

**BOARD FOR CONTRACTORS BOARD MEETING  
DRAFT MINUTES**

The Board for Contractors met on Tuesday, **January 29<sup>th</sup>, 2013** 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 eight constitutes a quorum pursuant to §54.1-1102.

E .G. Middleton, III, Chairman  
Goutam Chowdhuri  
Herbert “Jack” Dyer, Jr.  
Michael Gelardi  
David Giesen  
Doug Murrow  
James Oliver  
Troy Smith  
Deborah Tomlin  
Dwight Todd Vander Pol  
Walton H. Walton, III  
A. Bruce Williams

Mr. Chancey Walker Mr. Bailey Dowdy and Mr.  
E.C. “Chick” Pace 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 9:09 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. Williams** to approve the agenda. The motion passed unanimously. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

Approval of the Agenda

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

Approval of Minutes

December 11<sup>th</sup>, 2012 Board for Contractors  
November 6<sup>th</sup>, 2012 Informal Fact Finding Conference  
November 16<sup>th</sup>, 2012 Informal Fact Finding Conference  
November 27<sup>th</sup>, 2012 Informal Fact Finding Conference  
December 10<sup>th</sup>, 2012 Informal Fact Finding Conference  
January 7<sup>th</sup>, 2013 Informal Fact Finding Conference

**Mr. Dyer** seconded the motion and it was unanimously approved by members: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**There was public comment. The following persons addressed the Board: Laurie Crigler, Plumbing & Mechanical Professionals of Virginia, Chris Anderson, A Plus Tradesman, and Alan Givens, Parrish Services, Francis McGoneotl, United Air Temp and Richard Hibbard, A Plus Tradesman.**

Public Comment Period

**In the matter of Recovery Fund File Number 2012-03565, Diane B. Healey, Trustee for the Bess H. Berguin, Rev. Trust (Claimant) vs. Richard Aquillino Agustin, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Richard Aquillino Agustin (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Diane B. Healey, Trustee for the Bess H. Berguin, Rev. Trust (Claimant)** did not attend the Board meeting.

File Number  
2012-03565  
**Diane B. Healey, Trustee for the Bess H. Berguin, Rev. Trust (Claimant) vs. Richard Aquillino Agustin (Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Smith** to adopt the claim review and adopts the recommendations and pays the claim in the amount of **\$14,065.00.** The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Richard Aquilino Agustin** involved improper or dishonest conduct.

Upon payment of the claim, the license of **Richard Aquilino Agustin** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. See order for additional details.

**In the matter of Recovery Fund File Number 2013-000081, Jacky and Carole Langlamet (Claimant) vs. Ark 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. **Ark Construction, Inc. (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Jacky and Carole Langlamet (Claimant)** did attend the Board meeting. They addressed the Board and shared their agreement.

**File Number  
2013-000081  
Jacky and Carole  
Langlamet  
(Claimant)  
vs. Ark  
Construction, Inc.  
(Regulant)**

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

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

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Recovery Fund File Number 2013-00125, Carl Bly (Claimant) vs. Old Dominion Service Group, LLC (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Richard Old Dominion Service Group, LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

**File Number  
2013-00125  
Carl Bly  
(Claimant) vs.  
Old Dominion Service  
Group, LLC  
(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 pay the claim in the amount of **\$20, 000.00**. Upon payment of this claim, the license of **Old Dominion Service Group, LLC** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

Pursuant to 54.1-1123(B), payments may be reduced on a prorated basis based upon the

number of claims received.

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

**In the matter of Recovery Fund File Number 2013-01395, Sovanna and Sina Chhay-Hiep (Claimant) vs. Counter Production, Inc. (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. The Board adopts the Recommendation. **Michael Delauder t/a Virginia Pool Builders (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Sovanna and Sina Chhay-Hiep (Claimant)** did not attend the Board meeting.

**File Number  
2013-01395  
Sovanna and Sina  
Chhay-Hiep  
(Claimant) vs.  
Michael Delauder t/a  
Virginia Pool Builders  
(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Walton** to approve the claim for payment in the amount of **\$20,000.00**. Upon payment of this claim, the license of **Michael Delauder t/a Virginia Pool Builders** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

Pursuant to 54.1-1123(B), payments may be reduced on a prorated basis based upon the number of claims received.

