

**Minutes of Meeting
BOARD FOR CONTRACTORS
INFORMAL FACT-FINDING CONFERENCES
May 9, 2006 (9:00 a.m.)**

The Board for Contractors convened in Richmond, Virginia, for the purpose of holding Informal Fact-Finding Conferences pursuant to the Administrative Process Act.

Troy Smith Jr., Board member, presided. No other Board members were present.

Joseph Haughwout appeared for the Department of Professional and Occupational Regulation.

The conferences were recorded by Inge Snead & Associates, LTD. and the Summaries or Consent Orders are attached unless no decision was made

Disc = Disciplinary Case
Lic = Licensing Application
RF = Recovery Fund Claim
Trades = Tradesmen Disciplinary Case/Application

C = Complainant/Claimant
A = Applicant
R = Respondent/Regulant
W = Witness
Atty = Attorney

Participants

- | | |
|--|--|
| 1. Joel B Smith
t/a Joel's Home Repair
File Number 2006-01630 (Disc)
(NO DECISION MADE) | Smith – R
Chris Booberg – R Atty
Cory Philpott – C |
| 2. John Meeker
t/a The Halsey Company
File Number 2005-04505 (Disc) | Meeker – R
Christopher Craig – R Atty |
| 3. James Ralph Huffman Sr
t/a Outdoor Creations by James
File Number 2006-01000 (Disc)
(NO DECISION MADE) | Huffman – R
Jordan Truesdell – W
Bill Yeager – W |
| 4. Paul Albert Vanwey
t/a P A V Construction
File Number 2006-00873 (Disc)
(NO DECISION MADE) | Vanwey – R
Lisa Noel – C |
| 5. Zachary S Weber
t/a Weber Works
File Number 2005-02146 (Disc) | Sam Hall – C
Joan Hall – C
Louis Leffler – C |

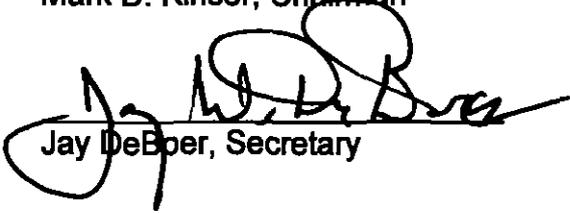
(NO DECISION MADE)

The meeting adjourned at 2:40 p m

BOARD FOR CONTRACTORS



Mark D. Kinser, Chairman



Jay DeBoer, Secretary

COPY TESTE.

Custodian of Records

**IN THE
COMMONWEALTH OF VIRGINIA
BOARD FOR CONTRACTORS**

Re: John Meeker, t/a The Halsey Company
Lorton, VA 22079

File Number 2005-04505
License Number 2705090411

CONSENT ORDER

Respondent John Meeker, t/a The Halsey Company ("John Meeker") recognizes and acknowledges being subject to and bound by the Regulations of the Board for Contractors ("Board"), as well as by all other applicable Virginia laws

Board's Regulations provides:

18 VAC 50-22-200. Remedial education, revocation or suspension; fines.

The board may require remedial education, revoke or suspend a license or fine a licensee when a licensee has been found to have violated or cooperated with others in violating any provision of Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the Code of Virginia, or any regulation of the board.

Historical Notes

Derived from VR220-01-2 1 §5 1, eff March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff September 1, 2001

Pursuant to the Administrative Process Act §§2.2-4019 and 2.2-4021 of the 1950 Code of Virginia, as amended.

On April 12, 2006, the Notice of Informal Fact-Finding Conference ("Notice") was mailed, via certified mail, to John Meeker ("Meeker"), t/a The Halsey Company, to the address of record. The Notice was also mailed, via certified mail, to Christopher Craig, Esq ("Craig"), attorney for Meeker, at 6862 Elm Street, McLean, Virginia 22101. Each of the certified mailings was signed for and received. The Notices included the Report of Findings, which contained the facts regarding the regulatory and/or statutory issues in this matter.

On May 9, 2006, an Informal Fact-Finding Conference ("IFF") was convened at the Department of Professional and Occupational Regulation.

The following individuals participated at the IFF John Meeker, Respondent; Christopher Craig, attorney for Respondent; Joseph Haughwout, Staff Member; and Troy Smith, Jr , Presiding Board Member.

During the IFF, Meeker testified that he made the unfortunate assumption that a permit was not required. Meeker submitted a revised contract that states The Halsey Company will ensure that a permit is obtained prior to performing work. Meeker intends to obtain a copy of the permit or see the permit in order to verify that the permit has been obtained and exists.

Meeker testified that he placed the window in an emergency situation at no cost to Sweetser Meeker offered to complete installation of the window at a cost of \$750.00 and to guarantee the work. Meeker sent Sweetser a written change order, but it was not signed by both parties because of a dispute between the parties

The Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order.

The Board and John Meeker, as evidenced by the signatures affixed below, enter into this Consent Order. John Meeker knowingly and voluntarily waives any further proceedings in this matter under Administrative Process Act §§2.2-4020 and 2 2-4021 of the 1950 Code of Virginia, as amended.

