

BOARD FOR CONTRACTORS BOARD MEETING

MINUTES DRAFT

The Board for Contractors met on Tuesday, October 23rd, 2012 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the 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.

E .G. Middleton, III, Chairman
Bailey Dowdy
Herbert "Jack" Dyer, Jr.
David Giesen
Michael Gelardi
Doug Murrow
James Oliver
E.C. "Chick" Pace
Homer Pete Sumpter
Dwight Todd Vander Pol
Walton H. Walton, III

Mr. Troy Smith, Mr. A. Bruce Williams, Mrs. Deborah Tomlin and Mr. Chancey Walker were not present at the meeting.

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

Gordon Dixon, Director
Eric L. Olson, Executive Director
Adrienne Mayo, Regulatory Boards Administrator
Sheila Watkins, Administrative Assistant, Compliance Specialist
Karen Bullock, Administrative Assistant, Compliance Specialist
Kristen Clay, Legal Analyst
Candace Howard, Legal Analyst
Mark Courtney, Senior Director of Regulatory & Public Affairs
Steven Jack, Assistant Attorney General

Chairman E. G. Middleton called the meeting to order at 9:15 a.m. and declared a quorum of board members was in attendance.

Call
To Order

A motion was made by **Mr. Gelardi** and seconded by **Mr. Murrow** to approve the agenda. The motion passed unanimously. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Approval of the Agenda

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

Approval of Minutes

July 31st, 2012 Board for Contractors Meeting
July 10, 2012 Board for Contractors Meeting
July 18th, 2012 Informal Fact Finding Conference
July 26th, 2012 Informal Fact Finding Conference
August 7th, 2012 Informal Fact Finding Conference
August 17th, 2012 Informal Fact Finding Conference
August 21st, 2012 Informal Fact Finding Conference
August 28th, 2012 Informal Fact Finding Conference
August 29th, 2012 Informal Fact Finding Conference
September 04th, 2012 Informal Fact Finding Conference
September 06th, 2012 Informal Fact Finding Conference
September 11th, 2012 Informal Fact Finding Conference

Mr. Pace seconded the motion and it was unanimously approved by members: Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Mr. Todd Shell and Mr. Eric Shell came forward and requested permission to address the Board. **Mr. Courtney** received their handout and it was reviewed by Board Staff and determined that they could not address the Board because the information pertained case information that would be discussed by the Board. **Mrs. Mayo** took Mr. (s) Shell outside the meeting room and explained why they could not address the Board. There was no public comment.

Public Comment Period

In the matter of Recovery Fund File Number 2012-03722, **Laura Ayoud (Claimants) vs. D & L Enterprises, Inc. t/a Y W Rhee Design & Build, (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **D & L Enterprises, Inc. t/a Y W Rhee Design & Build (Regulant) did not** appear at the board meeting in person or

File Number
2012-03722
Laura Ayoud
(Claimants) vs.
D & L Enterprises, Inc. t/a

by counsel or by any other qualified representative. **Laura Ayoud (Claimants)** did not attend the Board meeting.

**Y W Rhee Design & Build
(Regulant)**

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and approve payment of the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order.

Upon payment of this claim, the license of **D & L Enterprises, Inc. t/a Y W Rhee Design & Build** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by a unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

In the matter of Recovery Fund File Number 2011-02061, Brian & Natalie O'Neill (Claimant) vs. NSC Improvement, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **NSC Improvement, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Brian & Natalie O'Neill (Claimants)** did appear at the board meeting in person. They addressed the Board and shared their agreement.

**File Number
2011-02061
Brian & Natalie O'Neill
(Claimant)
vs. NSC Improvement, Inc.
(Regulant)**

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and approve payment of the claim in the amount of **\$20,000**. The Claim Review and Summary are incorporated as a part of this Order.

The motion passed by a unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

In the matter of Recovery Fund File Number 2013-00323, Dan & Angela Olson (Claimant) vs. Blue Haven Construction Company, Inc (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Blue Haven Construction Company, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other

**File Number
2013-00323
Dan & Angela Olson
(Claimant) vs.
Blue Haven Construction**

qualified representative. **Dan & Angela Olson (Claimant)** did **not** attend the Board meeting in person.

**Company, Inc.
(Regulant)**

This is a Prima Facie case

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$18,862.13**. Upon payment of this claim, the license of **Blue Haven Construction Company, Inc** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

In the matter of Recovery Fund File Number 2012-00880, Charles Denson (Claimants) vs. Bay Bridge 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. **Bay Bridge Builders, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Charles Denson (Claimants)** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

**File Number
2012-00880
Charles Denson
(Claimants) vs.
Bay Bridge Builders, LLC
(Regulant)**

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in amount of **\$18, 000.00**. Upon payment of this claim, the license of **Bay Bridge Builders, LLC** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

In the matter of Recovery Fund File Number 2012-01735, Larry & Martha Tate (Claimants) vs. River City Granite Co., Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **River City Granite Co., Inc. (Regulant)** did appear at the Board meeting. He addressed the Board. **Larry & Martha Tate (Claimants)**

**File Number
2012-01735
Larry & Martha Tate
(Claimants)
River City Granite Co., Inc.**

did not attend the Board meeting.

(Regulant)

This is a prima facie case.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of **\$4,558.00**. Upon payment of this claim, the license of **River City Granite Co., Inc.** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Recovery Fund File Number 2012-02150, Timothy & Bonnie Halstead (Claimant) vs. Bobs Decks of Loudoun LLC t/a Bob's Decks Porches and More LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Michael Haynie (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Timothy & Bonnie Halstead (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-02150
Timothy & Bonnie Halstead (Claimant) vs. Michael Haynie (Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and approve the payment of the claim in the amount of **\$4,250.00**. Upon payment of this claim, the license of **Michael Haynie** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Recovery Fund File Number 2012-03434, Gretchen & Matthew Whitehead (Claimant) vs. Stone Style Home Design (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Stone Style Home Design (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-03434
Gretchen & Matthew Whitehead (Claimants)

Gretchen & Matthew Whitehead (Claimant) did not appear at the board meeting in person or by counsel or by any other qualified representative.

**Vs.
Stone Style Home Design
(Regulant)**

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and approve the payment of the claim in the amount of **\$19,634.00**. Upon payment of this claim, the license of **Stone Style Home Design** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

In the matter of Recovery Fund File Number 2012-03563, Eldin Leighton (Claimant) vs. Creative Energy Corporation of Virginia (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Creative Energy Corporation of Virginia (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Eldin Leighton (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

**File Number
2012-03563
Eldin Leighton
(Claimants)
Vs
Creative Energy
Corporation of Virginia
(Regulant)**

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00**. Upon payment of this claim, the license of **Hawley Construction, LLC** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

In the matter of Recovery Fund File Number 2012-03639, David & Lisa Dean (Claimant) vs. D&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. **The Hunter Company of Southwestern Virginia (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Michael Bishop Attorney for David & Lisa Dean (Claimant)** did appear at the board representing **David & Lisa Dean**.

**File Number
2012-03639
David & Lisa Dean
(Claimants)
Vs
The Hunter Company of
Southwestern Virginia**

(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00**. Upon payment of this claim, the license of **The Hunter Company of Southwestern Virginia** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

In the matter of Recovery Fund File Number 2012-03865, Carol Crew (Claimant) vs. Robert Manual 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. **Robert Manual Construction, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Carol Crew (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-03865
Carol Crew
(Claimants)
Vs
Class A Builders LLC
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Gelardi** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00**. Upon payment of this claim, the license of **Robert Manual Construction, Inc.** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

In the matter of Recovery Fund File Number 2012-03218, Matthew Dunne (Claimant) vs. DrBuildit Inc (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **DrBuildit Inc (Regulant)** did not appear at the board meeting in

File Number
2012-03218
Matthew Dunne
(Claimants)

person or by counsel or by any other qualified representative. **Matthew Dunne (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

**Vs
DrBuildit Inc
(Regulant)**

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Walton** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00**. Upon payment of this claim, the license of **DrBuildit Inc** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

In the matter of Recovery Fund File Number 2012-03480, Suzanne Cleary-Godfrey (Claimant) vs. Tamara Hartless t/a Cornerstone Construction & Remodeling (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Tamara Hartless t/a Cornerstone Construction & Remodeling (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Suzanne Cleary-Godfrey (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

**File Number
2012-03480
Suzanne Cleary-Godfrey
(Claimants)
Vs
Tamara Hartless t/a
Cornerstone Construction
& Remodeling
(Regulant)**

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00**. Upon payment of this claim, the license of **Tamara Hartless t/a Cornerstone Construction & Remodeling** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

In the matter of Recovery Fund File Number 2012-03641, Hans von Baeyer & Barbara Watkinson (Claimant) vs. Calvin Collins Contractor, Inc. (Regulant); the

**File Number
2012-03641**

board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Calvin Collins Contractor, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Hans von Baeyer & Barbara Watkinson (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

Hans von Baeyer & Barbara Watkinson (Claimants)
Vs
Calvin Collins Contractor, Inc. (Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00**. Upon payment of this claim, the license of **Calvin Collins Contractor, Inc.** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

In the matter of Recovery Fund File Number 2012-03716, Barbara Herondorf (Claimant) vs. Woodall Home Improvement, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Woodall Home Improvement, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Barbara Herondorf (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-03716
Barbara Herondorf (Claimants)
Vs
Woodall Home Improvement, Inc. (Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to adopt the claim review and approve the payment of the claim in the amount of **\$2,267.00**. Upon payment of this claim, the license of **Woodall Home Improvement, Inc.** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

In the matter of Recovery Fund File Number 2013-00499, Gregory Weiner (Claimant) vs. Walter Myrtle t/a Serenity Pool & Spa (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Walter Myrtle t/a Serenity Pool & Spa (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Gregory Weiner (Claimant)** did not appear at the board meeting in person.

File Number
2013-00499
Gregory Weiner
(Claimants)
Vs
Walter Myrtle t/a Serenity
Pool & Spa
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00**. Upon payment of this claim, the license of **Walter Myrtle t/a Serenity Pool & Spa** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

In the matter of Recovery Fund File Number 2012-00987, Jeffrey & Monica Stevens (Claimant) vs. Energy Saving Exteriors Inc. t/a National Remodeling Company (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Unlimited Renovations & Construction Inc, t/a Unlimited Renovations, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Jeffrey & Monica Stevens (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-00987
Jeffrey & Monica Stevens
(Claimants)
Vs
Unlimited Renovations &
Construction Inc, t/a
Unlimited Renovations, Inc.
(Regulant)

Mr. Redifer the Hearing Officer was not present and did not vote.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to adopt the claim review and approve the payment of the claim in the amount of **\$3,497.00**. **Mr. Dyer** offered discussion of the language in the judgment and Mr. Pace withdrew his motion.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Oliver** to deny the claim based on the language in the judgment. The motion failed with a vote of 1 yes and 10 no. Member voting “yes”, **Dyer**. Members voting “no”: **Dowdy,**

Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton. Members absent and not voting were: Williams, Tomlin, Walker and Smith.

Board counsel answered questions from Board members.

After further discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Gelardi** that the attachment is a part of the information for consideration and therefore his motion is to recommend approving payment of the claim in the amount of **\$3,497.00**.

