

DRAFT BOARD FOR CONTRACTORS BOARD MEETING

MINUTES

The Board for Contractors met on Tuesday, January 11th, 2011 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 15 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

Dorothy Wood, Chairman
Bailey Dowdy
David Giesen
E. G. "Rudy" Middleton, III
Doug Murrow
E. C. "Chick" Pace, III
Troy Smith
Chancey Walker
Bruce Williams

Board members absent from the meeting were: Deborah Tomlin, Herbert "Jack" Dyer, Jr., Michael Gelardi, D. Todd Vander Pol, Homer "Pete" Sumpter, and Wyatt H. Walton, III.

Staffs members present for all or part of the meeting were:

Gordon Dixon, Director
Mark Courtney, Deputy Director, LRD
Eric L. Olson, Executive Director
Sheila Watkins, Administrative Assistant
Karen Bullock, Administrative Assistant
Earlyne Perkins, Legal Analyst
Victoria Traylor, Legal Analyst
Chris Kunkel, Licensing Education Specialist
Chiane Hicks, Licensing Specialist
Adrienne Mayo, Regulatory Boards Administrator
Steven Jack, Assistant Attorney General
Leas Roth, Licensing and Education Administrator

Chairman Dorothy Wood called the meeting to order at 9:12 a.m. and declared a quorum of board members was in attendance.

**Call
To Order**

A motion was made by **Mr. Walker** and seconded by **Mr. Pace** to approve the agenda. The motion passed unanimously. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Approval of the Agenda

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

Mr. Walker moved to approve the following minutes as submitted from the:

Approval of Minutes

December 7th, 2010 Board for Contractors Meeting
September 10th, 2010 Informal Fact Finding Conference
October 5th, 2010 Informal Fact Finding Conference
October 27th, 2010 Informal Fact Finding Conference
November 9th, 2010 Informal Fact Finding Conference
November 10th, 2010 Informal Fact Finding Conference
November 12th, 2010 Informal Fact Finding Conference

Mr. Smith seconded the motion and it was unanimously approved by members: Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

There was no public comment.

Public Comment Period

In the matter of Recovery Fund File Number 2008-03158, Marla Brin (Claimants) vs. a Home Come True, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **A Home Come True, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Marla Brin (Claimant)** attended the Board meeting. She addressed the Board and shared her agreement with the recommendation.

File Number
2008-03158
Marla Brin
(Claimant) vs.
A Home Come True, Inc.
(Regulant)

Mr. Redifer, the Board’s Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Walker** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer’s recommendations and summary and

pay the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote.

Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2009-03474, Virginia Hill (Claimant) vs. Two Cheeks LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Two Cheeks LLC (Regulant)** did not appear at the board meeting. **Suzanne Cox executor of the estate of Virginia Hill (Claimant) and Charles Vogan, attorney** attended the Board meeting. They both addressed the Board.

File Number

2009-03474

Virginia Hill (Claimant) vs.

Two Cheeks LLC

(Regulant)

Mr. Redifer, the Board’s Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Walker** to remand the case the case back to staff for another Informal Fact Finding hearing to consider the pleadings. The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2009-04187, James Taylor (Claimants) vs. John Henry Fillman, Jr. t/a Fillmann’s Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

File Number

2009-04187

James Taylor

(Claimant) vs. John Henry

Fillman, Jr. t/a Fillmann’s

Construction (Regulant)

John Henry Fillman, Jr. t/a Fillmann’s Construction (Regulant) did not appear at the board meeting in person or by counsel or by any other qualified representative.

Mr. Redifer, the Board’s Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Smith** to adopt the claim review and the hearing officer’s recommendations and summary and pay the claim in the amount of \$3, 735.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-00135, H. Murphey and Charlotte McCloy (Claimants) vs. Candice DiMarchi t/a Homes By Candice (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Candice DeMarchi t/a Homes By Candice (Regulant)** did not appear at the board meeting.

**File Number
2010-00135
H. Murphey and Charlotte
Mc Cloy (Claimant) vs.
Candice DiMarchi t/a Homes
By Candice
(Regulant)**

Pat Bruce attorney for the McCloys (Claimants) attended the Board meeting. He addressed the Board.

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by Mr. Walker and seconded by Mr. Williams to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$19,547.00. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-02098, Yalcin Ozbey (Claimants) vs. Honeywell Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Honeywell Construction (Regulant)** did not appear at the board meeting. **Yalcin Ozbey (Claimant)** attended the Board meeting. He addressed the Board and shared his agreement with the recommendation.

**File Number
2010-02098
Yalcin Ozbey
(Claimants)
vs.
Honeywell Construction
(Regulant)**

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Middleton** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$16,220.90. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-02121, Neil Schuster (Claimants) vs. Complete Solutions LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Complete Solutions LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Neil Schuster (Claimant)** did not attend the Board meeting.

File Number
2010-02121
Neil Schuster
(Claimant) vs. Complete
Solutions LLC (Regulant)

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Walker** and seconded by **Mr. Giesen** to adopt the claim review and approve the recommendation and approve the recovery fund claim meets all criteria for payment in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-02529, Peter and Edina Venetianer (Claimant) vs. Two Checks LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Two Checks LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Peter Venetianer (Claimant)** did not attend the Board meeting.