In addition, the matter is referred to the Compliance and Investigations Division of the Department of Professional and Occupational Regulation for investigation of whether the Board’s regulations have been violated.

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

**In the matter of Recovery Fund File Number 2012-02561, Catherine Leitch (Claimant) vs. Gary Wright t/a Wright’s Home Improvement (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the recommendation. **Gary Wright t/a Wright’s Home Improvement (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Catherine Leitch (Claimant)** did appear at the Board meeting by counsel.

**File Number  
2012-02561  
Catherine Leitch  
(Claimant)  
Gary Wright t/a Wright’s  
Home Improvement  
(Regulant)**

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Gelardi** to adopt the claim review adopts the Claim Review, which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary. The Claim Review and Summary are incorporated as a part of the Order. The Board orders that the claim be paid in the amount of **\$10,926.25**. The Board The Board finds there is language in the order that supports the conclusion that the court found that the conduct of Gary Wright involved improper or dishonest conduct

Upon payment of this claim, the license of **Gary Wright t/a Wright's Home Improvement** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Recovery Fund File Number 2013-00907, Sandra Sunkin (Claimant) vs. The #1 Handyman SVC (Regulant)**; the board reviewed the record, which consisted of the claim file, exhibits and recommendation. **The #1 Handyman SVC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Sandra Sunkin (Claimant)** attended the board meeting.

**File Number**  
**2013-00907**  
**Sandra Sunkin**  
**(Claimant)**  
**vs. The #1 Handyman**  
**SVC (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 which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation are incorporated as a part of this Order. The Board Orders that this claim be approved for payment in the amount of **\$1, 431.00**

Upon payment of this claim, the license of **The #1 Handyman SVC** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion passed by unanimous vote.

Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Recovery Fund File Number 2013-00500, Chantilly Park Condominium Association (Claimant) vs. Robert H. Heatherley, t/a Green Built Designs, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary. **Robert H. Heatherley, t/a Green Built Designs, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Chantilly Park Condominium Association (Claimant)** did not attend the board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2013-00500**  
**Chantilly Park**  
**Condominium Association**  
**(Claimant)**  
**vs. Robert H. Heatherley,**  
**t/a Green Built Designs, Inc.**  
**(Regulant)**

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

The members of the **Board** were given a handout to review.

After review of the handout and after discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Walton** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter and adopts the summary. The Claim Review and Summary are incorporated as a part of this Order. The Board orders that this claim be denied for payment.

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of Recovery Fund File Number 2012-03729, David and Dee Ann Tickner (Claimant) vs. Groggins Development (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

**File Number**  
**2012-03729**  
**David and Dee**  
**Ann Tickner**  
**(Claimants)**  
**vs. Groggins**  
**Development**  
**(Regulant)**

**Mr. Eric Olson** shared with the Board that the Regulant contacted staff and requested that this case be continued to the Board meeting scheduled for April 9<sup>th</sup>, 2013.

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to grant the **Regulant's** request and continue the case to the **Board's** April 9<sup>th</sup>, 2013 meeting. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of License Application File Number 2013-00530 Peter D. Evans,** the Board members reviewed the record, which consisted of the application file, transcript,

**File Number**  
**2013-00530**

exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**Peter D. Evans**

**Peter D. Evans** appeared at the IFF. **Peter D. Evans** 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, did not vote and did not participate in the discussion.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Williams** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and the Board has considered its Regulations: 18 VAC 50-30-30.3 and 18 VAC 50-30-130.E and finds that Evans tradesman certification is not eligible for reinstatement as he does not meet the regulatory requirements for waiver of the master electrician's exam. There the Board denies the application at this time. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of License Application File Number 2013-00531 Rickey R Reed** 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**  
**2013-00531**  
**Rickey R Reed**

Applicant **Rickey R Reed** appeared at the IFF. **Rickey R Reed** did not appear at the Board meeting.

