Plumbing Code section 611.5. We believe that the code in this section has been misinterpreted to require an additional bypass assembly on residential water conditioning equipment. After reviewing the Minnesota 2020 Plumbing Code and the justification in the Request for Action (RFA), we are confident that the integral service by-pass appurtenances already built-in to water conditioning equipment meet the requirements of the current plumbing code.

Section 611.1.1(2) of the 2020 Minnesota Plumbing code requires all residential softeners to be certified to NSF/ANSI 44 or assembled with NSF 61 components. NSF/ANSI 44 already mandates a by-pass device to be integrated into the installation of these systems. Thus, residential water conditioning equipment has an integrated by-pass valve, allowing maintenance and service to be conducted on the equipment without shutting off the water. The inclusion of a manufactured by-pass valve allows for the isolation of the water conditioning equipment and is in alignment with the [MN Statute § 326B.50 Subd.3\(2\)\(i\)](#). Therefore, the requirement for an additional three-valve by-pass assembly is redundant. Moreover, mandating an additional by-pass valve to be paired with an already certified residential softener, which complies with the state plumbing code, would ultimately burden the consumer and be costly to homeowners.

In the future, WQA would welcome any opportunity to serve as a resource to you and the Minnesota plumbing board. We have more than 2,500 member companies (over 70 in Minnesota) including manufacturers, dealers, and distributors who specialize in the water treatment industry and can provide valuable information. We appreciate the opportunity to weigh in on this important regulatory matter and if you have any questions, please do not hesitate to contact either of us directly or you can contact [govaffairs@wqa.org](mailto:govaffairs@wqa.org).

Best regards,

Jeremy Pollack  
Director of Government Affairs,  
Water Quality Association





YOUR WATER. OUR SOLUTION.

July 15, 2022

Dear Ms. Lawrence And Mr. Parizak:

I am writing in concern of the new by-pass idea and how the inspectors are now interpreting the rule. Inspectors in a few metro communities are demanding a redo of my installations. To redo an installation implies to the homeowner that we did something wrong or unsafe or tried to cheat them. This is embarrassing and unfair. We have been using the manufacturer supplied by-pass system with every installation for over 20 years and have no issues with inspections until now.

I don't think 611.5 is meant to change the way we have been doing things. We install good by-passes whether they have been required or not for many years. I don't understand your Board's reason for the change.

The appurtenance by-passes my company uses are really good and are made from out manufacturer. They work for many years – longer than many of the valves that I install. When a customer calls at night with a problem, I can easily explain how to turn the valve – and they turn easily. The unit can also be disconnected without turning the water off to the house. Please contact me if you have any further questions or would like to see how they work.

Sincerely,

William Voigt, Master Plumber, PM066396  
Tri County Water Conditioning, Inc.

325 3<sup>rd</sup> Ave. NW  
P.O. Box 65  
Hutchinson, MN 55350  
320-587-2950

[www.treatmywater.com](http://www.treatmywater.com)  
1-800-879-2220

5333 160<sup>th</sup> Street SE  
Prior Lake, MN, 55372  
952-447-2160

**From:** [CCLDBOARDS, DLI \(DLI\)](#)  
**To:** [Richard Becker](#); [Wysokinski, Brittany \(DLI\)](#)  
**Cc:** [Logan, Lyndy \(DLI\)](#)  
**Subject:** FW: Water softener By-Pass  
**Date:** Tuesday, July 19, 2022 7:01:38 AM

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**From:** Tarbek Company <[quotes@tarbekcompany.com](mailto:quotes@tarbekcompany.com)>  
**Sent:** Tuesday, July 5, 2022 7:20 AM  
**To:** CCLDBOARDS, DLI (DLI) <[dli.cclboards@state.mn.us](mailto:dli.cclboards@state.mn.us)>  
**Subject:** Water softener By-Pass