File Number
2010-02529
Virginia Hill (claimant) and
Two Checks LLC (Regulant)

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Dowdy** and seconded by **Mr. Giesen** to continue this case to the January 11, 2011 board meeting. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-02540, Charles and Erin Comer (Claimant) vs. Timberline Design and Build Inc (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Charles Comer (Regulant)** did appear at the board meeting. He addressed the Board and shared his agreement. **Timberline Design and Build, Inc. (Claimants)** did not attend the Board meeting.

File Number
2010-02540
Charles and Erin Comer
(Claimant)
Timberline Design and Build,
Inc. (Regulant)

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After further discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Middleton** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-02553, Anthony Davis (Claimant) vs. Casa Bella Homes (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Casa Bella Homes (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Anthony and Althia Davis (Claimant)** attended the Board meeting. They addressed the Board and shared their agreement with the recommendation.

File Number
2010-02553
Anthony Davis (Claimant)
Casa Bella Homes
(Regulant)

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Smith** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-02749, John and Sarah Shumway (Claimants) vs. A & M Building Corporation (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **A & M Building Corporation (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Attorney Jesse Johnson for Craig and Maria Castleberry (Claimants)** attended the Board meeting. They addressed the Board and shared their disagreement with the recommendation.

File Number
2010-02749
Craig and Maria Castleberry
(Claimants) and
A&M Building Corporation
(Regulant)

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion a motion was made by Mr. Dowdy to approve the recommendation contained in the Summary of the Informal Fact-Finding Conference. The motion failed due to lack of a second.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Giesen** to reject the claim review and the hearing officer's recommendations and summary and pay the claim because the Warranty period was okay in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-02938, Lori Tracy (Claimant) vs. Black Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Black Construction (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Lori Tracy (Claimant) was represented by Celeste Chiton her attorney** at the Board meeting. She addressed the Board and shared her agreement with the recommendation on her client's behalf.

File Number
2010-02938
Lori Tracy (Claimant)
Black
Construction (Regulant)

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-03038, Barbara Allinson (Claimant) vs. CPD II, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **CPD II, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Peter and Barbara Allinson (Claimant) did not appear** at the Board meeting.

File Number
2010-03038
Peter and Barbara Allinson
(Claimant)
CPD II, Inc. (Regulant)

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-03500, Greg Jimenez (Claimant) vs. Cavalier Builders (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Cavalier Builders (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Greg Jimenez (Claimant) did not attend** the Board meeting.

File Number
2010-03500
Greg Jimenez (Claimant)
Vs
Cavalier Builders (Regulant)

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Middleton** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$9,550.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-05365, Alfonso Jordan (Claimant) vs. Complete Solutions LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Complete Solutions LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Alfonso Jordan (Claimant) did not attend** the Board meeting.

File Number
2010-05365
Alfonso Jordan (Claimant)
Vs
Complete Solutions LLC
(Regulant)

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Middleton** and seconded by **Mr. Murrow** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace,**

Smith, Walker, Williams and Wood.

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2009-03900, Shebl and Josette Abi Nader (Claimant) vs. Michael Perry t/a Solid Concepts (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Michael Perry t/a Solid Concepts (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Shebl and Joestte Abi Nader (Claimant) was not present at the Board meeting.**

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$15,069.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-00529, John and Kathy Whalen (Claimant) vs. Michael Siers t/a J S Michael Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Michael Siers t/a J S Michael Construction (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **John and Kathy Whalen (Claimant) did not attend** the Board meeting.

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Pace** to continue this case to the April board meeting. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

File Number
2009-03900
Shebl and Josette Abi Nader
(Claimant)
vs.
Michael Perry
t/a Solid Concepts
(Regulant)

File Number
2010-00529
John and Kathy Whalen
(Claimant)
Vs
Michael Siers
t/a J S Michael
Construction (Regulant)

In the matter of Recovery Fund File Number 2010-01938, Lindburgh and Myrtle Hodges (Claimant) vs. Taymond Lyons t/a Talon Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Taymond Lyons t/a Talon Construction (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Taymond Lyons t/a Talon Construction (Claimants) were not present at the Board meeting.**

File Number
2010-01938
Linburgh and Myrtle Hodges
(Claimant)
Vs
Taymond Lyons t/a Talon
Construction
(Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Walker** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$3,628.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-01952, Theodore Mayers (Claimant) vs. Thompson Construction Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Thompson Construction Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Theodore Mayers (Claimant) was present at the Board meeting.** He addressed the Board and shared his agreement with the recommendation on her client's behalf.

File Number
2010-01952
Theodore Mayers (Claimant)
Vs
Thompson Construction
Inc.
(Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$15,053.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-02293, Michael Curles (Claimant) vs. Millenium Quality Builders LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Millenium Quality Builders LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Michael Curles (Claimant) was present at** the Board meeting. He addressed the Board and shared his disagreement with the recommendation.

File Number

2010-02293

Michael Curles (Claimant)

Vs

Millenium Quality Builders LLC

(Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Walker** to reject the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000.00 because the court judgment is against Millenium Quality Builders and the property is not rental property. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-03050, Burton and Donna Walker (Claimant) vs. Enterprise Builders and Developers LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Enterprise Builders and Developers LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Burton and Donna Walker (Claimant) was present at** the Board meeting. They addressed the Board and shared their agreement with the recommendation.

File Number

2010-03050

Burton and Donna Walker (Claimant)

Vs

Enterprise Builders and Developers LLC

(Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Middleton** and seconded by **Mr. Dowdy** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$4,743.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-03594, Donald and Charlotte Messmer (Claimant) vs. Rightway Remodeling LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Rightway Remodeling LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Donald and Charlotte Messmer (Claimant) was present** at the Board meeting. They addressed the Board and shared their agreement with the recommendation.