Upon payment of this claim, the license of **Unlimited Renovations & Construction Inc, t/a Unlimited Renovations, Inc.** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by majority vote.

Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton. Members absent and not voting were: Williams, Tomlin, Walker and Smith.**

Member voting “No” was: **Dyer.**

In the matter of Recovery Fund File Number 2012-02153, Kenneth & Denise Durham (Claimant) vs. Class A 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. **Sprucewood & Associates, Inc (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Kenneth Durham (Claimant)** did appear at the board meeting in person. He addressed the Board and shared his agreement.

File Number
2012-02153
Kenneth & Denise Durham
(Claimants)
Vs
Sprucewood &
Associates, Inc.
(Regulant)

Mr. Redifer the Hearing Officer was not present and did not vote.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00**. Upon payment of this claim, the license of **Sprucewood & Associates, Inc** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton. Members absent and not voting were: Williams, Tomlin, Walker and Smith.**

In the matter of Recovery Fund File Number 2012-02563, Sheila Waldron (Claimant) vs. Porch's Maintenance and Repair LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Porch's Maintenance and Repair LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Sheila Waldron (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-02563
Sheila Waldron
(Claimants)
Vs
Porch's Maintenance
and Repair LLC
(Regulant)

Mr. Redifer the Hearing Officer was not present and did not vote.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Walton** to adopt the claim review and reject the summary in part. The Claim Review and Summary are incorporated as a part of the order. The Board finds there is no language in the order that supports the conclusion that the court found that the conduct of Porch's Maintenance & Repair LLC involved improper or dishonest conduct.

The motion passed by majority vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Member voting "No" was: **Vander Pol.**

In the matter of Recovery Fund File Number 2011-02814, Barbara Damron (Claimant) vs. Richard Byars t/a Investment Property Maintenance (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Richard Byars t/a Investment Property Maintenance (Regulant)** did appear at the board meeting in person and he addressed the Board and shared his disagreement. **Barbara Damron (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2011-02814
Barbara Damron
(Claimants)
Vs
Richard Byars t/a
Investment Property
Maintenance
(Regulant)

Mr. Redifer the Hearing Officer was not present and did not vote.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Vander Pol** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and approve the payment of the claim in the amount of **\$20,000.00.** The Claim Review and Summary are incorporated as a part of this Order. The board finds substantial evidence that the actions of **Richard Byars t/a Investment Property Maintenance** fall within the statutory definition of improper or dishonest conduct. Upon payment of this claim, the license of **Richard Byars t/a Investment Property Maintenance** will be revoked pursuant to Title 54.1 Chapter 11,

Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Recovery Fund File Number 2012-00602, Eric Weissman (Claimant) vs. Lewis Thompson t/a Melvin Thompson Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Geneva Johnson Thompson and Lewis Thompson for Lewis Thompson t/a Melvin Thompson Construction (Regulant)** did attend the IFF.

File Number
2012-00602
Eric Weissman
(Claimants)
Vs
Lewis Thompson t/a Melvin
Thompson Construction
(Regulant)

Lewis Thompson t/a Melvin Thompson Construction (Regulant) did appear at the board meeting in person. Both Lewis and Geneva Thompson addressed the Board. And shared their disagreement. **Eric Weissman (Claimant)** did not appear at the board meeting in person by counsel or by any other qualified representative.

Mrs. Tomlin the Hearing Officer was not present and did not vote.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Dowdy** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and approve the payment of the claim in the amount of **\$20,000.00.** The Claim Review and Summary are incorporated as a part of this Order. The board finds there is language in the order that supports the conclusion that the court found that the actions of **Lewis Thompson t/a Melvin Thompson Construction** involved improper or dishonest conduct. Upon payment of this claim, the license of **Lewis Thompson t/a Melvin Thompson Construction** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Tomlin was not present and did not vote.

In the matter of Recovery Fund File Number 2012-01119, Maggie and Tri Luu (Claimant) vs. American Investments Real Estate Corporation t/a Kibra

File Number
2012-01119

Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **American Investments Real Estate Corporation t/a Kibra Construction (Regulant)** did not attend the Board meeting in person or by counsel or by any other qualified representative. **Maggie and Tri Luu (Claimants)** did attend the Board and they each addressed the Board.

**Maggie and Tri Luu
(Claimants)
Vs
American Investments Real
Estate Corporation t/a
Kibra Construction
(Regulant)**

Mrs. Tomlin the Hearing Officer was not present and did not vote.

After discussion a motion was made by **Mr. Dyer** to adopt the summary and recommendation and deny payment of the claim. The motion failed due to lack of a second.

Board Counsel answered Board member questions.

After discussion, a motion was made by **Mr. Vander Pol** and seconded by **Mr. Gelardi** to adopt the claim in this matter, and reject the Summary. The Claim Review and Summary are in cooperated as a part of the Order. The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Kibra Construction** involved improper or dishonest conduct. The Board orders that the claim be paid in the amount of **\$20,000.00**

The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Tomlin was not present and did not vote.

In the matter of Recovery Fund File Number 2012-02117, Jeffrey Levi Johnson (Claimant) vs. Cutting Edge Landscaping, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Bill Baldwin, counsel for Prospect Homes of Richmond, (Regulant) and Joe Audi for Prospect Homes of Richmond** did appear at the board meeting in person. They addressed the Board. **Jeffrey Levi Johnson (Claimant)** did appear at the board meeting in person. **He addressed the Board and shared his disagreement.**

**File Number
2012-02117
Jeffrey Levi Johnson
(Claimants)
Vs
Prospect Homes of
Richmond, Inc.
(Regulant)**

Mrs. Tomlin the Hearing Officer was not present and did not vote.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Dowdy** to

adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and deny payment of the claim. The Claim Review and Summary are incorporated as a part of this Order. The board finds substantial evidence that the actions of **Prospect Homes of Richmond**, do not fall within the statutory definition of improper or dishonest conduct.

The motion passed by majority vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Member voting “No” was: **Mr. Oliver.**

Tomlin was not present and did not vote.

In the matter of Recovery Fund File Number 2012-02740, Demetria Walker (Claimant) vs. Earl Hicks t/a EMH Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Earl Hicks t/a EMH Construction (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Demetria Walker (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-02740
Demetria Walker
(Claimants)
Vs
Earl Hicks t/a EMH
Construction
(Regulant)

After discussion, a motion was made by **Mr. Vander Pol** and seconded by **Mr. Gelardi** to adopt the claim review and summary and deny payment of the claim.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Recovery Fund File Number 2012-02948, Elzy Williams (Claimant) vs. Bruce Glass & Kenneth McDaniel t/a Cavalier Windows & Siding (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Bruce Glass & Kenneth McDaniel t/a Cavalier Windows & Siding (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Elzy Williams (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-02948
Elzy Williams (Claimants)
VS
Bruce Glass & Kenneth
McDaniel t/a Cavalier
Windows & Siding
(Regulant)

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Gelardi** to adopt the claim review and summary and to approve payment of the claim in the

amount of **\$2,170.**

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2013-00030, David Upton, 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
2013-00030
David Upton**

Applicant **David Upton** appeared at the IFF. He did **not** attend the Board meeting.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Pace** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny approval of a license. The Board has considered its 2008 Regulations: 18 VAC 50-22-40 E, and other applicable law: §54.1-204 and 54.1-1108.02 of the Code of Virginia. The Board is of the opinion that due to the seriousness and nature of the crimes and the extent of David A Upton’s past criminal activity, approving the application at this time would not be in the best interest of the public’s health, safety and welfare. The Board denies the application based upon the record. See order for additional details.

The motion passed with a unanimous vote. Members voting “yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-00930, Gregory Hebler, 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
2012-00930
Gregory Hebler**

Applicant **Gregory Hebler** appeared at the IFF. He did attend the Board meeting. He addressed the Board and shared his disagreement with the recommendation.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Dowdy** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and denies issuing a license. The Board denies the application based upon the record, including the information obtained from the Central Criminal Records Exchange, and in consideration of the criteria outlined in §54.1-204 .B. The motion

passed by unanimous vote.

Members voting “yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03023, Design By Ken Builders, 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
2012-03023
Design By Ken Builders,
LLC**

Applicant **Design By Ken Builders, LLC** appeared at the IFF. **Design By Ken Builders, LLC** did not attend the Board meeting.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Pace** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issues a license. The motion passed by unanimous vote.

Members voting “yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03414, Pro Built Construction, 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
2012-03414
Pro Built
Construction,
Inc**

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Pace** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approves issuing a license with agreement provisions. The agreement provisions are identified as follows;

The Board considered Pro Built Construction, Inc. eligibility for licensure at a business meeting on October 23, 2012, under the provisions of § 54.1-1106 of the *Code of Virginia* and 18 VAC 50-22-60.E of the *Board for Contractors Regulations*.

Having fully considered the application for Pro Built Construction, Inc. and the Responsible Manager, Guy B. Butcher’s adverse financial history and all documents submitted by him, the Board voted to grant Pro Built Construction, Inc. a Class A

Contractor's License subject only to the following provisions:

- 1) Guy B. Butcher (Butcher) within 90 days shall provide the Board evidence of having entered into an installment agreement with the IRS and the Virginia Department of Taxation payment of the outstanding taxes or proof of having paid the debt in full whichever occurs first, and;
- 2) Butcher agrees to submit to the Board evidence of his payments to the IRS and Virginia Department of Taxation on a quarterly basis. Evidence of payments are due to the Board on dates identified within the agreement.

Pro Built Construction, Inc. understands these restrictions, and agrees to abide by them in consideration of being granted a license as a Class A Contractor by the Board if he fulfills the terms of the agreement within the required time period.

The motion passed by unanimous vote.

Members voting "yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03415, Segar Construction Corporation, 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
2012-03415
Segar Construction
Corporation**

Applicant Segar Construction Corporation appeared at the IFF. **Ronald David and Mr. McLaughlin on behalf of Segar Construction Corporation** did appear at the board meeting in person. They addressed the Board and shared they are working on an offer in compromise with the Internal Revenue Service.

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

After discussion **Mr. Oliver** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference with an amendment to require that approval to issue a license will be granted if proof of an offer in compromise with the IRS and proof of payment of the tax debt is provided within 90 days of the order. The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03416, R R Painting 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
2012-03416
R R Painting LLC

Applicant R R Painting LLC appeared at the IFF. **Randolph Mitchell** for **R R Painting LLC** did attend the Board meeting.

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

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Oliver** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license. The motion passed by majority vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** **Members absent and not voting were: Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03419, Darrell Goodwin, 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
2012-03419
Darrell Goodwin

Darrell Goodwin appeared at the IFF. He did not appear at the board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Pace** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and to approve a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** **Members absent and not voting were: Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03421 Landfill Economic Renewal 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
2012-03421
Landfill Economic
Renewal LLC

Applicant **Landfill Economic Renewal LLC** appeared at the IFF. **Hugh Hawthorne**

and **Gregory Cassis, counsel for Landfill Economic Renewal LLC** did appear at the board meeting in person. They addressed the Board.