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Minnesota Plumbing Board

Please review our view on the current issue of remote bypass need for residential water softeners. Even though there would be extra revenue and man hours to install these assemblies which involve the cutting out existing piping and fitting back in a three valve bypass we don't see that it is fair to the homeowner or benefit the future plumber and feel it is an unnecessary expense burden when the bypass assembly that comes with a new water softener meets standards. Being connected to the plumbing industry it may not seem like that big of a deal to install a 3 valve system personally but the added 300-500+ cost to a consumer for a softener replacement may tempt them to look elsewhere to have their system installed. From our experience with existing 3 valve by-passes be it globe, gate or ball valves, most of the times these valves don't function properly after sitting unexercised for 15-20 years making it necessary to shut the water off to the whole building when an issue arises or to do a change out.

We feel this inserted code wording should be reconsidered.

Thank You  
Darrell Callahan

--

The Tarbek Company, LLC.  
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Darrell Callahan Master Plumber of Record  
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City of Minneapolis Plumbing/Gasfitting TLIC22663  
City of St. Paul Plumbing/Gasfitting20180001262  
United States EPA Certification NAT-F195737-1  
Member of the Minnesota Water Quality Association

[www.tarbekcompany.com](http://www.tarbekcompany.com)

**From:** [CCLDBOARDS, DLI \(DLI\)](#)  
**To:** [Logan, Lyndy \(DLI\)](#)  
**Subject:** FW: Review and Action Requested: Opposition to the Proposed Interpretation of 611.5  
**Date:** Tuesday, July 19, 2022 7:00:01 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
**Importance:** High

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**From:** Bret Tangley <Bret.Tangley@culliganh2o.com>  
**Sent:** Monday, July 18, 2022 12:35 PM  
**To:** sam@ualocal6.org; troy@seitzbros.com; scott@stewartplumbinginc.net; rwhalen@edenprairie.org; bigssw@gmail.com; Westemeier, Michael (DLI) <michael.westemeier@state.mn.us>; Weum, David (MDH) <david.weum@state.mn.us>; kerickson@mankatomn.gov; Mike.Dryke@jamarcompany.us; mikeh@ultrapure.com; richardb@steeneng.com; j.parizek@hotmail.com  
**Cc:** CCLDBOARDS, DLI (DLI) <dli.cclboards@state.mn.us>; Wysokinski, Brittany (DLI) <brittany.wysokinski@state.mn.us>; Logan, Lyndy (DLI) <lyndy.logan@state.mn.us>  
**Subject:** Review and Action Requested: Opposition to the Proposed Interpretation of 611.5  
**Importance:** High

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Dear Chair Becker and Members of the Minnesota Plumbing Board,

As a Restricted Master Plumber and front-line water treatment business owner in the State of Minnesota, I write to share my deep concern about the overly narrow recent interpretation of the Minnesota Plumbing Code 611.5, which proposes to require only a three-valve remote by-pass on all water softeners to meet current code requirements.

As you are aware, the current integral by-pass appurtenance has long been embraced by all major manufacturers, is well accepted as the industry standard by consumers across the nation and remains in compliance with the 2017 by-pass language that was added to the Minnesota Code in 2017. Furthermore, it achieves the requirements and intent of the code language adopted in 2020. The recent interpretation of the current code language creates duplicative and redundant requirements that only add additional costs to Minnesota homeowners.

As a Master Plumber, I appreciate your consideration of this interpretation and appreciate the opportunity to register my concern.