File Number

2010-03594

Donald and Charlotte Messmer (Claimant)

Vs

Rightway Remodeling LLC (Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Murrow** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-03619, Aldred Warren (Claimant) vs. Black Construction Company (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Black Construction (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Aldred Warren (Claimant) was present** at the Board meeting. He addressed the Board and shared his agreement with the recommendation.

File Number

2010-03619

Aldred Warren (Claimant)

Vs

Black Construction Company (Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Walker** and seconded by **Mr. Williams** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$9,755.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-04128, James Johnson (Claimant) vs. Joseph Patterson t/a The Driveway Guys (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Joseph Patterson t/a The Driveway Guys (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **James Johnson (Claimant) was represented by Chad Rinard his attorney at** the Board meeting. He addressed the Board and shared his agreement with the recommendation on his client's behalf.

File Number

2010-04128

**James Johnson (Claimant)
Vs**

**Joseph Patterson t/a The
Driveway Guys (Regulant)**

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Murrow** to amend the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$10,000.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-04190, Julia Bell (Claimant) vs. Hawley Construction LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Hawley Construction LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Julia Bell (Claimant) was present at** the Board meeting. She addressed the Board and shared her agreement with the recommendation.

File Number

2010-04194

Julia Bell (Claimant)

Vs

**Hawley Construction LLC
(Regulant)**

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

A handout was reviewed by Board staff and the Staff recommended that the Board may wish to remand the case to an Informal Fact Finding conference to review and consider the information prior to making a final decision.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Walker** to remand the case to an Informal Fact Finding Conference. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-04263, Alan and Leemore Burke (Claimant) vs. HEC Sonstruction Services, Inc. Home Exterior Concepts (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **HEC Sonstruction Services, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Alan and Leemore Burke (Claimant) was represented by Alan Burke at** the Board meeting. He addressed the Board and shared their agreement with the recommendation on his partner's behalf.

File Number

2010-04263

**Alan and Leemore Burke
(Claimant)**

Vs

**HEC Sonstruction Services, Inc.
Home Exterior Concepts
(Regulant)**

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-04383, Carroll and Jane Rueben (Claimant) vs. D and L Contracting LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **D and L Contracting LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Carroll and Jane Rueben (Claimant) was not present at** the Board meeting.

File Number

2010-04383

**Carroll and Jane Rueben
(Claimant)**

Vs

**D and L Contracting LLC
(Regulant)**

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$7,553.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-04416, JoAnn King (Claimant) vs. Brian Brubaker t/a Brubaker Construction Co. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Brian Brubaker Construction Co. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **JoAnn King (Claimant) was not present at the Board meeting.**

File Number

2010-04416

JoAnn King (Claimant)

Vs

**Brian Brubaker t/a
Brubaker Construction Co.
(Regulant)**

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Walker** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-04439, George McClaugherty (Claimant) vs. Eonjin Park t/a Ko-Am Homedesign (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Eonjin Park t/a Ko-Am Homedesign (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **George McClaugherty (Claimant) was not present at the Board meeting.**

File Number

2010-04439

**George McClaugherty
(Claimant)**

Vs

**Eonjin Park t/a Ko-Am
Homedesign
(Regulant)**

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Williams** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-04805, Mark and Annette Shideler (Claimant) vs. Timberframe Construction, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Timberframe Construction, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Mark and Annette Shideler (Claimant) were present** at the Board meeting. They addressed the Board and shared their agreement with the recommendation.

File Number

2010-04805

Mark and Annette Shideler (Claimant)

Vs

Timberframe Construction, Inc.

(Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of License Application File Number 2011-01418, Ronald Readon, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

File Number

2011-01418

Ronald Readon

Applicant Ronald Readon appeared at the IFF. He did attend the Board meeting. He addressed the Board and shared his agreement with the recommendation.

The presiding Board representative **Ms. Becker** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Walker** offered a motion that was seconded by **Mrs. Murrow** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants the license. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of License Application File Number 2011-01419, James Hogan, (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number
2011-01419
James Hogan**

James Hogan (Respondent) did not appear at the Board meeting.

The presiding Board representatives **Ms. Becker** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was offered by **Mr. Walker** and seconded by **Mr. Midelton** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license with conditions.

The motion passed by unanimous vote. Members voting “yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of License Application File Number, Sky’s The Limit Construction Company LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2011-01667
Sky’s The Limit Construction
Company LLC**

Applicant David Austin for Sky’s The Limit Construction Company LLC appeared at the IFF and the Board meeting along with Edith Austin and shared his agreement with the recommendation to the Board.

The presiding Board representative **Ms. Becker** was not present, did not participate in the discussion and did not vote.

Mrs. Perkins shared with the Board that the following correction needed to be reflected:

The classification of BLD should be indicated and the specialties of HIC and CIC should be reflected not “ROC”.

After discussion **Mr. Williams** offered a motion that was seconded by **Mr. Murrow** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference including the corrections as noted by Mrs. Perkins and grant the license. The motion passed by majority vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were

not present at the Board meeting.

Mr. Walker voted “no”.

In the matter of License Application File Number 2011-01669, Stephen Savage, Jr., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2011-01669
Stephen Savage, Jr.**

Applicant Stephen Savage, Jr. appeared at the IFF but not at the Board meeting.