**Check counsel name
BACK TOO AMD reopen case
show vote.**

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

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Dyer** to deny issuance of a license based upon concerns of the financial criteria. There was additional discussion and **Mr. Oliver** offered a motion to grant a Class B license in lieu of a Class A license based on the financial history of the company. This motion died due to lack of a second.

Board counsel entertained Board member questions. Board members had additional discussion and then **Mr. Dyer** offered a motion seconded by **Mr. Gelardi** to remand the case back to staff in order to have an Informal Fact Finding Conference conducted to allow applicant time to present a certified public accountant statement of the business finances.

The motion passed by majority vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Oliver, Pace, Chowdhuri, and Vander Pol**, Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

Members voting “No” were: **Giesen, Walton, Murrow and Middleton**.

In the matter of License Application File Number 2012-03572 ANT Construction and Management Corp, 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
2012-03572
ANT Construction
and Management
Corp**

ANT Construction and Management Corp appeared at the IFF. **ANT Construction and Management Corp** did not attend the Board meeting.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Giesen** offered a motion that was seconded by **Mr. Walton** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

In the matter of License Application File Number 2012-03574 Jiao Bang Cen, 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
2012-03574
Jiao Bang Cen**

Jiao Bang Cen appeared at the IFF. He did not appear at the board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Brigil** was not present.

After further discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03620, Stephen McMullen, 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
2012-03620
Stephen McMullen**

Stephen McMullen appeared at the IFF. **Stephen McMullen** did not appear at the board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve a license.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03621 Eric Jean- Marie Toupin, 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
2012-03621
Eric Jean-Marie
Toupin**

Applicant **Eric Jean- Marie Toupin** appeared at the IFF. **Eric Toupin** attended the Board meeting and addressed the Board. He shared his agreement.

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

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03622, Hands on Painting & Repair 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
2012-03622
Hands on Painting &
Repair LLC

Applicant Hands on Painting & Repair LLC appeared at the IFF. **Hands on Painting & Repair LLC** did not attend the Board meeting.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Pace** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issues a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03623 Charode Glenn, Sr. 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
2012-03623
Charode Glenn, Sr.

Applicant **Charode Glenn, Sr.** appeared at the IFF. He did appear at the board meeting and he addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03624 Ralph W. Johnson, 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
2012-03624
Ralph W. Johnson, Jr.

Applicant **Ralph W. Johnson, Jr.** appeared at the IFF via telephone. **Andrew Beaman** of the Department of Corrections on behalf of **Ralph W. Johnson, Jr.** did appear at the board meeting. He addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

Mrs. Clay shared with the Board a correction needed to be noted: in Section 2: a reference is made to someone named Carter and it should state Johnson.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Vander Pol** to grant a license with conditions. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03706 Behr Electric, 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
2012-03706
Behr Electric, LLC

Applicant **Nathan Behr** for **Behr Electric, LLC** appeared at the IFF. He did appear at the board meeting in person. Mr. Behr addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver,**

Pace, Chowdhuri, Giesen, Vander Pol, and Walton. Members absent and not voting were: Williams, Tomlin, Walker and Smith.

In the matter of License Application File Number 2012-03744 Christian Murga, 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
2012-03744
Christian Murga**

Applicant **Christian Murga** appeared at the IFF. **Christian Murga** did appear at the board meeting in person. He addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

Mrs. Clay shared with the Board a correction needed to be made for the record as follows; In section 4 there does / does not appear - should be does not The recommendation name should be Christian not Christina.

After discussion **Mr. Giesen** offered a motion that was seconded by **Mr. Walton** to issue a license. The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton. Members absent and not voting were: Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03745 Joseph Carter 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
2012-03745
Joseph Carter**

Applicant **Joseph Eric Carter** appeared at the IFF. **Brandon Richard McDonald** did appear at the board meeting in person. He addressed the Board.

The presiding Board representative **Mrs. Clay** was not present.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to grant a license with conditions. The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams. Members absent and not voting were: Walker and Giesen.**

In the matter of License Application File Number 2012-03746 Darcon 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
2012-03746
Darcon LLC**

Applicant **Robert Burrell for Darcon LLC.** appeared at the IFF. **Robert Burrell for Darcon LLC.** did appear at the board meeting in person. He addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Pace** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03747 Rodney Turner t/a Turner’s Misc Services 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
2012-03747
Rodney Turner t/a
Turner’s
Misc Services**

Applicant **Rodney Turner t/a Turner’s Misc Services** appeared at the IFF. He did not appear at the board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Brigil** was not present.

Mrs. Clay shared with the Board a correction needed to be noted for the record. In section 5, September 1991 conviction should be attempted robbery, not robbery.

After discussion **Mr. Oliver** offered a motion that was seconded by **Mr. Murrow** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03749 Jonathan Morford 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
2012-03749
Jonathan Morford**

Applicant **Jonathan Morford** appeared at the IFF. **Jonathan Morford** did appear at the board meeting in person. He addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present. Mrs. Clay shared with the Board that a correction needed to be made for the record. The recommendation states the Board should allow him to take the “master journeyman” exam should just be “Master”.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Pace** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03750 Brian Bordeaux t/a Capitol Renovations 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
2012-03750
Brian Bordeaux t/a
Capitol Renovations

Applicant **Brian Bordeaux t/a Capitol Renovations** appeared at the IFF. **Brian Bordeaux t/a Capitol Renovations** did appear at the board meeting in person. **Brian Bordeaux** addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Gelardi** to issue a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03824 Gold Port Home Improvements 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
2012-03824
Gold Port Home
Improvements LLC

Applicant **Gold Port Home Improvements LLC** appeared at the IFF. **Gold Port Home Improvements LLC** did not appear at the board meeting in person or by

counsel or by any other qualified representative

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Pace** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03825 3D Source Refrigeration & HVAC, 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
2012-03825
Source Refrigeration
& HVAC, Inc.**

Ann Rackas Pate counsel for **3D Source Refrigeration & HVAC, Inc.** appeared at the IFF. **Counsel** appeared at the board meeting in person and addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Pace** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03826 Jacob Bachman 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
2012-03826
Jacob Bachman**

Applicant **Jacob Bachman** appeared at the IFF. He did appear at the board meeting in person. **Mr. Bachman** addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Walton** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by majority vote.

Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver,**

Chowdhuri, Vander Pol, and Walton. Members absent and not voting were: Williams, Tomlin, Walker and Smith.

Members voting “No” were: Dyer, Pace, and Giesen.

In the matter of License Application File Number 2012-03827 Home Builders, 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
2012-03827
Home Builders, Inc.**

Applicant **Home Builders, Inc.** appeared at the IFF. **Home Builders, Inc.** did not appear at the board meeting in person by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to grant a license. Mr. Oliver shared some concerns during additional discussion. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton. Members absent and not voting were: Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2013-00034 Kenneth Evans 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
2013-00034
Kenneth Evans**

Applicant **Kenneth Evans** appeared at the IFF. **Kenneth Evans** did not appear at the board meeting in person by counsel nor by any other qualified representative.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton. Members absent and not voting were: Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-00035, Alvin Simons (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2012-00035
Alvin Simons**

Mr. Mayhew for Alvin Simons (Respondent) did appear at the IFF. **Mike Mayhew** for **Alvin Simons** did attend the Board meeting. **Mr. Mayhew** addressed the Board and shared agreement.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to issue a license.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2013-00048 Brett Cameron t/a Natures Own Concrete 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
2013-00048
Brett Cameron t/a
Natures Own
Concrete**

Applicant **Brett Cameron t/a Natures Own Concrete** appeared at the IFF. **Brett Cameron t/a Natures Own Concrete** did not appear at the board meeting in person by counsel nor by any other qualified individual.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Gelardi** to approve issuing a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2013-00050, McCoy A. Turner 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
2013-00050
McCoy A. Turner**

Applicant **McCoy A. Turner** appeared at the IFF. **McCoy A. Turner** did appear at the board meeting in person and addressed the Board. He shared his agreement.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2013-00062 Mario Ibarra Rocha 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
2013-00062
Mario Ibarra Rocha

Applicant **Mario Ibarra Rocha** appeared at the IFF. **Mario Ibarra Rocha** did appear at the board meeting in person and addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2013-00063 Michael Rodriguez, Sr. 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
2013-00063
Michael Rodriguez, Sr.

Applicant **Michael Rodriguez, Sr.** appeared at the IFF. **Michael Rodriguez, Sr.** appeared at the board meeting in person. He addressed the Board and shared his agreement.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to grant

a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2013-00070 Gregory Fox 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
2013-00070
Gregory Fox**

Mike Mayhew for Applicant **Gregory Fox** appeared at the IFF. **Mike Mayhew for Gregory Fox** did appear at the board meeting in person and **Mike Mayhew** addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Dowdy** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Mr. Oliver abstained from voting.

In the matter of License Application File Number 2013-00071 Holly Rae Tinsley 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
2013-00071
Holly Rae Tinsley**

Applicant **Holly Rae Tinsley** appeared at the IFF. **Holly Rae Tinsley** did appear at the board meeting in person. **Holly Rae Tinsley** addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Pace** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2013-00072 Brooks Drywall of VA, 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
2013-00072
DJD Services Inc.

Applicant **Dale Kinser for DJD Services Inc.** appeared at the IFF. **Dale Kinser for DJD Services Inc.** did appear at the board meeting in person. **Dale Kinser** addressed the Board and shared his agreement.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Walton** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by majority vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2013-00111 Jonathan King 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
2013-00111
Jonathan King

Applicant **Jonathan King** appeared at the IFF. **Jonathan King** did not appear at the board meeting in person by counsel nor by any other qualified individual.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Dowdy** to thoroughly considered the record, the Summary of the IFF and the Recommendation. The Board is of the opinion that allowing **Jonathan King** certification would not serve to protect the health, safety and welfare of the public. For addition information see final opinion and order **2013-00111**. The Board will deny a license at this time based upon the record, including the information obtained from the central Criminal Records Exchange, and in consideration of the criteria outlined in §54.1-204.B of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2013-00114 Freeman Ent. 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
2013-00114
Freeman Ent. LLC

Applicant **Freeman Ent. LLC** appeared at the IFF. **Freeman Ent. LLC** did appear at the board meeting in person and addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Giesen** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-01791 Kevin R. Ludwig 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
2012-01791
Kevin R. Ludwig

Applicant **Kevin R. Ludwig** appeared at the IFF. **Kevin R. Ludwig** did not appear at the board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Clay** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to deny issuing a license. The Board thoroughly considered the record, the Summary of the IFF and the Recommendation. The Board is of the opinion that allowing **Kevin R. Ludwig** certification would not serve to protect the health, safety and welfare of the public. For addition information see final opinion and order **2012-01791**. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03573 Jack Hutto t/a Jag Construction 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
2012-03573
Jack Hutto t/a Jag Construction

Applicant **Jack Hutto t/a Jag Construction** appeared at the IFF. **Jack Hutto t/a Jag Construction** did not appear at the Board meeting in person, by counsel nor by any other qualified individual representative.

The presiding Board representative **Mrs. Clay** was not present.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Gelardi** to approve issuing a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2013-00031 Hernandez Home Improvement 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
2013-00031
Hernandez Home
Improvement LLC

Applicant **Hernandez Home Improvement LLC** appeared at the IFF. **Susan Henry for Hernandez Home Improvement LLC** did appear at the Board meeting in person. **Susan Henry** addressed the Board.