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

Mrs. Clay addressed the Board and shared the following corrections needed to be made to the record:

1. File # on Summary should be 2013 not 2012
2. Missing Date in 1<sup>st</sup> paragraph of summary, only shows an "X" should be August 23, 2012
3. 1<sup>st</sup> paragraph under background last sentence missing Board Regulation, "See Board Regulation 18 VACXXX" should be 18 VAC 50-22-40. C

After 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 along with the corrections identified by Mrs. Clay and denies the license.

The Board has considered its Regulations: 18 VAC 50-22-40-C and other applicable law: §54.1-1108.2 of the Code of Virginia. The Board thoroughly considered the

record, the Summary of the IFF and the Recommendation. The Board considered the nature of Reed's most recent and past bankruptcy filings and discharges, and his past inability to meet financial obligations. The Board is of the opinion that Reed does not possess the essential business skills necessary to operate a financially sound business in a manner to safeguard the public.

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of License Application File Number 2013-00532, Warren 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**  
**2013-00532**  
**Warren Construction, Inc.**

Applicant **Warren Construction, Inc.** appeared at the IFF. **Warren Construction, Inc.** did not attend the Board meeting.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mrs. Tomlin** 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: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of License Application File Number 2013-00533 James J Hunter, Jr. t/a J & S Home Improvement** 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**  
**2013-00533**  
**James J Hunter, Jr. t/a**  
**J & S Home Improvement**

Applicant **James J Hunter, Jr. t/a J & S Home Improvement** appeared at the IFF. **James J Hunter, Jr. t/a J & S Home Improvement** attended the Board meeting and Mr. Hunter addressed the Board.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Williams** to grant a conditional license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were:

**Dowdy, Pace and Walker.**

**In the matter of License Application File Number 2013-00541 Luther Wayne Moates** 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  
2013-00541  
Luther Wayne Moates**

Applicant **Luther Wayne Moates** appeared at the IFF. **Luther Wayne Moates** did not appear at the board meeting.

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

After discussion **Mr. Williams** offered a motion that was seconded by **Mr. Gelardi** to grant a conditional license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of License Application File Number 2013-00543 Weathertight Exteriors 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  
2013-00543  
Weathertight Exteriors  
LLC**

Applicant **Edward R. Shupe (Weathertight Exteriors LLC)** appeared at the IFF meeting. **Weathertight Exteriors LLC** did not appear at the Board meeting.

The presiding Board representative **Mrs. Brigil** 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 grant a Class A license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of License Application File Number 2013-00617 Randall W. York**, 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  
2013-00617  
Randall W. York**

Applicant **Randall W. York** appeared at the IFF. **Randall W. York** appeared at the Board meeting and shared his agreement with the recommendations.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Oliver** to grant a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton. Members absent were: Dowdy, Pace and Walker.**

**In the matter of License Application File Number 2013-00618 Kevin Wayne Kemplin**, this case file was listed on the Board’s agenda in error. The case was heard at the Board’s December, 2012 meeting and a license was granted at that time.

**File Number**  
**2013-00618**  
**Kevin Wayne Kemplin**

**In the matter of License Application File Number 2013-00621 Dwayne Donte Rogers**, 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**  
**2013-00621**  
**Dwayne Donte Rogers**

Applicant **Dwayne Donte Rogers** and appeared at the IFF. **Dwayne Donte Rogers** did not attend the Board meeting.

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

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: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton. Members absent were: Dowdy, Pace and Walker.**

**In the matter of License Application File Number 2013-00794 DC Mechanical 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**  
**2013-00794**  
**DC Mechanical LLC**

Applicant **Thomas Keller (DC Mechanical LLC)** appeared at the IFF. Thomas Keller attended the Board meeting. He addressed the Board.

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

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: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton. Members absent were: Dowdy, Pace and Walker.**

**In the matter of License Application File Number 2013-00796 Bruce Stephen Beam**, 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  
2013-00796  
Bruce Stephen Beam**

Applicant **Bruce Stephen Beam** appeared at the IFF. **Bruce Stephen Beam** attended the Board meeting. He addressed the Board.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Giesen** to grant a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton. Members absent were: Dowdy, Pace and Walker.**

**In the matter of License Application File Number 2013-00797 Rodney Aaron Osher**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF). Applicant **Rodney Aaron Osher** appeared at the IFF. **Rodney Aaron Osher** attended the Board meeting. He addressed the Board.