The presiding Board representative **Ms. Becker** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Middleton** offered a motion that was seconded by **Mr. Pace** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license. The motion passed by majority vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

Mrs. Wood voted “no”.

In the matter of License Application File Number 2011-02530 Christopher Young, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2011-02530
Christopher Young**

Applicant Christopher appeared at the IFF.

The presiding Board representative **Ms. Becker** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Middleton** offered a motion that was seconded by **Mr. Murrow** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license. The motion passed by unanimous vote. **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of License Application File Number 2011-02531 Drew Edmond Law, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2011-02531
Drew Edmond Law

Applicant Drew Edmond Law appeared at the IFF and the Board meeting. He shared his agreement with the recommendations with the Board.

The presiding Board representative **Ms. Becker** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Middleton** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license. The motion passed by majority vote. **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of License Application File Number 2011-02532 William Framing Inc., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF). **Applicant William Framing Inc.** appeared at the IFF.

File Number
2011-02532
William Framing Inc.

The presiding Board representative **Ms. Becker** was not present, did not participate in the discussion and did not vote.

Mrs. Perkins shared with the Board that in the 5th paragraph of the summary it should be "On September 5, 2006" not 26 and under additional information in the 3rd paragraph it should begin with "Based on the evidence..." appears to be contradictory) and the classification should be BLD and not ROC as the specialty.

After discussion **Mr. Walker** offered a motion that was seconded by **Mr. Smith** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference including the corrections as noted by Mrs. Perkins and issue a license. The motion passed by unanimous vote. **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of License Application File Number 2011-02533 Walter Hudson, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2011-02533
Walter Hudson

Applicant Walter Hudson appeared at the IFF.

The presiding Board representative **Ms. Becker** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Walker** offered a motion that was seconded by **Mr. Pace** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license. The motion passed by unanimous vote. **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of License Application File Number 2011-02534 Jason Guthrie, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2011-02534
Jason Guthrie**

Applicant Jason Guthrie appeared at the IFF.

The presiding Board representative **Ms. Becker** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Middleton** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license. The motion passed by unanimous vote. **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of License Application File Number 2011-02536 Venture Construction Group, Inc., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2011-02536
Venture Construction
Group, Inc.**

Applicant Venture Construction appeared at the IFF.

The presiding Board representative **Ms. Becker** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Middleton** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and granted the license. The motion passed by majority vote. **Dowdy,**

Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of License Application File Number 2011-02537 Douglas Walker, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2011-02537
Douglas Walker**

Applicant Douglas Walker appeared at the IFF.

The presiding Board representative **Ms. Becker** was not present, did not participate in the discussion and did not vote.

Mrs. Perkins shared with the Board that on page 2 under Facts in the 1st paragraph it should reference file number 1994-00223 and not 1991.

After discussion **Mr. Williams** offered a motion that was seconded by **Mr. Smith** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference including the corrections as noted by Mrs. Perkins and grant a license. The motion passed by unanimous vote. **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of License Application File Number 2011-02169 Fred Byers II t/a Home Repair Headquarters, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2011-02169
Fred Byers II t/a Home
Repair Headquarters**

Applicant Fred Byers II t/a Home Repair Headquarters appeared at the IFF.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Williams** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license. The motion passed by unanimous vote. **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of License Application File Number 2011-02535 Handcrafted LLC., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2011-02535
Handcrafted LLC

Applicant Handcrafted LLC appeared at the IFF.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Williams** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license. The motion passed by unanimous vote. **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2010-05240, R N Contracting, LLC, (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

File Number
2010-05240
R N Contracting, LLC

Board staff shared with the Board that this case has a quorum issue and can not be heard today.

Quorum

Mrs. Wood and Mr. Dowdy both were recused and did not participate. Mr. Smith chaired this case.

After discussion, a motion was made by **Mr. Murrow** and seconded by **Mr. Middleton** to remand this case to the April Board meeting due to lack of a quorum to hear the case at this January meeting.

The motion passed by unanimous vote. Members voting “yes” were: **Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Vander Pol, Smith, Sumpter, Tomlin, Walker, Walton, and Williams.**

In the matter of Disciplinary File Number 2010-04005, H. Simons t/a H. Simons and Sons Construction, (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

File Number
2010-04005
H. Simons t/a H. Simons
And Sons Construction

H. Simons t/a H. Simons (Respondent) appeared at the IFF and Board meeting. John and Elizabeth Lambert Johns appeared at the IFF and the Board meeting. They addressed the Board.

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The presiding Board representatives **Mr. Dyer and Mr. Williams** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Walker** and seconded by **Mr. Pace** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **H. Simons**, did violate the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 8	
Count 2:	18 VAC 50-22-260 B 26	
Count 3:	18 VAC 50-22-260.B.6	
Count 4:	18 VAC 50-22-260.B.15	
Count 5:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting “yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

After discussion, a motion was made by **Mr. Smith** and seconded by **Mr. Murrow** to impose the following: The Board voted to impose the following penalty for the violations of the regulations.