The presiding Board representative **Mrs. Howard** was not present.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Gelardi** to approve issuing a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of License Application File Number 2012-03421 Landfill Economic Renewal LLC, Mr. Pace offered a motion seconded by **Mr. Giesen** to reopen the case.

Reopening of Case
2012-03412

Hugh Hawthorne and Gregory Cassis, counsel for Landfill Economic Renewal LLC were present at the board meeting in person.

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

After discussion **Mr. Giesen** offered a motion that was seconded by **Mr. Pace** that the Board considered Landfall Economic Renewal LLC eligibility for licensure at a business meeting on October 23, 2012, under the provisions of § 54.1-1106 of the *Code of Virginia* and 18 VAC 50-22-60.E of the *Board for Contractors Regulations*.

Having fully considered the application for Landfall Economic Renewal LLC and the Designated Employee, Nancy R. Hawthorne and Responsible Manager, Hugh Hawthorne's adverse financial history and all documents submitted by him, the Board voted to grant Landfall Economic Renewal LLC a Class A Contractor's License subject only to the following provisions:

- 1) Hugh Hawthorne (Hawthorne) shall submit to the Board within 90 days a balance sheet reviewed by a certified public accountant that verifies the net worth of Landfall Economic Renewal LLC and;
- 2) That within 30 days of the discharge of his debts, Hawthorne provides the Board with a copy of the Discharge Order from the bankruptcy court and;
- 3) That within 60 days of the discharge of his debts, Hawthorne submits evidence to the Board of one of the following:
 - a. Evidence he has entered into an Offer in Compromise with the IRS for the outstanding tax debt; or
 - b. Evidence he has entered into an installment agreement with the IRS for payment of the outstanding payroll taxes and;
- 4) If Hawthorne enters into an installment agreement, he agrees to submit evidence to the Board of his payments to the IRS on a quarterly basis until the debt is satisfied or for a period of two years, whichever first occurs, and;

Evidence of outstanding tax payments are due to the Board on dates identified in the agreement.

The motion passed by unanimous vote.

Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board took a break at 11:15 am.

Break

The Board reconvened the meeting at 11:30 am.

Reconvene

In the matter of Disciplinary File Number 2012-00834, Prosser’s Renovations, 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
 2012-00834
 Prosser’s
 Renovations, Inc.**

Prosser’s Renovations, Inc (Respondent) did not appear at the IFF in person or by counsel or by any other qualified representative. **John Jason Buford (Complainant)** appeared at the IFF. **Prosser’s Renovations, Inc** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Prosser’s Renovations, Inc** violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 8	
Count 2:	18 VAC 50-22-260 B 6	
Count 3:	18 VAC 50-22-260 B 27	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

After discussion **Mr. Dyer** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

Sanctions		
Count 1:		\$350.00
Count 2:		\$2,500.00
Count 3:		\$650.00
	Total	\$3,500.00

In addition, for violation of Count 1, the Board voted to require

Prosser's Renovations, Inc have a member of responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective of the order.

The Board imposed Revocation of the license for the violation of Count 2 and Count 3.

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Disciplinary File Number 2012-01473, Solutions Plumbing Heating And Cooling 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
2012-01473
Solutions Plumbing
Heating And
Cooling Inc**

Solutions Plumbing Heating And Cooling Inc (Respondent) did not appear at the IFF. Carl and Nancy Wells (Complainant) appeared at the IFF. **Solutions Plumbing Heating And Cooling Inc** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Solutions Plumbing Heating And Cooling Inc** violated the following sections of its Regulations:

Violations	February 1, 2006
Count 1:	18 VAC 50-30-260 B8
Count 2:	18 VAC 50-30-260 B 15

Violations	September 1, 2001	
Count 3:	18 VAC 50-22-220 A	
Count 4:	18 VAC 50-22-220 C	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

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

After discussion, **Mr. Oliver** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

Sanctions		
Count 1:		\$ 350.00
Count 2:		\$ 1,550.00
Count 3:		\$ 400.00
Count 4:		\$ 400.00
Total		\$2,700.00

As to violation of **Count 1, 3 and 4**, the Board voted to require **Solutions Plumbing Heating And Cooling Inc** have a member of responsible management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The Board imposed revocation of license for violation of Count 2.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

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

In the matter of Disciplinary File Number 2012-02370, Kenneth Short (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
2012-00510
Kenneth Short**

Kenneth Short (Respondent) did not appear at the IFF in person or by counsel or by any other qualified representative. **Kenneth Short** did not appear at the board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Dowdy** 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. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Kenneth Short** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

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

After discussion, **Mr. Dyer** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

Sanctions		
Count 1:		\$2,000.00
Count 2:		\$1,000.00
Total		\$3,000.00
As to violation of Count 1 and Count 2 , the Board voted to impose revocation of license.		

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.**

Members absent and not voting were: Williams, Tomlin, Walker and Smith.

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

In matter of the Disciplinary File Number 2012-02922, Isaac Forrest (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
2012-02922
Isaac Forrest**

Isaac Forrest (Respondent) did not appear at the IFF in person or by counsel or by any other qualified representative. **Elizabeth Goff (Complainant) and Mike Hackett,** Witness attended the IFF. **Isaac Forrest** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Dyer** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Isaac Forrest** violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-220 B 6	
Count 3:	18 VAC 50-22-220 B 6	
Count 4:	18 VAC 50-22-220 B 16	
Count 5:	18 VAC 50-22-220 B 28	
Count 6:	18 VAC 50-22-220 B 28	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** **Members absent and not voting were: Williams, Tomlin, Walker and Smith.**

After discussion, **Mr. Dyer** offered a motion seconded by **Mr. Giesen** to impose the following sanctions:

Sanctions		
Count 1:		\$350.00
Count 2:		\$1,250.00
Count 3:		\$ 750.00
Count 4:		\$2,000.00
Count 5:		\$1,850.00
Count 6:		\$1,850.00
Total		\$8,000.00

In addition for violation of **Counts 1**, the Board voted to require Isaac Forrest have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The Board voted to impose revocation of the license for violation of Count 2, 3, 4, 5 and 6.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Mr. Dowdy the Board’s hearing officer was not present and did not vote.

In the matter of Disciplinary File Number 2011-04164, Coast Pools & Spa LLC (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
2011-04164
Coast Pools &
Spa LLC**

Lisa A Jensen on behalf of Coast Pools & Spa LLC (Respondent) did not appear at the IFF. **Coast Pools & Spa LLC** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Coast Pools & Spa LLC** violated the following sections of its Regulations:

Violations		February 1, 2006	
Count 1:	18 VAC 50-22-260 B 8		
Count 2:	18 VAC 50-22-260 B 31		

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Mr. Dyer the board hearing officer did not participate in the discussion and vote.

After discussion, **Mr. Walton** offered a motion seconded by **Mr. Giesen** to impose the following sanctions:

Sanctions	
Count 1:	\$350.00
Count 2:	\$450.00
Total	\$800.00

In addition, for violation of Count 1 and 2, the Board voted to require **Coast Pools & Spa LLC** have a member of Responsible management successfully complete a Board-approved remedial education class within 90 (ninety) days of the order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion passed by unanimous vote. Members voting “Yes” were **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Mr. Dyer the board hearing officers did not participate in the discussion and vote.

In the matter of Disciplinary File Number 2012-00482, Coshay Custom Homes LLC, t/a Coshay Custom Homes (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
2012-00482
Coshay Custom
Homes
LLC, t/a Coshay
Custom
Homes**

Coshay Custom Homes LLC, t/a Coshay Custom Homes (Respondent) did not appear at the IFF. **Coshay Custom Homes LLC, t/a Coshay Custom Homes** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Vander Pol** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Coshay Custom Homes LLC, t/a Coshay Custom Homes** violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 31	
Count 3:	18 VAC 50-22-260 B 15	
Count 4:	18 VAC 50-22-260 B 16	
Count 5:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Mr. Dyer the board hearing officers did not participate in the discussion and vote.

After discussion, **Mr. Pace** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

Sanctions		
Count 1:		\$500.00
Count 2:		\$400.00
Count 3:		\$2,500.00
Count 4:		\$2,000.00
Count 5:		\$1,500.00
Total		\$6,900.00

In addition, for violation of Count 1, and 2, the Board voted to require **Coshay Custom Homes LLC** have a member of responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective of the order.

The Board also imposed revocation of the license for violation of Count 3, 4 and 5.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Disciplinary File Number 2012-01383, Roger R Haga, t/a Old Time Construction (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
2012-0183
Roger R Haga, t/a
Old Time
Construction**

Roger R Haga, t/a Old Time Construction (Respondent) did not appear at the IFF. **Roger R Haga, t/a Old Time Construction** did not attend the Board meeting in person or by counsel or by any other qualified representative. **Mr. Haga** did call Board staff Sheila Watkins and share that due to medical reasons he would not be able to attend the Board meeting.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Roger R Haga, t/a Old Time Construction** violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 6	
Count 3:	18 VAC 50-22-260 B 27	

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Mr. Dyer the board hearing officer did not participate in the discussion and vote.

Mrs. Clay shared with the Board that **Roger R Haga, t/a Old Time Construction** had priors and had entered into a 2005 consent order and had fulfilled the terms of the order.

After discussion, **Mr. Oliver** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

Sanctions		
Count 1:		\$0.00
Count 2:		\$0.00
Count 3:		\$0.00
Total		\$0.00

In addition, for violation of Count 1, 2 and 3, the Board voted to require **Roger R Haga** have a member of responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective of the order.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer Mr. Dyer did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-01890, All First Inc, t/a Service Doctors (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
2012-01890
All First Inc, t/a
Service Doctors**

All First Inc, t/a Service Doctors (Respondent) did not appear at the IFF. **All First Inc, t/a Service Doctors** did not attend the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Dyer** was not present, did not participate in the

discussion and did not vote.

After discussion, a motion was made by **Mr. Oliver** 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 adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **All First Inc, t/a Service Doctors** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Mr. Dyer the board hearing officer was not present did not participate in the discussion and vote.

After discussion, **Mr. Oliver** offered a motion seconded by **Mr. Pace** to impose the following sanctions:

Sanctions		
Count 1:		\$1,500.00
Count 2:		\$2,000.00
Total		\$3,500.00
Upon reviewing the record, the Board considered the facts outlined in Count 2 warranted revocation of the license.		

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer Mr. Dyer did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-01898, Danar Construction 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
 2012-01898
 Danar
 Construction Inc.**

Danar Construction Inc. (Respondent) did not appear at the IFF. **Cynthia Miller, (Complainant)** attended the IFF. **Danar Construction Inc. did not** attend the Board meeting in person by counsel nor by any other qualified representative. **Gary Byler, attorney** on behalf of **Cynthia Miller (Complainant)** attended the Board meeting. He addressed the Board on behalf of **Mrs. Miller** and shared their agreement.