**File Number  
2013-00797  
Rodney Aaron Osher**

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

After discussion **Mr. Smith** offered a motion that was seconded by **Mr. Gelardi** to issue a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton. Members absent were: Dowdy, Pace and Walker.**

**In the matter of License Application File Number 2013-00857 Universal Contracting and Consulting, 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  
2013-00857  
Universal Contracting and Consulting, LLC**

Applicant **Tremain Jones (Universal Contracting and Consulting, LLC)** appeared at the IFF. Jones did not attend the Board meeting.

The presiding Board representative **Mrs. Brigil** 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 grant a conditional license.

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

**In the matter of License Application File Number 2013-00859 Robert E. Moore t/a R. E. Moore Home Improvement**, 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  
2013-00859  
Robert E. Moore t/a  
R. E. Moore Home  
Improvement**

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

Applicant **Robert E. Moore** appeared at the IFF. **Robert E. Moore t/a R. E. Moore Home Improvement did not** attend the Board meeting.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Giesen** to grant a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of License Application File Number 2013-00861 Ralph Soots** 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  
2013-00861  
Ralph Soots**

Applicant **Ralph Soots** appeared at the IFF. **Ralph Soots** appeared at the Board meeting. He addressed the Board.

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

After discussion **Mr. Williams** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by majority vote. Members voting “Yes” were: **Chowdhuri, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.** **Mr. Dyer** voted “no”.

**In the matter of License Application File Number 2013-00867 James Anthony Holmes**, 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  
**2013-00867**  
**James Anthony Holmes**

Applicant **James Anthony Holmes** appeared at the IFF. **James Anthony Holmes** did not attend the Board meeting.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Chowdhuri** to grant a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of License Application File Number 2012-00874 James Joseph Gallion**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF). Applicant **James Joseph Gallion** appeared at the IFF. **James Joseph Gallion** did not attend the Board meeting.

File Number  
**2012-00874**  
**James Joseph Gallion**

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Smith** to grant a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of license Application File number 2013-00882 All Brass, 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  
**2013-00882**  
**All Brass, LLC**

Applicant **Eric Gaydon, (All Brass, LLC)** appeared at the IFF. **Eric Gaydon, (All Brass, LLC)** did attend the Board meeting. He addressed the Board.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Smith** to grant a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of license Application file number 2013-00884 Shantria Denise Graham,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF). Applicant **Shantria Denise Graham** appeared at the IFF. **Shantria Denise Graham** did not attend the Board meeting.

File Number  
**2013-00884**  
**Shantria Denise Graham**

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Chowdhuri** to grant a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of license Application file number 2013-00885 David A. Kestner,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF). Applicant **David A. Kestner** appeared at the IFF. **David A. Kestner** did not attend the Board meeting.

File Number  
**2013-00885**  
**David A. Kestner**

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

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: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of license Application number 2013-01116 Nathan E. Wilkerson, III;** 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  
2013-01116  
Nathan E. Wilkerson, III**

Applicant **Nathan E. Wilkerson, III** appeared at the IFF. **Nathan E. Wilkerson, III**, attended the Board meeting. He addressed the Board.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Dyer** to grant a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of license Application number 2013-01118 Go Green – Exterior Renovations 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  
2013-01118  
Go Green – Exterior  
Renovations LLC**

Applicant **Chris Morrison (Go Green – Exterior Renovations LLC)** appeared at the IFF. **Chris Morrison (Go Green – Exterior Renovations LLC)** attended the Board meeting. Morrison addressed the Board.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Dyer** to grant a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of license Application 2013-01127 Custom Carpet & Vinyl, Inc.,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF). Applicant **Custom Carpet & Vinyl, Inc** appeared at the IFF. **Custom Carpet & Vinyl, Inc** did not attend the Board meeting.

**File Number  
2013-01127  
Custom Carpet &  
Vinyl, Inc.**

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Dyer** to grant a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of license Application 2013-01150 Joseph Bartnick**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF). Applicant **Joseph Bartnick** appeared at the IFF. **Joseph Bartnick** did not attend the Board meeting.