Respectfully submitted,

**Bret P. Tangley, MWS | President & CEO**

Sterling Water – Minnesota, LLC | 625 Lincoln Loop, Sauk Centre, MN 56378

Direct: 715.598.2006 | Mobile: 715.379.5973 | Business: 320.352.6587 or 877.285.2818

Email: [bret.tangley@culliganh2o.com](mailto:bret.tangley@culliganh2o.com) | [www.culliganh2o.com](http://www.culliganh2o.com) | [www.sterlingculliganwater.com](http://www.sterlingculliganwater.com)

| [www.facebook.com/sterlingculliganwater](https://www.facebook.com/sterlingculliganwater)

**Restricted Master Plumber/WC Master: Lic. #MR 060743/ #WM 060743**



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I use Calendly! Please schedule a personal meeting at: <https://calendly.com/bret-tangley>

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**From:** [CCLDBOARDS, DLI \(DLI\)](#)  
**To:** [Wysokinski, Brittany \(DLI\)](#); [Richard Becker](#)  
**Cc:** [Logan, Lyndy \(DLI\)](#)  
**Subject:** FW: Clarification on Remote Bypass Requirements for Water Softeners  
**Date:** Tuesday, July 19, 2022 7:01:24 AM

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**From:** Kevin Krippner <[kevin@culliganultrapure.com](mailto:kevin@culliganultrapure.com)>  
**Sent:** Wednesday, July 6, 2022 9:33 PM  
**To:** CCLDBOARDS, DLI (DLI) <[dli.cclboards@state.mn.us](mailto:dli.cclboards@state.mn.us)>  
**Subject:** Clarification on Remote Bypass Requirements for Water Softeners

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Hello,

There was a recent meeting in October 2021 where the plumbing inspectors stated we needed to have a 3 valve bypass on residential water softeners. I understand the need for it in commercial settings. My industry has been operating without a 3 valve bypass in residential settings for over 80 years. There already is a bypass that our suppliers give us, which works just fine. There is no need for a 3 valve as that would mean there are two bypasses, thus it would be redundant.

If this measure continues, we would need to put in a 3 valve in every single home we touch. That would cost the consumer \$1000 and only a plumber can put them in. Thus, it would essentially put us out of business. I would ask why does this not apply to other appliances? Why is there not a 3 valve on a hot water heater or a dishwasher? All of them are appliances and need to be worked on from time to time.

This interpretation does not make much sense to me and I am hoping you reconsider your position to align with what has historically been the case.

Regards,

Kevin Krippner, MBA, BSEE  
General Manager  
[Culligan of Rochester & Kasson MN](#)  
<http://www.culliganIsWater.com>

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**Kevin Krippner**

*General Manager*



**P:** 507-289-0756

**M:**

**E:** [kevin@culliganultrapure.com](mailto:kevin@culliganultrapure.com)

[www.culliganiswater.com](http://www.culliganiswater.com)

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**From:** [Shane Willis](#)  
**To:** [Logan, Lyndy \(DLI\)](#)  
**Subject:** Re: Will you attend board meetings in person or remotely?  
**Date:** Monday, July 18, 2022 12:51:57 PM

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Hello:

In reading the most recent email concerns from members of the business community, I was only concerned that if they represent a small fraction of the water conditioning and softening brands out there, but not all brands have adopted an internal bypass, then it may still be necessary for either there to be an exception for those brands that meet that criteria perhaps, but I feel like if the cost is nominal to have the additional bypass as is already in the statute, then sometimes redundancy is okay.

I am planning to attend via telephone from work tomorrow for a short period of time, however I will not be able to attend the whole meeting.

Thanks and regards.

Sincerely,

Shane S. Willis

On Thu, Jun 9, 2022 at 7:57 AM Logan, Lyndy (DLI) <[lyndy.logan@state.mn.us](mailto:lyndy.logan@state.mn.us)> wrote:

Good morning Plumbing Board members,

Our next Plumbing Board meeting on Tuesday, July 19, will be in person at DLI, 443 Lafayette Road North, St. Paul. We will still offer members and the public the option to attend remotely; however, this first meeting will only have a call in number. We won't be able to use WebEx due to the current technology in the MN Room but this should be fixed by the October meeting.

Per statute, at least one board member must be present at the regular meeting location (DLI).

**Please let me know if you plan to attend in person or remotely.**

Thank you,

Lyndy