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

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Giesen** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Danar Construction Inc.** violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 15	
Count 3:	18 VAC 50-22-260 B 16	
Count 4:	18 VAC 50-22-260 B 28	
Effective September 1, 2001		
Count 5:	18 VAC 50-22-230 B	
Count 6:	§54-1.1110 of the Code of Virginia	

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer Mr. Dyer did not vote and did not participate in the discussion.

After discussion, **Mr. Walton** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

Sanctions		
Count 1:		\$350.00
Count 2:		\$2,500.00
Count 3:		\$2,500.00

Count 4:		\$2,500.00
Count 5:		\$ 600.00
Total		\$8,450.00

For violation of **Counts 1 and 5** the Board recommended to require **Danar Construction Inc.** to require a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the order or the license would be suspended.

In addition, for violation of Count 2, 3, 4 and 6, the Board voted to revoke the license.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer Mr. Dyer did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-02311, Norvell Custom Awnings Corp (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
2012-02311
Norvell Custom
Awnings Corp**

Ryan Greczek on behalf of Norvell Custom Awnings Corp (Respondent) did appear at the IFF. **Ryan Greczek** on behalf of **Norvell Custom Awnings Corp** did attend the Board meeting in person.

The presiding Board representative **Mr. Pace** 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. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds closes this aspect of the file with a finding of no violation.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and**

Walton. Members absent and not voting were: Williams, Tomlin, Walker and Smith.

The Board’s hearing officer Mr. Dyer did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-02050, Danny Wilder t/a Wilder’s Farms Backhoe & Dozer Service (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
 2012-02050
 Danny Wilder t/a
 Wilder’s Farms
 Backhoe
 & Dozer Service**

Virginia Wilder and Danny Wilder t/a Wilder’s Farms Backhoe & Dozer Service (Respondent) did appear at the IFF. **Marlene Buckman (Complainant)** attended the IFF. **Danny Wilder t/a Wilder’s Farms Backhoe & Dozer Service** did attend the Board meeting in person. He addressed the Board and shared his disagreement. **Marlene Buckman (Complainant)** appeared at the Board meeting.

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

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Danny Wilder t/a Wilder’s Farms Backhoe & Dozer Service**, violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 6	
Count 2:	18 VAC 50-22-260 B 27	Two violations
Count 3:	18 VAC 50-22-260 B 17	
Count 4:	18 VAC 50-22-260 B 29	

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officers Mr. Dyer, Sumpter and Kinser did not vote and did not participate in the discussion.

After discussion, **Mr. Walton** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

Sanctions		
Count 1:		\$1,000.00
Count 2:		\$1,500.00
Count 3:		\$ 750.00
Count 4:		\$ 500.00
Total		\$3,750.00

In addition for violation of **Count 1, 2 and 3** the Board voted to require **Danny Wilder t/a Wilder's Farms Backhoe & Dozer Service** have a member of responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective of the order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board's hearing officers Mr. Dyer, Sumpter and Kinser did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-01197, Gable Grant Painter, t/a G P Restoration (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
2011-01197
Gable Grant Painter,
t/a G P Restoration**

Gable Grant Painter, t/a G P Restoration (Respondent) did not appear at the IFF. **Gable Grant Painter, t/a G P Restoration,** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Oliver** 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 adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Gable Grant Painter, t/a G P Restoration** violated the following sections of its Regulations:

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Violations		February 1, 2006
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 8	
Count 3:	18 VAC 50-22-260 B 31	
Count 4:	18 VAC 50-22-260 B 6	
Count 5:	18 VAC 50-22-260 B 13	
	September 1, 2001	
Count 6:	18 VAC 50-22-230 B	

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer **Mr. Gelardi** did not vote and did not participate in the discussion.

After discussion, **Mr. Oliver** offered a motion seconded by **Mr. Pace** to impose the following sanctions:

Sanctions	
Count 1:	\$350.00
Count 2:	\$350.00
Count 3:	\$400.00
Count 4:	\$750.00
Count 5:	\$1,250.00
Count 6:	\$2,500.00
Total	\$5,600.00

Revocation of license for the violation of Count 4, 5 and 6. In addition for violation of Count 1, 2, and 3 the Board voted to require **Gable Grant Painter, t/a G P Restoration** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.**

Members absent and not voting were: Williams, Tomlin, Walker and Smith.

The Board's hearing officer Mr. Gelardi did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-01364, 1 Element LLC (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
2012-01364
1 Element LLC

1 Element LLC (Respondent) did appear at the IFF. **1 Element LLC** did not attend the Board meeting in person or by counsel or by any other qualified representative.

Anthony Saa (Complainant) attended the IFF meeting. He also attended the Board meeting and addressed the Board.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Giesen** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **1 Element LLC** violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-230 B 2	

The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Middleton, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** **Members absent and not voting were: Williams, Tomlin, Walker and Smith.**

The Board's hearing officers Mr. Gelardi and Mr. Murrow did not vote and did not participate in the discussion.

Mrs. Clay shared with the Board that John L Bisnett Sr. t/a JL Bisnett Construction has prior disciplinary action. In April 2011 a Consent Order, 2010-05931 with 2 violations resulting in penalties and Board costs and remedial education was entered into.

After discussion, **Mr. Dyer** offered a motion seconded by **Mr. Oliver** to impose the following sanctions:

Sanctions		
Count 1:		\$1,000.00
Total		\$1,000.00

Revocation of the license for violation of Count 1.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Middleton, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officers Mr. Murrow and Mr. Gelardi did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-01551, Todd Lacy Enterprises 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
2012-01551
Todd Lacy
Enterprises Inc**

Todd Lacy for Todd Lacy Enterprises Inc (Respondent) did appear at the IFF. **Todd Lacy for Todd Lacy Enterprises Inc** did attend the Board. **Louis Pleasant and Thomas Kenney** on behalf of **Pilgrim Journey Baptist Church (Complainant)** appeared at the IFF.

The presiding Board representative **Mr. Gelardi** 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. Dyer** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Todd Lacy Enterprises Inc** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.**

Members absent and not voting were: Williams, Tomlin, Walker and Smith.

The Board's hearing officer Mr. Gelardi did not vote and did not participate in the discussion.

Mrs. Clay shared with the Board that priors exist: In June of 2012 Todd Lacy Enterprises Inc was found in violation and in August 2012 came into compliance with the order.

After discussion, **Mr. Dyer** offered a motion seconded by **Mr. Pace** to impose the following sanctions:

Sanctions

The Board also imposes Revocation of license for the violation of Count 2. However, the Board shall stay the imposition of the license revocation, and place **Todd Lacy Enterprises Inc on probation**. In addition the Board voted to require **Todd Lacy Enterprises Inc** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this order. **Todd Lacy Enterprises, Inc** shall provide evidence acceptable to the Board within 90 days of the order that it has satisfied the outstanding judgment. As to Count 1, the Board closes this aspect of the file with a finding of no violation. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. **Members absent and not voting were: Williams, Tomlin, Walker and Smith.**

The Board's hearing officer Mr. Gelardi did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-01885, Howard Payton t/a Payton's Paving & Landscaping (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
2012-01885
Howard Payton t/a
Payton's Paving &
Landscaping**

Howard Payton t/a Payton's Paving & Landscaping (Respondent) did appear at the IFF. **Howard Payton t/a Payton's Paving & Landscaping** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Oliver** 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 adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Howard Payton t/a Payton's Paving & Landscaping**, violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

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

Mrs. Clay shared that priors exist: In May of 2009 there was a violation and a fine with the requirement of remedial completion. **The Regulant** came into compliance.

After discussion, **Mr. Pace** offered a motion seconded by **Mr. Oliver** to impose the following sanctions:

Sanctions
The Board also imposes Revocation of license for the violation of Count 1. However, the Board shall stay the imposition of the license revocation, and place Howard Payton t/a Payton's Paving & Landscaping on probation. In addition the Board voted to require Howard Payton t/a Payton's Paving & Landscaping shall provide evidence acceptable to the Board within 90 days of the order that it has satisfied the outstanding judgment. Failure to comply with the terms will result in the automatic imposition of license revocation.

The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

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

In the matter of Disciplinary File Number 2012-02405, New Style Construction LLC (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
2012-02405
New Style
Construction LLC

New Style Construction LLC (Respondent) did not appear at the IFF. **New Style Construction LLC** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Dyer** to adopt the Report of Findings, this contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **New Style Construction LLC**, violated the following sections of its Regulations:

Violations		
Count 1:	§54.1-1110 of the Code of Virginia	

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

The Board’s hearing officer Mr. Gelardi did not vote and did not participate in the discussion.

After discussion, **Mr. Dyer** offered a motion seconded by **Mrs. Oliver** to impose the following sanctions:

Sanctions	
Count 1:	Revocation of license for the violation of Count 1. The Board did not impose a monetary sanction for the violation.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer **Mr. Gelardi** did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-02714, **Daniel K Parker, a Parker Home Improvement (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
2012-02714
Daniel K Parker, t/a
Parker Home
Improvement**

Daniel K Parker, a Parker Home Improvement (Respondent) did not appear at the IFF. **Daniel K Parker, a Parker Home Improvement (Respondent)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After further discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Dyer** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Daniel K Parker, a Parker Home Improvement** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer **Mr. Gelardi** did not vote and did not participate in the discussion.

After discussion, **Mr. Oliver** offered a motion seconded by **Mr. Walton** to impose the following sanctions:

Sanctions

Revocation of license for the violation of Count 1. However, the Board shall stay the imposition of the license revocation, and place **Daniel K Parker, a Parker Home Improvement** on probation, under the following terms: **Daniel K Parker, a Parker Home Improvement** shall provide evidence acceptable to the Board within 90 days of the **effective date of this order** that he has satisfied the outstanding judgment. If **Daniel K Parker, a Parker Home Improvement** fails to comply with the terms of the probation, then license revocation shall automatically be imposed. In addition for violation of Count 1, the Board voted to require **Daniel K Parker, a Parker Home Improvement** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer Mr. Gelardi did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-00102, Timothy D Cotton, t/a Virginia Plumbing (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
2012-00102
Timothy D Cotton, t/a
Virginia Plumbing**

Timothy D Cotton, t/a Virginia Plumbing (Respondent) did appear at the IFF. **Timothy D Cotton, t/a Virginia Plumbing** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Oliver** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Timothy D Cotton, t/a Virginia Plumbing**, violated the following sections of its Regulations:

Violations		September 1, 2001
Count 1:	18 VAC 50-22-230 A	
Effective	February 1, 2006	
Count 2:	18 VAC 50-22-260 B 8	
Count 3:	18 VAC 50-22-260 B 6	

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer **Mr. Giesen** did not vote and did not participate in the discussion.

After discussion, **Mr. Dyer** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

Sanctions		
Count 1:		\$230.00
Count 2:		\$150.00
Count 3:		\$0.00
Total		\$400.00

In addition, for violation of **Counts 1, and 2** the Board voted to require **Timothy D Cotton, t/a Virginia Plumbing** have a member of Responsible Management successfully complete a Board-approved remedial education. Failure to comply with the terms will result in the automatic imposition of license suspension.