Count 1:	\$1,600.00	
Count 2:	\$850.00	
Count 3:	\$1,000.00	
Count 4:	\$1,000.00	
Count 5:	\$2,500.00	
	Total	\$6,950.00

The Board also imposes the following sanctions: Revocation of license for the violation of Count 1, 2, 3, 4 and 5.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-02488, Alan C. Thatcher t/a A & K Remodeling, (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

File Number

2011-02488

Alan C Thatcher'

t/a A&K Remodeling

H. Simons t/a A&K Remodeling (Respondent) appeared at the IFF. He did not attend the Board meeting.

The presiding Board representative **Mrs. Tomlin** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Murrow** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **H. Simons t/a A&K Remodeling**, did violate the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting "yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

After discussion, a motion was made by **Mr. Smith** and seconded by **Mr. Pace** to impose the following: The Board voted to impose the following penalty for the violations of the regulations.

Count 1:	Completion of board approved Remedial Education Class	
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The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2010-00822, Alvin Louis Anderson t/a Something Nice Builders, (Respondent); the board reviewed the record, which

File Number

2010-00822

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consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

**Alvin Louis Anderson
t/a Something Nice
Builders**

Alvin Louis Anderson (Respondent) appeared at the IFF. He did not attend the Board meeting.

The presiding Board representatives **Mr. Sumpter and Mrs. Tomlin** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Smith** and seconded by **Mr. Williams** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Alvin Louis Anderson**, did violate the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260 B 18	
Count 2:	18 VAC 50-22-260 B 19	

The motion passed by unanimous vote. Members voting “yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

After discussion, a motion was made by **Mr. Smith** and seconded by **Mr. Pace** to impose the following: The Board voted to impose the following penalty for the violations of the regulations.

Count 1:	\$500.00	
Count 2:	\$500.00	
	Total	\$1,000.00

The Board also imposes the following sanctions: Completion of Remedial Education for the violation of Count 1, and 2, within 90 days of the order.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-02101, Aych & Aych, Inc., (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number

2011-02101

Aych & Aych, Inc.

Sylvester Hankins on behalf of Aych & Aych, Inc. (Respondent) appeared at the IFF. **Aych & Aych, Inc.** did not appear at the Board meeting in person or by counsel or by any other qualified representative. Mr. Hankins called and shared that he had the flu and would not be able to attend the Board meeting.

The presiding Board representative **Mrs. Tomlin** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Middleton** and seconded by **Mr. Murrow** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Aych & Aych Inc.,** did violate the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting “yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

After discussion, a motion was made by **Mr. Middleton** and seconded by **Mr. Pace** to impose the following: The Board voted to impose the following penalty for the violation of the regulation.

Completion of a Board Approved Remedial Education class within 90 days
--

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2010-05194, Arid Construction Corporation (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2010-05194
Arid Construction
Corporation**

Anthony Saatlou on behalf of Arid Construction Corporation (Respondent) did appear at the IFF. **Arid Construction Corporation** did not appear at the Board meeting.

The presiding Board representative **Mrs. Tomlin** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Arid Construction Corporation**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	§ 54.1-1110 of the Code of Virginia	

The motion passed by unanimous vote. Members voting “yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

After discussion a motion was made by **Mr. Smith** and seconded by **Mr. Williams** to impose the following monetary sanctions:

Count 1:	Revocation of license
Count 2:	Finding of no violation

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2010-05547, Phillip Brown t/a Commercial Mechanical Co., (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number
2010-05547
Phillip Brown t/a
Commercial Mechanical
Co.

Phillip Brown t/a Commercial Mechanical Co. (Respondent) did not appear at the IFF. They did not appear at the Board meeting.

The presiding Board representative **Mrs. Tomlin** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Phillip Anthony Brown** violated the following sections of its Regulations:

Effective February 1, 2006	
Count 1:	18 VAC 50-22-260 B 28
Count 2:	18 VAC 50-22-260.B. 13

The motion passed by unanimous vote. Members voting “yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

After discussion a motion was offered by **Mr. Williams** and seconded by **Mr. Pace** The Board voted to impose the following monetary penalty for the violation of the regulation.

Count 1:	\$1,500.00
Count 2:	\$1,500.00
Total	\$3,000.00

In addition, for violation of Count 1 and Count 2, the Board voted to impose revocation of license effective the date of the Order. 11 January 2011.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Disciplinary Case File Number 2011-00713 Virginia Electrical & Associates, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2011-00713
Virginia Electrical &
Associates**

Virginia Electrical & Associates did not attend the IFF or the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Tomlin** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Middleton** and seconded by **Mr. Williams** to impose the following: The Board voted to impose the following penalty for the violation of the regulation.

Effective February 1, 2006	
Count 1:	18 VAC 50-22-260 B 28
Count 2:	18 VAC 50-22-260 B 13

The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

After discussion a motion was offered by **Mr. Williams** and seconded by **Mr. Middleton**. The Board voted to impose the following monetary penalty for the violation of the regulation.

Count 1	\$1,500.00
Count 2	\$1,500.00
Total	\$3,000.00

In addition, the Board voted to impose revocation of license (Number 2705-081334) for the violation of the regulation in Count 1 and 2.

The motion passed unanimously. Members voting "yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-02369, A Plus Siding LLC (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

File Number

2011-02369

A Plus Siding LLC

Vitaliy Nikulin, on behalf of A Plus Siding LLC (Respondent) appeared at the IFF. No one for A Plus Siding LLC appeared at the Board meeting.