By signing this Consent Order, John Meeker acknowledges an understanding of the charges and hereby neither admits nor denies the violation(s) of the Counts as outlined in the Report of Findings John Meeker consents to the following term(s):

	Count 1	18 VAC 50-22-260.B.6	\$0.00
	Count 2	18 VAC 50-22-260.B.31	\$0.00

	TOTAL MONETARY PENALTIES		\$0.00

In addition, for violation of Count 1, John Meeker agrees to provide a copy of his current contract within thirty (30) days of the effective date of this order.

In addition, for violation of Count 1 and 2, John Meeker agrees to successfully complete remedial education by attending the Board's contracting license class and passing the examination within six (6) months of the effective date of this order.

John Meeker also agrees to pay \$150.00 in Board costs.

Any monetary penalties, costs, and/or sanctions are to be paid/performed within thirty days of the effective date of this consent order unless otherwise specifically noted above. John Meeker acknowledges any monetary penalty and costs as a debt to the Commonwealth and agrees that in the event of a default, or the return of a check for insufficient funds, John Meeker will be responsible for a penalty fee of 10% and interest at the underpayment rate prescribed in Section 58.1-15 of the 1950 Code of Virginia, as amended, and for all reasonable administrative costs, collection fees, or attorney's fees incurred in the collection of whatever funds are due.

John Meeker acknowledges that failure to pay any monetary penalty or cost and/or to comply with all terms of this Order within the specified time period, shall result in the automatic suspension of John Meeker's license until such time as there is compliance with all terms of this Order. John Meeker understands the right to have this automatic suspension considered in an IFF pursuant to the Administrative Process Act §§2.2-4019 and 2.2-4021 of the 1950 Code of Virginia, as amended, but knowingly and voluntarily waives any rights to the proceeding and hereby waives any further proceedings under the Administrative Process Act §§2.2-4020 and 2.2-4021 of the 1950 Code of Virginia, as amended.

The effective date of this Order shall be the date of execution by the Board

VIRGINIA DEPARTMENT OF PROFESSIONAL
AND OCCUPATIONAL REGULATION
COMPLIANCE & INVESTIGATION DIVISION
3600 WEST BROAD STREET
RICHMOND, VA 23230-4917

REPORT OF FINDINGS

BOARD: Board for Contractors
DATE: October 21, 2005

FILE NUMBER: 2005-04505
RESPONDENT: John Meeker, t/a The Halsey Company
LICENSE NUMBER: 2705090411
EXPIRATION: December 31, 2006

SUBMITTED BY: Sherell Queen
APPROVED BY: Linda J. Boswell

COMMENTS:

None.

John Meeker ("Meeker"), t/a The Halsey Company, was at all times material to this matter a licensed Class C contractor in Virginia (No. 2705090411).

Based on the analysis and/or investigation of this matter, there is probable cause to believe the respondent has committed the following violation(s) of the Code of Virginia and/or Board's regulation(s):

BACKGROUND:

On May 10, 2005, the Compliance & Investigations Division of the Department of Professional and Occupational Regulation received a written complaint from Richard & Michele Sweetser ("Sweetser") regarding Mr John Meeker and The Halsey Company. (Exh. C-1)

On March 21, 2005, Meeker entered into a written contract, in the amount of \$5,730.00, with Sweetser to pour a concrete floor in the basement at 12020 Meadowville Court, Herndon, Virginia 20170. (Exh C-2)

1. Board Regulation (Effective January 1, 2003)

18 VAC 50-22-260 Filing of charges; prohibited acts

B. The following are prohibited acts:

6. Misconduct in the practice of contracting.

FACTS:

The contract specified, "owner is responsible for obtaining all permits and fees before the work begins" (Exh. C-2)

On or about March 21, 2005, Meeker performed work that included cutting an opening into the basement wall to pour concrete onto the basement floor and installing a window in the opening (Exh C-1, C-2 and R-1)

As of October 20, 2005, Meeker failed to ensure that the required permit was obtained prior to the commencement of work. (Exh. W-1)

2. Board Regulation (Effective January 1, 2003)

18 VAC 50-22-260. Filing of charges, prohibited acts.

B. The following are prohibited acts

31. Failure to obtain written change orders, which are signed by both the consumer and the licensee or his agent, to an already existing contract.

FACTS:

The contract specified, "Any alteration or deviation from above specifications involving additional costs or work will be executed only upon written orders and will become an extra charge over and above the estimate." (Exh C-2)

During the construction, Meeker also installed a window in the access opening at the subject property. (Exh C-1 and R-1)

Meeker failed to obtain a written change order for the additional work. (Exh. C-1 and R-1)

SEEN AND AGREED TO:

John Meeker
t/a The Halsey Company

Date

Printed Name and Title of Person Signing on behalf of Entity

CITY/COUNTY OF _____
COMMONWEALTH OF VIRGINIA

Sworn and subscribed before me this _____ day of _____,
2006.

Notary Public

My Commission Expires. _____

SO ORDERED:

Entered this _____ day of _____, 2006.

Board for Contractors

BY: _____
Jay W. DeBoer, Secretary

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