The Board also imposes suspension of the license for the violation of Count 2 at he has obtained a tradesman license, has met the requirements to be named the Qualified Individual and has submitted an application to the Board naming himself as the Qualified Individual until he presents evidence; or presents evidence acceptable to the Board that Cotton has submitted an application to the Board naming a new Qualified individual that meets the requirements of the Boards Regulations. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer **Mr. Giesen** did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-00754, Edward Dimarco t/a C&J Lawn Service (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
2012-00754
Edward Dimarco t/a
C&J Lawn Service**

Edward Dimarco t/a C&J Lawn Service (Respondent) did not appear at the IFF in person or by counsel or by any other qualified representative. **Edward Dimarco t/a C&J Lawn Service (Respondent)** did not attend the Board meeting in person or by counsel or by any other qualified representative. **Rona Sayetta (Complainant)** attended the IFF.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Edward Dimarco t/a C&J Lawn Service** violated the following sections of its Regulations:

Violations	February 1, 2006
Count 1:	18 VAC 50-22-260 B 8
Count 2:	18 VAC 50-22-260 B 27
Count 3:	18 VAC 50-22-260 B 27
Count 4:	18 VAC 50-22-260 B 22
Count 5:	18 VAC 50-22-260 B 23

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer Mr. Kinser was not present, did not vote and did not participate in the discussion.

After discussion, **Mr. Dyer** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

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

In addition, for violation of count 1, 3 4, and 5 the Board voted to impose Revocation of license for the violation of the regulations.

In addition, for violation of Count 2, the Board voted to require Edward P Dimarco have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

In the matter of Disciplinary File Number 2012-02824 JCG Building Company, LLC (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
2012-02824
JCG Building
Company, LLC**

John Gurney on behalf of JCG Building Company, LLC (Respondent) did appear at the IFF. **John Gurney on behalf of JCG Building Company, LLC** did attend the Board meeting in person with counsel.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **JCG Building Company, LLC** violated the following sections of its Regulations:

Violations

Count 1:	§54.1-1100	

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer Mr. Kinser was not present, did not vote and did not participate in the discussion.

There was additional discussion and Board counsel answered questions for Board members. The Board had further discussion and:

After discussion, **Mr. Oliver** offered a motion seconded by **Mr. Gelardi** to amend the recommendation and rescind the violation and the revocation and instead to offer a consent order which the Regulant will have 14 days to review and agree to and then an additional 90 (ninety) days to come into compliance with the terms.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer Mr. Kinser was not present, did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-02243, Jonathan Gibson, t/a C and J Painting (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
2012-02243
Jonathan Gibson, t/a
C and J Painting**

Jonathan Gibson, t/a C and J Painting (Respondent) did not appear at the IFF in person or by counsel or by any other qualified representative. **Jonathan Gibson, t/a C and J Painting** did not attend the Board meeting in person, by counsel nor any other representative.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or

statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Jonathan Gibson, t/a C and J Painting** violated the following sections of its Regulations:

Violations	February 1, 2006
Count 1:	18 VAC 50-22-260 B 8
Count 2:	18 VAC 50-22-260 B 9
Count 3:	18 VAC 50-22-260 B 27
Count 4:	18 VAC 50-22-260 B 14
Count 5:	18 VAC 50-22-260 B 16

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

The Board’s hearing officer Mr. Redifer was not present, did not vote and did not participate in the discussion.

After discussion, **Mr. Dyer** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

Count 1:	\$350.00
Count 2:	\$350.00
Count 3:	\$350.00
Count 4:	\$1,000.00
Count 5:	\$1,000.00
Count 6:	\$350.00
Total	\$3,400.00

In addition, for violation of Count 1, 2, 3 and 6, the Board voted to require **Jonathan Gibson, t/a C and J Painting** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension. The Board also imposed Revocation of the license for violation of count 4 and 5.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer **Mr. Redifer** was not present, did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-02404, Hull Creek Mechanical (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
2012-02404
Hull Creek Mechanical

Ernest Sadler on behalf of Hull Creek Mechanical (Respondent) did appear at the IFF. **Hull Creek Mechanical** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board closes this aspect of the file with a finding of no violation.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer **Mr. Redifer** was not present, did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-00648, Nissley Brothers Construction 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
2012-00648
Nissley Brothers
Construction Inc

John and Jim Nissley on behalf of Nissley Brothers Construction Inc (Respondent) did appear at the IFF. **John and Jim Nissley on behalf of Nissley Brothers Construction Inc** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Nissley Brothers Construction Inc**, violated the following sections of its Regulations:

Violations	February 1, 2006
Count 2:	18 VAC 50-22-260 B 5

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

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

After discussion, **Mr. Dyer** offered a motion seconded by **Mr. Giesen** to impose the following sanctions:

Sanctions	
Count 2:	\$2,000.00
Total	\$ 2,000.00

In addition, for violation of **Count 2**, the Board voted to revoke the license. As to Count 1, the Board closes this aspect of the file with a finding of no violation.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton**. Members absent and not voting were: **Williams, Tomlin, Walker and Smith**.

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

In the matter of Disciplinary File Number 2012-01451, Richard Aquilino Agustin (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
2012-01451
Richard Aquilino
Agustin**

Richard Aquilino Agustin (Respondent) did not appear at the IFF. **Richard Aquilino Agustin** did not attend the Board meeting. **Diane Healey (Complainant) and Paul Kellinger, Complainant's Attorney** attended the IFF. Mrs. Healey also attended the Board meeting. She addressed the Board and shared her agreement with the Recommendation.

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

After discussion, a motion was made by **Mr. Dowdy** and seconded by **Mr. Oliver** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Richard Aquilino Agustin**, violated the following sections of its Regulations:

Effective:	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 8	
Count 4:	18 VAC 50-22-260 B 27	Two violations
Count 5:	18 VAC 50-22-260 B 6	
Count 6:	18 VAC 50-22-260 B 31	
Count 7:	18 VAC 50-22-260 B 16	Two violations
Count 8:	18 VAC 50-22-260 B 28	
Count 3:	18 VAC 50-22-230 A	EFF: 9-1-2001

The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

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

After further discussion, a motion was made by **Mr. Dowdy** and seconded by **Mr. Oliver** to impose the following sanctions for violation of its Regulations:

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

Count 4:		\$3,000.00
Count 5:		\$1,500.00
Count 6:		\$1,000.00
Count 7:		\$3,000.00
Count 8:		\$1,500.00
Total		\$12,500.00

In addition, for violation the Board voted to require **Richard Aquilino Agustin** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension. The Board also imposed Revocation of the license for violation of count 1, 3, 4, 5, 6, 7, and 8. As to, count 2, the Board closes this aspect of the file with a finding of no violation.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officers Mr. Kinser and Mr. Smith were not present, did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-02734 Christian Dwinells, t/a Dwinells & Sons Remodeling (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
2012-02734
Christian Dwinells, t/a
Dwinells & Sons
Remodeling**

Christian Dwinells, t/a Dwinells & Sons Remodeling (Respondent) did not appear at the IFF. **Christian Dwinells, t/a Dwinells & Sons Remodeling** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Christian Dwinells,** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

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

After discussion, **Mr. Dyer** offered a motion seconded by **Mr. Giesen** to impose the following sanctions:

Sanctions		
Count 1:		\$1,350.00
Total		\$1,350.00

In addition, the Board voted to require **revocation of the license.**

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

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

In the matter of Disciplinary File Number 2012-03048, East Coast Environmental Services 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
2012-03048
East Coast
Environmental
Services Inc**

East Coast Environmental Services Inc (Respondent) did not appear at the IFF. **Neither East Coast Environmental Services Inc (Respondent)** counsel nor any other qualified person attended the Board meeting.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Walton** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **East Coast Environmental Services Inc.**, violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer Mr. Walker was not present, did not vote and did not participate in the discussion.

After discussion, **Mr. Dyer** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

Sanctions		
Count 1:		\$1,350.00
Total		\$1,350.00

In addition, for violation of **Count 1** the Board voted to impose revocation of license.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer **Mr. Walker** was not present, did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-03239, Lcj Enterprises 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
2012-03239
Lcj Enterprises Inc

Lcj Enterprises Inc (Respondent) did not appear at the IFF. **Neither East Coast Lcj Enterprises Inc (Respondent)** counsel nor any other qualified person attended the Board meeting.

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

Mr. Oliver abstained from voting.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Walton** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Lcj Enterprises Inc**, violated the following sections of its Regulations:

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

The motion passed by majority vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** **Members absent and not voting were: Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer Mr. Walker was not present, did not vote and did not participate in the discussion.

Mr. Oliver did not vote.

After discussion, **Mr. Dyer** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

Sanctions		
Count 1:		\$1,350.00
Total		\$1,350.00

In addition, for violation of **Count 1** the Board voted to impose revocation of license.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.**

Members absent and not voting were: Williams, Tomlin, Walker and Smith.

The Board's hearing officer **Mr. Walker** was not present, did not vote and did not participate in the discussion.

Mr. Oliver did not vote.

In the matter of Disciplinary File Number 2012-03458, Charles R McKann III (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
2012-03458
Charles R McKann
III**

Charles R McKann III (Respondent) did not appear at the IFF. **Neither Charles R McKann III (Respondent)** counsel nor any other qualified person attended the Board meeting.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Walton** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Charles R McKann III**, violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** **Members absent and not voting were: Williams, Tomlin, Walker and Smith.**

The Board's hearing officer Mr. Walker was not present, did not vote and did not participate in the discussion.

After discussion, **Mr. Dyer** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

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

In addition, for violation of **Count 1** the Board voted to require **Charles R McKann III** have a member of responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer **Mr. Walker** was not present, did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2011-04039, Savy Construction Company (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
2011-04039
Savy Construction
Company**

Savy Construction Company (Respondent) did not appear at the IFF. **Neither Savy Construction Company (Respondent)** counsel nor any other qualified person attended the Board meeting.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Savy Construction Company**, violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 3:	18 VAC 50-22-260 B 29	
Count 4:	18 VAC 50-22-260 B 28	

Effective	September 1, 2001	
Count 5:	18 VAC 50-22-220 A	
Count 6:	18 VAC 50-22-220 B	
Count 7:	18 VAC 50-22-220 C	

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer **Mr. Walker** was not present, did not vote and did not participate in the discussion.

After discussion, **Mr. Dyer** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

Sanctions		
Count 1:		\$250.00
Count 3:		\$2,500.00
Count 4:		\$2,500.00
Count 5:		\$0.00
Count 6:		\$0.00
Count 7:		\$0.00
Total		\$5,250.00

In addition, for violation of **Count 3, 4, 5, 6, and 7**, the Board voted to impose revocation of license. As to Count 2, the Board closes this aspect of the file with a finding of no violation.

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

The Board’s hearing officer **Mr. Walker** was not present, did not vote and did not participate in the discussion.

In the matter of Consent Order File Number 2012-02072 Board v. Windle 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.

**File Number
2012-02072
Windle Co., Inc.**

Windle 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:

Count 1:	18 VAC 50-22-260 B 9	\$ 350.00
Count 2:	18 VAC 50-22-260 B 8	\$250.00
Count 3:	18 VAC 50-22-260 B 27	\$1,100.00
Count 4:	18 VAC 50-22-260 B 6 (three violations at \$650.00 each)	\$1,950.00
Board Costs		\$ 150.00
Total		\$ 3,800.00

In addition for violation of Count 1-4, **Windle Co., Inc;** agrees to have a member of responsible management successfully complete a Board approved remedial education class.