The presiding Board representative **Mrs. Tomlin** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations The Board found that **A Plus Siding LLC** violated the following sections of its Regulations:

Effective February 1, 2006	
Count 1:	18 VAC 50-22-260 B 13

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

After discussion a motion was offered by **Mr. Williams** and seconded by **Mr. Smith** to impose the following monetary sanctions:

In addition, for violation of Counts 1, the Board imposes revocation of A Plus Siding LLC license.

The motion passed by unanimous vote. Members voting “yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams, and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-02485, Handyman Services of Virginia (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

File Number

2011-02485

Handyman Services of Virginia

Handyman Services of Virginia (Respondent) did not participate at the IFF. **Handyman Services of Virginia** did not attend the Board meeting.

The Board's hearing representative; **Mrs. Tomlin** was not present and did not vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board finds substantial evidence that Handyman Services of Virginia violated the following sections of its Regulations:

Effective February 1, 2006	
Count 1:	18 VAC 50-22-260 B 13

The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams, and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

After discussion a motion was offered by **Mr. Smith and seconded by Mr. Middleton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference and the Recommendations. The Board instead voted to impose the following monetary penalty for the violation of its regulations.

Count 1:		\$1,500.00
Total		\$1,500.00

In addition, for violation of Count 1, the Board voted to revoke the license the effective date of the Order, January 11, 2011.

The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Williams, and Wood.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2010-02153, Henry Leboeuf, t/a Eastern Lighting And Irrigation (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

File Number

2010-02153

Henry Leboeuf, t/a Eastern Lighting and Irrigation

Henry Leboeuf, t/a Eastern Lighting And Irrigation, (Respondent) did appear at the reconvened IFF. Henry Leboeuf, t/a Eastern Lighting And Irrigation did not attend the Board meeting in person by counsel nor by any other qualified representative.

The presiding Board representative Mrs. Wood was not present, did not participate in the discussion and did not vote.

Mr. Smith chaired this case.

After discussion, a motion was made by Mr. Williams and seconded by Mr. Middleton to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference and Recommendations. The Board found that Henry Leboeuf violated the following sections of its Regulations:

Effective September 1, 2001
Count 1: 18 VAC 50-22-260 B 8
Count 2: 18 VAC 50-22-260 B 16
Count 3: 18 VAC 50-22-260.B.17 Eff: February 1, 2006
Count 5: 18 VAC 50-22-260 B 2 Eff: September 1, 2001
Count 6: 18 VAC 50-22-260 B 28 Eff: February 1, 2006

The motion passed by unanimous vote. Members voting "Yes" were: Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker and Williams.

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

After discussion a motion was offered by Mr. Walker and seconded by Mr. Williams the Board voted to impose the following monetary penalty for the violation of its regulations.

Count 1:	\$350.00	
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Count 2:	\$1,950.00	
Count 3:	\$1,500.00	
Count 5:	\$300.00	
Count 6:	\$500.00	
Total		\$4,600.00
The Board also imposes revocation of license (Number 2705-083101) for violations of Count 2, 3, and 4. The Board closes count 4 with a finding of no violation. The Board voted to require Henry Leboeuf have a member of Responsible Management successfully complete a Board approved remedial education class with 90 days of the effective date of the order.		

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2010-02984, Robert Curd III t/a Ace Consulting & Contracting (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. Phillip Griffin, attorney for **Robert Curd III t/a Ace Consulting & Contracting (Respondent)** did appear at the IFF. Griffin and Curd did attend the Board meeting in person. He addressed the Board.

**File Number
2010-02984
Robert Curd III t/a Ace
Consulting & Contracting**

The presiding Board representative **Mrs. Wood** was not present, did not participate in the discussion and did not vote. Mr. Smith chaired this case.

After discussion, a motion was made by **Mr. Walker** and seconded by **Mr. Williams** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference (IFF) with Recommendations. The Board found that **Kevin Carter** violated the following sections of its Regulations:

Count 1:	§ 54.1-1110 of the Code of Virginia	
Count 2:	18 VAC 50-22-260.B 13	Effective February 1, 2006

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were

not present at the Board meeting.

After discussion a motion was made by **Mr. Walker** and seconded by **Mr. Pace** to impose the following monetary sanctions:

Count 1:		Revocation of license
Count 2		\$00.00
Total		\$00.00

The motion failed by majority vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker.** **Williams** voted "no".

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

Steven Jack addressed the board. After discussion a motion was made by Mr. Williams and seconded by Mr. Pace to enter into a consent order with Robert Curd III, t/a Ace Consulting & Contracting not allowing renewal of license number 2705-126367.

The motion passed unanimously. Members voting "yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

The Board requested Staff to prepare the Consent Order for Mr. Curd's signature.

In the matter of Disciplinary File Number 2010-04246, David Milette t/a Design Construction (Respondent);

**File Number
2010-04246**

**David Milette t/a Design
Construction**

Hearing officer's Wood and Smith were not present and did not participate.

After discussion Mr. Olson and Steven Jack, Board's legal counsel advised the members of the Board present that this case could not be heard today and must be continued to the April 19th, 2011, Board for Contractors meeting due to lack of a quorum of Board Members.

In the matter of Disciplinary File Number 2010-04477, SVA Group LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **SVA Group LLC (Respondent)** did not appear at the IFF. SVA Group LLC did not attend the Board meeting in person or by counsel or by any other qualified representative.

File Number
2010-04477
SVA Group LLC

Jacquelin A. Harris (Complainant) attended the IFF meeting but she did not attend the Board meeting.

The presiding Board representative **Mrs. Wood** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Middleton** and seconded by **Mr. Walker** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **SVA Group LLC** violated the following of its Regulations.

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

After further discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Walker** to impose the following monetary penalty:

Count 1:	\$2,500.00
Total	\$2,500.00

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-01984, David Allen Mayberry, t/a Low Rate Chimney Sweeps (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

File Number

2011-01984

**David Allen Mayberry, t/a
Low Rate Chimney Sweeps**

David Allen Mayberry (Respondent) did not appear at the IFF in person or by counsel or by any other qualified representative. **Mayberry** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Wood** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Middleton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **David Allen Mayberry** violated the following of its Regulations.

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

After further discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Walker** to impose the sanction of monetary penalties for the violation of the regulation.

Count 1:	\$2,500.00
Total	\$2,500.00

The board also imposed Revocation of license for the violation of the Regulation.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

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In the matter of Consent Order File Number 2010-03000 Board v. Domus Master Builders Inc; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number

2010-03000

Domus Master Builders Inc

Domus Master Builders Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 10	\$0.00
Count 2:	18 VAC 50-22-260 B 29	\$0.00
Board Costs		\$150.00
Total		\$150.00
Further, Domus Master Builders Inc. , agrees to revocation of its license as of the effective date of the Order.		

Upon a motion by **Mr. Pace** seconded by **Mr. Murrow**, the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Wood and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Consent Order File Number 2010-05494 Board v. Roderick D Brooks, t/a Brooks Mobil Home Improvement, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number

2010-05494

Roderick D Brooks, t/a Brooks Mobil Home Improvement

Roderick D Brooks acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Board Costs		\$150.00
Total		\$500.00
Further, for violation of Count 1, Roderick D Brooks , agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Pate** seconded by **Mr. Murrow**, the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy,**

Giesen, Middleton, Murrow, Pace, Smith, Walker, Wood and Williams.

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Consent Order File Number 2010-05782 Board v. Gregory Krieler, t/a Kreiler's Renovation; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number

2010-05782

Gregory Krieler t/a Krieler's Renovation

Gregory Krieler, t/a Kreiler's Renovation, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$400.00
Count 2:	18 VAC 50-22-260 B 26	\$550.00
Board Costs		\$150.00
Total		\$1,100.00
Further, Gregory Krieler agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class for violation of Counts 1 and 2.		

Upon a motion by **Mr. Pate** seconded by **Mr. Murrow**, the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Wood and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-01502 Board v. Guirkin Plumbing Heating and A/C Co LLC, t/a Guirkin Plumbing Heating; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number

2011-01502

Guirkin Plumbing Heating and A/C Co LLC, t/a Guirkin Plumbing Heating

Guirkin Plumbing, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$800.00
Board Costs		\$150.00
Total		\$950.00

Further, **Guirkin Plumbing** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Pace** seconded by **Mr. Williams**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **, Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Wood and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Consent Order File Number 2010-05677 Board v. Harold I Martin Jr., the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-05677
Harold I Martin Jr.**

Harold I Martin, Jr., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$650.00
Count 2:	18 VAC 50-22-260 B 17	\$1,500.00
Count 3:	18 VAC 50-22-260 B 6	\$800.00
Board Costs		\$150.00
Total		\$3,100.00

In addition, Harold I Martin Jr. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Middleton** seconded by **Mr. Williams**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Walker, Wood and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

Mr. Smith did not vote.

In the matter of Consent Order File Number 2010-04867 Board v. Michael Shawn L Cassidy, t/a MSLC Construction, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number

2010-04867

**Michael Shawn L Cassidy,
t/a MSLC Construction**

Michael Shawn L Cassidy, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9 (2 violations @ \$500.00 each)	\$1,000.00
Count 2:	18 VAC 50-22-260 B 27	\$1,000.00
Count 3:	18 VAC 50-22-260 B 27	\$1,000.00
Count 4:	18 VAC 50-22-260.B.6	\$1,250.00
Count 5:	18 VAC 50-22-260 B 15	\$2,500.00
Count 6:	18 VAC 50-22-260 B 16	\$2,500.00
Count 7:	18 VAC 50-22-260 B 13	\$2,000.00
Board Costs		\$150.00
Total		\$11,400.00
In addition, Michael Shawn L Cassidy agrees to revocation of his license.		
The Board shall waive imposition of the monetary penalties for Counts 1, 2, 3, 4, 5, and 7.		
Further, for violation of Counts 1-7, Michael Shawn L Cassidy agrees to reimburse Tony Martin in the amount of \$1,990.00 within ninety (90) days of the order..		

Upon a motion by **Mr. Middleton** seconded by **Mr. Williams**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Wood and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

In the matter of Consent Order File Number 2010-05677 Board v. Simplicity Builders Inc, t/a Simplicity Builders Inc., the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number

2010-05677

**Simplicity Builders Inc, t/a
Simplicity Builders Inc**

Simplicity Builders Inc., acknowledges an understanding of the charges and

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hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31 (2 violations at \$400.00 each)	\$800.00
Count 2:	18 VAC 50-22-260 B 15	\$1,700.00
Count 3:	18 VAC 50-22-260 B 16	\$1,950.00
Board Costs		\$150.00
Total		\$4,600.00

In addition, Simplicity Builders Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Further for violation of Counts 1-3, Simplicity Builders Inc agrees to revocation of its license.