Further, for violation of Counts 3 and 4, Windle Co., Inc. agrees to a two (2) year probation.

See order for additional information.

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-02349 Board v. James Pace t/a J L Pace 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
2012-02349
James L Pace t/a J
L Pace
Construction**

James Pace t/a J L Pace Construction; 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
Count 2:	18 VAC 50-22-260 B 29 (3) violations @ \$500. Ea.	\$1,500.00
Count 3:	18 VAC 50-22-260 B 6	\$0.00
Board Costs		\$ 150.00
Total		\$ 2,000.00

In addition for violation of Count 1 and 2, **James Pace t/a J L Pace Construction**; agrees to have a member of responsible management successfully complete a Board approved remedial education class.

Upon a motion by **Mr. Oliver** seconded by **Mr. Giesen** the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-00386 Board v. Keith Caron Construction Company; 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
2012-00386
Keith Caron
Construction
Company

Keith Caron; 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 5	\$ 1,400.00
Board Costs		\$ 150.00
Total		\$ 1,550.00

Further, **Keith Caron Construction Company**; agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Dyer** seconded by **Mrs. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-00399 Board v. Jesse Patrick McDowell t/a Aapm Construction/Heck of a Deck Bulds; 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
2012-00399
Jesse Patrick
McDowell t/a
Aapm Construction
/Heck
of a Deck Bulds

Jesse Patrick McDowell; 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 22	\$ 0.00
Count 2;	18 VAC 50-22-260 B 23	\$ 0.00
Count 3:	18 VAC 50-22-260 B 28	\$ 0.00
Board Costs		\$ 0.00
Total		\$ 0.00
Further, for violation of Count 1 - 3, Jesse Patrick McDowell agrees to revocation of the license.		

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Mr. Dowdy the hearing officer did not vote.

In the matter of Consent Order File Number 2012-01127 Board v. Chadwick Morris Construction LLC; 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
2012-01127
Chadwick Morris
Construction, LLC**

Chadwick Morris Construction LLC 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
Count 2:	18 VAC 50-22-260 B 28	\$ 0.00
Board Costs		\$ 150.00
Total		\$ 500.00
Further, for violation of Count 1, Chadwick Morris Construction LLC agrees to have a member of Responsible Management successfully complete a Board – approved remedial education class.		
It is noted that the judgment referenced in Count 2 was satisfied on June 15, 2012.		

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent

Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.**
Members absent and not voting were: Williams, Tomlin, Walker and Smith.

In the matter of Consent Order File Number 2012-01145 Board v. Sheppi LLC t/a Sheppi LLC; 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
2012-01145
Sheppi LLC, t/a
Sheppi LLC

Sheppi LLC t/a Sheppi LLC; 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 31	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 550.00
In addition, for violation of Count 1, Sheppi LLC t/a Sheppi LLC; agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.**
Members absent and not voting were: Williams, Tomlin, Walker and Smith.

In the matter of Consent Order File Number 2012-01243 Board v. Raymond J. Carroll t/a Carroll & Sons; 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
2012-01243
Raymond J. Carroll t/a
Carroll & Sons

Raymond J. Carroll t/a Carroll & Sons; 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 50-22-230 A	\$ 150.00
Count 2:	18 VAC 50-22-260 B 8	\$ 150.00
Count 3:	18 VAC 50-22-260 B 31	\$ 200.00

Board Costs		\$ 150.00
Total		\$ 650.00
<p>In addition, for violation of Count 1-3, Raymond J. Carroll t/a Carroll & Sons; agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.</p>		

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-01572 Board v. William J Cascio t/a Cascio 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
2012-01572
William J Cascio
t/a Cascio Construction**

William J Cascio; 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 17	\$ 1,350.00
Count 2:	18 VAC 50-22-260 B 31	\$ 400.00
Count 3:	18 VAC 50-22-260 B 6 9 two violations at \$750 ea.)	\$ 1,500.00
Count 4:	18 VAC 50-22-260 B 15	\$ 1,500.00
Board Costs		\$ 150.00
Total		\$ 4,950.00

In addition, for violation of Count 4, **William J Cascio** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Further **William J Cascio** agrees to revocation of its license.

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Mr. Dyer, the hearing officer did not vote.

In the matter of Consent Order File Number 2012-01614 Board v. Alexander Davis t/a Davis Contracting; 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
2012-01614
Alexander Davis
t/a Davis Contracting**

Alexander Davis t/a Davis Contracting; 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	\$ 350.00
Count 2:	18 VAC 50-22-260 B 26	\$ 650.00
Count 3:	18 VAC 50-22-260 B 6 (2 violations at \$750.00 each)	\$ 1,500.00
Count 4:	18 VAC 50-22-260 B 27	\$ 650.00
Count 5:	18 VAC 50-22-220 C	\$ 00.00
Board Costs		\$ 150.00
Total		\$ 3,300.00

In addition, for violation of Count 1-5, **Alexander Davis t/a Davis Contracting;** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Further, for violation of Counts 1- 5, **Alexander Davis t/a Davis Contracting** agrees to a - one year probation of his license see order for additional details.

If **Alexander Davis t/a Davis Contracting** violates his probation his license shall be automatically revoked.

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-01684 Board v. Patrick Ellis Enterprises, 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
2012-01684
Patrick Ellis
Enterprises, Inc.**

Patrick Ellis Enterprises, 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 6 (two violations @ \$750 ea)	\$ 1,500.00
Board Costs		\$ 150.00
Total		\$ 1,650.00
Further, for violation of Count 1, Patrick Ellis Enterprises Inc agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the order.		

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-01698 Board v. Joey P Salyer t/a Unlimited Window and Siding; 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
 2012-01698
 Joey P Salyer t/a
 Unlimited Window
 and Siding**

Joey Salyer t/a Unlimited Window and Siding.; 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	\$ 100.00
Count 2:	18 VAC 50-22-260 B 9	\$ 00.00
Count 3:	18 VAC 50-22-260 B 6	\$ 250.00
Board Costs		\$ 150.00
Total		\$ 500.00
Further for violation of Count 1-3, Joey P Salyer , agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		
On August 27, 2012, Salyer provided a contract that appears to be in compliance with Board regulation 18 VAC 50-22-260 B 9.		

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-01814 Board v. Mold Free Home VA, LLC; 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
2012-01814
Mold Free Home
VA, LLC**

Mold Free Home VA, LLC; 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 18	\$ 800.00
Board Costs		\$ 150.00
Total		\$ 950.00

In addition, for violation of Count 1, **Mold Free Home VA, LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the order.

In addition, the Board shall waive imposition of the \$800.00 monetary penalty for Count, for the following reasons: Michelle Taylor obtained Mold Remediation Worker license number 3385000323 on May 7, 2012; and As of July 1, 2012 no state credentials are required for mold remediation and inspection activities. As of this date, mold remediation and inspection reverted to being an un-regulated profession.

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-01824 Board v. Roy S Waters, Jr. t/a Quality Services; 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
2012-01824
Roy S Waters, Jr.
t/a Quality Services**

Roy S Waters, Jr. t/a Quality Services 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 8	\$ 250.00
Count 2:	18 VAC 50-22-260 B 6	\$ 250.00
Count 3:	18 VAC 50-22-260 B 27 (two violations @ \$600.)	\$ 600.
Count 4:	18 VAC 50-22-260 B 5	\$ 600.00
Count 5:	18 VAC 50-22-260 B 31	\$ 300.00
Board Costs		\$ 150.00
Total		\$ 2,150.00

In addition, for violation of Count 1-5, **Roy S Waters, Jr. t/a Quality Services** agrees to have a member of Responsible Management successfully complete remedial education within ninety (90) days of the order.

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Mr. Gelardi did not vote.

In the matter of Consent Order File Number 2012-01867 Board v. Preferred Chimney Service 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
2012-01867
Preferred Chimney
Service Inc.**

Preferred Chimney Service 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 9	\$ 100.00
Count 2:	18 VAC 50-22-260 B 8	\$ 350.00
Count 3:	18 VAC 50-22-260 B 6	\$ 750.00
Board Costs		\$ 150.00
Total		\$ 1,350.00

In addition for violation of Count 1 - 3, **Preferred Chimney Service Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Dyer** seconded by **Mr. Dowdy**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Vander Pol, and Walton.**
Members absent and not voting were: Williams, Tomlin, Walker and Smith.

Mr. Giesen did not vote.

In the matter of Consent Order File Number 2012-01904 Board v. Walter D Witt; 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
2012-01904
Walter D Witt

Walter D Witt; 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 50-22-230 A	\$ 200.00
Count 2:	18 VAC 50-22-260 B 67	\$ 400.00
Count 3:	18 VAC 50-22-260 B 9	\$ 200.00
Board Costs		\$ 150.00
Total		\$ 950.00
In addition, for violation of Count 2, Walter D Witt; agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.**
Members absent and not voting were: Williams, Tomlin, Walker and Smith.

In the matter of Consent Order File Number 2012-02092 Board v. Ty West Builders LLC; 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
2012-02092
Ty West Builders LLC

Ty West Builders LLC; 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 50-22-230 A	\$ 150.00
Count 2:	18 VAC 50-22-260 B 9	\$ 150.00
Board Costs		\$ 150.00
Total		\$ 450.00
In addition, for violation of Counts 1-2, Ty West Builders LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-02116 Board v. Trinity Building Company, LLC; 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
 2012-02116
 Trinity Building
 Company, LLC**

Trinity Building Company, LLC 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	\$ 300.00
Count 2:	18 VAC 50-22-260 B 31	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 850.00
In addition, for violation of Count 1-2, Trinity Building Company LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the order.		

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-02160 Board v. Bill Henry, 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
 2012-02160
 Bill Henry Inc.**

Bill Henry, 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 17	\$ 1,000.00
Count 2:	18 VAC 50-22-260 B 2	\$ 00.00
Board Costs		\$ 150.00
Total		\$ 1,150.00

Bill Henry, Inc.; agrees to have a member of responsible Management successfully complete a board-approved remedial education class.

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, and Vander Pol.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Mr. Walton did not vote.

In the matter of Consent Order File Number 2012-02382 Board v. Ark Construction, 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
 2012-02382
 Ark Construction, Inc.**

Ark Construction, 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 28	\$ 00.00
Board Costs		\$ 150.00
Total		\$ 150.00

In addition, for violation of Count 1, **Ark Construction, Inc.** agrees to satisfy the judgment and provide the Board with proof of the satisfaction within ninety (90) days of the effective date of this

order. If Ark Construction Inc fails to satisfy the judgment within ninety (90) days of the effective date of this order, then license revocation will be automatically imposed.

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-02464 Board v. Wat-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.

File Number
2012-02464
Wat-Co Inc.