The Board shall waive imposition of the monetary penalties and license revocation for Counts 1-3, provided Simplicity Builders Inc reimburses \$15, 000.00 to Joann Hinton and provides the Board with proof of the payment within ninety (90) days of the effective date of this order. If Simplicity Builders Inc fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

Upon a motion by **Mr. Middleton** seconded by **Mr. Williams**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

Mrs. Wood did not vote.

In the matter of Consent Order File Number 2010-05339 Board v. Michael Gingerich Construction Co Inc, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

Michael Gingerich Construction Co Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

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Count 1:	18 VAC 50-22-260 B 29 (3 violations at \$500.00 each)	\$1,500.00
Count 2:	18 VAC 50-22-260 B 5	\$1,500.00
Count 3:	18 VAC 50-22-260 B 30	\$1,500.00
Board Costs		\$150.00
Total		\$4,650.00
In addition, Michael Gingerich Construction Co Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Middleton** seconded by **Mr. Williams**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Giesen, Middleton, Murrow, Pace, Walker, Smith and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

Mrs. Wood did not vote.

Adrienne Mayo, Regulatory Board Administrator and Leas Roth, Licensing and Education Administrator shared the Committee Report from the January 10th Committee meeting with the members of the Board for Contractors. The report is as follows:

Other Board Business Committee Report

Education Provider Applications*

Applications for proposed education providers and courses were reviewed and the Committee recommendations are as follows:

Elite CEU, Inc.	Electrical	Continuing Education online (3 classes total)	Approval
Virginia Technical Institute	Electrical, Plumbing, HVAC	Vocational Education in the Classroom – 12 courses total. 72 hours per semester with a possibility of 4 semesters/4 courses (2 years) for each trade. Possibility of 288 hours total.	Approval
Harford Co. Electrical Contractors Assoc. & Apprenticeship	Electrical	Continuing Education in the Classroom (3 courses)	Approval

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Eichelbergers, Inc.	Water Well	Continuing Education in the Classroom (1 course)	Approval
Virginia Water Well Association	Water Well	Continuing Education ***** Jubilee – 8 hours -only submit those attendees with 8 hours. Course added at the last minute for both continuing education and vocational (1 hour) but total AND Vocational Education Jubilee – 10 courses – 12 credits.	Approval
Washington, D.C., Local 26 – Joint Apprenticeship NOVA	Electrical	Vocational in the Classroom– 9 courses, 4 courses at 42 hours, 2 courses at 90, 3 courses at 180.	Approval
M.S. Electrical Training, LLC	Electrical	Continuing Education in the Classroom. 2 courses.	Approval
Vocational School of Korean American Association NOVA	Electrical and HVAC	Vocational Education in the Classroom – 3 courses: 2 HVAC courses = 40 hours each course and ELECTRICAL = 60 hours.	

After discussion Mr. Smith offered a motion seconded by Mr. Giesen to approve the Committee recommendations as submitted.

The motion passed unanimously. Members voting "yes" were: Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Wood and Williams.

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

The member of the Board for Contractors reviewed the Recovery Fund Financial Statement for September 30, 2010.

Recovery Fund Financial Statement

Mr. Olson shared comments with the Board members about the upcoming session. He reminded them that as a member of the Board they should not engage in any “side bars” as the 2011 Session of the Virginia General Assembly approaches. You should not express your views as a member of the board or give the impression the board has a position on an issue or on any legislation.

Regulatory Review

Mr. Eric Olson, Executive Director, Board for Contractors shared with the Board some information on a case review of 2008-02161 for reconsideration by the Board.

New Business

After discussion, **Mr. Williams** offered a motion seconded by **Mr. Pace** to vacate the order for case 2008-02161.

The motion passed unanimously. Members voting "yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Wood and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

Mr. Eric Olson, Executive Director, Board for Contractors shared with the Board some information on a Petition for Stay for case 2011-01244.

Petition for Stay

The Board members reviewed a handout on case 2011-01244 at the Board meeting.

After discussion a motion was made by Mr. Walker and seconded by Mr. Smith to approve a 6 months stay until July 31st, 2011 for 2011-01244.

The motion passed unanimously. Members voting "yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Wood and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

Mr. Eric Olson, Executive Director, Board for Contractors shared with the Board some information on a Request for Reconvene for case 2010-02219.

Reconvene Request

The Board members reviewed a handout on case 2010-02219 at the Board meeting.

After discussion a motion was made by Mr. Williams and seconded by Mr. Pace to approve the Request to Reconvene case 2010-02219 and remand the case back to staff for an Informal Fact Finding conference.

The motion passed unanimously. Members voting "yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Wood and Williams.**

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

Eric Olson discussed the Recovery Fund statement that has been provided to the Board. It is mandatory (statutory Requirement) to maintain a balance of \$400,000.00 in the account.

Recovery Fund Statement

The next Board meeting will be April 19, 2011.

Next Board meeting

The Board Chair asked all members to be certain to complete and turn in their paperwork for processing to Sheila Watkins prior to leaving the meeting.

Paperwork

Their being no further business to come before the board, the meeting was adjourned at **11:37 a.m.** upon a motion by **Mr. Smith** and seconded by **Mr. Williams**. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Walker, Wood and Williams.**

Adjournment

Board members, Dyer, Gelardi, Vander Pol, Sumpter, Tomlin and Walton, were not present at the Board meeting.

Dorothy Wood, Chairman

Gordon N. Dixon, Secretary

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Custodian of the Record