Wat-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:

Count 1:	18 VAC 50-22-260 B 9	\$ 350.00
Count 2:	18 VAC 50-22-260 B 6	\$ 250.00
Count 3:	18 VAC 50-22-260 B 31	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 1,150.00

Further, for violation of Count 1-3, **Wat-Co Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

In addition, the Board shall waive imposition of the \$350.00 monetary penalty for Count 1 and shall waive imposition of the \$400.00 monetary penalty for Count 3, provided a member of Responsible Management of Wat-Co Inc successfully complete remedial education within ninety (90) days of the effective date of this order. If a member of Responsible Management of Wat-Co Inc fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi,**

Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton. Members absent and not voting were: Williams, Tomlin, Walker and Smith.

In the matter of Consent Order File Number 2012-02496 Board v. Alphonzo Holland Jr t/a A I Holland Jr. 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
 2012-02496
 Alphonzo Holland
 Jr. t/a A L
 Holland Jr.
 Construction**

Alphonzo Holland Jr. t/a A I Holland 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:	§54.1-1110 of the Code of Virginia	\$ 550.00
Board Costs		\$ 150.00
Total		\$ 700.00
In addition, for violation of count 1, Alphonzo L Holland, Jr. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-02689 Board v. Pendley Construction Company LLC; 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
 2012-02689
 Pendley Construction
 Company LLC**

Pendley Construction Company LLC; 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	\$ 600.00
Count 2:	18 VAC 50-22-260 B 8	\$ 350.00
Count 3:	18 VAC 50-22-260 B 29	\$ 500.00
Board Costs		\$ 150.00

Total	\$ 1,600.00
Further, Pendley Construction Company LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.	

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-02702 Board v. Richard Owens t/Dominion Maintenance & Repairs; 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
2012-02702
Richard Owens t/a
Dominion
Maintenance &
Repairs

Richard L Owens; 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	\$ 150.00
Count 2:	18 VAC 50-22-260 B 10	\$ 200.00
Count 3:	18 VAC 50-22-260 B 28	\$ 1,850.00
Count 4:	18 VAC 50-22-260 B 31	\$ 200.00
Board Costs		\$ 150.00
Total		\$ 2,550.00

Further, **Richard L Owens** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The board shall waive imposition of license revocation and of the \$1,850.00 monetary penalty for Count 3 provided **Richard L Owens** satisfies the judgment and provides the Board with proof of the satisfaction within ninety (90) days of the effective date of the Order.

In addition, for violation of Count 3, **Richard L Owens** agrees to revocation of his license.

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent

Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-02749 Board v. Ethan Connor, Inc. t/a Your Power People; 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
2012-02749
Ethan Connor, Inc. t/a
Your Power People**

Ethan Connor 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 6	\$ 750.00
Board Costs		\$ 150.00
Total		\$ 900.00

In addition, for violation of Count 1, **Ethan Connor Inc., t/a Your Power People** agrees to have a member of Responsible Management successfully complete remedial education within ninety (90) days of the order.

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-02755 Board v. Action Building Services LLC; 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
2012-02755
Action Building
Services
LLC**

Action Building Services LLC 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 22	\$ 00.00
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Board Costs		\$ 150.00
Total		\$ 150.00

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Mr. Dyer did not vote.

In the matter of Consent Order File Number 2012-02864 Board v. Caruana Homes 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
2012-02864
Caruana Homes Inc**

Gary Caruana for Caruana Homes 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 28	\$ 1,850.00
Board Costs		\$ 150.00
Total		\$ 2,000.00

In addition, **Caruana Homes Inc** agrees to revocation of its license.

The Board shall waive imposition of the monetary penalty and license revocation for Count 1 provided Caruana Homes Inc satisfies the judgment and provides the Board with proof of the satisfaction within ninety (90) days of the effective date of this order. If Caruana Homes Inc fails to comply with these conditions, then the monetary penalty and license revocation will be automatically imposed.

Further, violation of Count 1, Caruana Homes Inc. agrees to have a member of Responsible Management successfully complete remedial education within ninety (90) days of the effective date of the Order.

Gary Caruana attended the Board meeting.

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi,**

Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.
Members absent and not voting were: Williams, Tomlin, Walker and Smith.

In the matter of Consent Order File Number 2012-02916 Board v. Jeff L Cadle; 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
2012-02916
Jeff L Cadle

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

Jeff L Cadle 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 2	\$ 00.00
Board Costs		\$ 150.00
Total		\$ 150.00
In addition, for violation of Count 1, Jeff L Cadle agrees to revocation of his license.		

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.**
Members absent and not voting were: Williams, Tomlin, Walker and Smith.

In the matter of Consent Order File Number 2012-02977 Board v. World of Color, 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
2012-02977
World of Color, Inc.

World of Color, 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 11	\$ 450.00
Board Costs		\$ 150.00
Total		\$ 600.00
Further, for violation of Count 1, World of Color, Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-03035 Board v. Thomasson Enterprises; 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
2012-03035
Thomasson
Enterprises**

Dean Thomasson on behalf of Thomasson Enterprises Inc addressed the Board. He requested that the Board remand the case back to staff to conduct an Informal fact finding Conference.

After discussion Mr. Oliver offered a motion seconded by Mr. Gelardi to remand the file back to staff for processing into the IFF schedule.

The motion passed with a majority vote:

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Murrow, Oliver, Pace, Sumpter, Chowdhuri, Vander Pol, Walton, Giesen and Walton.**

Member voting “No” was: **Middleton.**

Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

In the matter of Consent Order File Number 2012-02762 Board v. David Parks; 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
2012-02762
David Parks**

David Parks; 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 50-30-190 11	\$ 0.00
Board Costs		\$ 150.00
Total		\$ 150.00

Upon a motion by **Mr. Dyer** seconded by **Mr. Giesen**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Adrienne Mayo, Regulatory Boards Administrator presented the committee report from the Board for Contractors Committee.

Committee Report

Education Provider Applications*

The following applications for proposed education providers and courses were reviewed by the committee and their recommendations are as follows:

Name	Education	Type	Staff Recommendation
Henry A Alcocer/ LCA Technical Institute (NEW)	Continuing and Vocational	ELE in Classroom	Approval – 2 courses
Yadkin Well Co Inc (NEW)	Continuing	WWP in Classroom/ Field	Approval – 1 course
CEUOK.COM	Continuing	PLB Online	Approval – 1 course
Vocational School of Korean American Association NOVA	Vocational	ELE in classroom	Approval – 1 course

S Joseph Goble, Electrical Code Training	Continuing	ELE in Classroom	Approval -1 course
JCR Productions Inc	Continuing	ELE in classroom	Approval -5 courses
Elton Fahnestock, ELEC COMM LLC	Vocational	ELE in Classroom	Approval -1 course
Abba Training LLC	Continuing	GFC Online	Approval – 1 course

A motion was offered by **Mr. Gelardi** and seconded by **Mr. Dowdy** to approve the recommendations from the Committee. The Motion passed by unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Executive Director, Eric Olson shared with the Board the new contractor regulation effective December 1, 2012 separates Modular/manufactured building contracting (MBC) specialty to create two new specialties for licensure (Manufactured Home Contracting (MHI) and Industrialized Building Contracting (IBC). The implementation of the amendments to the regulations will require that all of the contractors currently holding the MBC specialty be brought into compliance. Staff recommends the following three step process in accomplishing this:

**Implementation of
Regulations –
Manufactured
Home Contractors**

- Convert all MBC specialties on current licenses to MHI and IBC specialties
- Notify all contractors holding the new MHI specialty, H/H classification, and Building classification, that they must have a Qualified Individual who has successfully completed the HUD approved training before April 30, 2013. Licensees holding the BLD and H/H classifications must also add the new MHI specialty to their licenses (at no cost).
- Remove the MHI specialty from all contractors who do not have a Qualified Individual who has successfully completed the HUD approved training.

After discussion a motion was offered by **Mr. Gelardi and seconded by Mr. Pace** to adopt the Committee and Staff recommendation for the implementation of Regulations – Manufactured Home Contractors.

The motion passed by unanimous vote: Members voting “Yes” were: **Dowdy, Dyer,**

Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton. Members absent and not voting were: Williams, Tomlin, Walker and Smith.

Ms. Mayo shared with the Board that staff has received an inquiry to permit an applicant to use a locality card more than once to apply for a tradesman license. The Committee affirms the Board has an established procedure that allows an applicant to exchange their original locality card for a tradesman license one time. The Committee further recommends the Board reaffirms its procedure under the provisions of Section 54.1-1131 (A) of the Code of Virginia and Section 18 VAC 50-30-50 (A) of the Board for Contractors Individual License and Certification Regulations contingent upon review by legal counsel.

Tradesman Applicants
=
Locality Cards and
Examination
Exemption

Mr. Olson shared with the Board the Committee's recommendation on this matter: *Individuals currently listed as the Qualified Individual for a specific specialty on a current license or a license that is eligible for renewal or reinstatement will not be required to take the specialty examination in order to remain the Qualified Individual for that specific specialty on that license. All Qualified Individuals listed on new applications for licensure and applications to add specialties to existing licenses, received by the licensing staff on and after December 1, 2012 shall meet the examination requirements set forth in the regulations.*

Implementation of
Regulations – Qualified
Individual
Examinations,
Requirements

After discussion a motion was made by **Mr. Dyer** seconded by **Mr. Gelardi**, to adopt the Committee suggestions with a unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton. Members absent and not voting were: Williams, Tomlin, Walker and Smith.**

Mr. Olson shared that the Committee unanimously recommends the Board approves Highway/Heavy, HVAC and Plumbing classification to install/drill trenches and piping not to exceed 10 feet below grade that is associated with horizontal loop geothermal system. After discussion, **Mr. Gelardi** offered a motion seconded by **Mr. Pace** to adopt the Committee's recommendations. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton. Members absent and not voting were: Williams, Tomlin, Walker and Smith.**

Clarification of
Regulations –
Installation of
Horizontal Geothermal
Piping under
the H/H Classification

Mr. Olson shared with the Committee a request for the Board's interpretation regarding contractor licensing requirements for staffing Services Company. The Committee unanimously affirms and recommends for Board approval that installation performed by a staffing service meets the definition of contractor. Further labor and material cannot be separated and installation is part of the transaction. Therefore, an individual hired to perform work for a \$1000 or more but is not a bona fide employee of the contractor, a contractor license is required.

**Board Interpretation –
Licensing Requirements
and Staffing Services
Companies**

After discussion **Mr. Walton** made a motion that was seconded by **Mr. Gelardi** to adopt the Committee's request. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Mr. Olson shared that staff will be receiving public comment on the New Contractor Regulations and they are posted on town hall. The public comment period is November 5th through December 5th.

**Regulatory Public
Comment**

The next Board meeting will be December 11th, 2012.

Next Board meeting

The Board Chair asked all members to be certain to complete their Conflict of Interest Forms and Travel Vouchers and turn them in to Sheila Watkins prior to leaving the meeting.

Paperwork

There being no further business to come before the board, the meeting was adjourned at **1:45 p.m.** upon a motion by **Mr. Pace** and seconded by **Mr. Gelardi.**

Adjournment

The Motion passed with a unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Chowdhuri, Giesen, Vander Pol, and Walton.** Members absent and not voting were: **Williams, Tomlin, Walker and Smith.**

Board for Contractors Meeting Minutes Draft

October 23rd, 2012

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E.G. Middleton, III, Chairman

Gordon N. Dixon, Secretary