**File Number**  
**2013-01150**  
**Joseph Bartnick**

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Chowdhuri** to grant a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of license Application 2013-01153 John C. Dawson**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF). Applicant **John C. Dawson** appeared at the IFF. **John C. Dawson** did attend the Board meeting. He addressed the Board.

**File Number**  
**2013-01153**  
**John C. Dawson**

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Williams** to grant a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of license Application 2013-01189 Bobby R. Blevins, II**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

Applicant **Bobby R. Blevins, II** appeared at the IFF. **Bobby R. Blevins, II** attended the Board meeting. He addressed the Board.

**File Number**  
**2013-01189**  
**Bobby R. Blevins, II**

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Williams** to grant a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of license Application 2013-01190 Davis & Associates Flooring, Inc.**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

Applicant **Davis & Associates Flooring, Inc.**, appeared at the IFF. **Davis & Associates Flooring, Inc.**, did not attend the Board meeting.

**File Number**  
**2013-01190**  
**Davis & Associates**  
**Flooring, Inc.**

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Smith** to grant a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of license Application 2013-01397 Advanced Chimney & Stonework**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

Applicant **Advanced Chimney & Stonework** appeared at the IFF. **Advanced Chimney & Stonework** did not attend the Board meeting.

**File Number**  
**2013-01397**  
**Advanced Chimney**  
**& Stonework**

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Smith** to grant a license. The motion passed by majority vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin,**

**Vander Pol, Williams and Walton. Members voting “no” were: Dyer, Middleton, and Oliver. Members absent were: Dowdy, Pace and Walker.**

**In the matter of license Application 2013-01396 Timothy Watson**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

Applicant **Timothy Watson** appeared at the IFF. **Timothy Watson** did not attend the Board meeting.

**File Number**  
**2013-01396**  
**Timothy Watson**

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Smith** to grant a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton. Members absent were: Dowdy, Pace and Walker.**

The Board took a break at 10:02 a.m. and returned at 10:29 a.m. with Mr. Oliver assuming the chair.

**Break**

**Resolution for former**  
**Board Member**  
**Dorothy L Wood**

*Commonwealth of Virginia*



**Department of Professional and Occupational  
Regulation**

**Board for Contractors Resolution**

## *Dorothy L. Wood*

**WHEREAS**, Dorothy L. Wood faithfully and diligently served as Vice Chairman, Chairman and member of the Virginia Board for Contractors from July 1, 2003 to June 30, 2011; and

**WHEREAS**, Dorothy L. Wood has given generously of her time, talent and leadership to the Board, including chairing numerous Informal Fact-finding Conferences, and providing expertise to the Board as needed; and

**WHEREAS**, Dorothy L. Wood endeavored always to protect the health, safety and well-being of the public by rendering fair and wise decisions, which were in the best interest of the Board and the Commonwealth's citizens; and

**WHEREAS**, the Board for Contractors wishes to acknowledge its gratitude and deepest appreciation for devoted service by Dorothy L. Wood, who is held in high esteem by the members of the Board and the citizens of the Commonwealth.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board for Contractors this twenty-ninth day of January, in the year two-thousand and thirteen, that Dorothy L. Wood be given all honors and respect due her for her outstanding service to the Commonwealth, its citizens, and the Board for Contractors; and

**BE IT FURTHER RESOLVED**, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

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Erby G. Middleton, Chairman

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Gordon N. Dixon, Director

Adrienne Mayo, Regulatory Boards administrator read the resolution and the Board chairman requested a motion.

A motion was offered by Mr. Dyer and seconded by Mr. Gelardi to have staff give this Resolution to former Board member Dorothy Wood and to make this Resolution a part of the official minutes of the Board.

The motion passed by a unanimous vote. Members voting "yes" were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of Disciplinary File Number 2012-02817, S A May Construction Corporation (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2012-02817  
S A May Construction  
Corporation**

**Stuart May** on behalf of **S A May Construction Corporation (Respondent)** along with Franklin McFadden, Attorney for May Construction appeared at the IFF. **Stuart May did not** attend the Board meeting.

The presiding Board representative **Mr. Middleton** 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. Williams** 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 **S A May Construction Corporation** 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: **Chowdhuri, Dyer, Gelardi, Giesen, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

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

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

Sanctions	
Count 1:	Revocation of the license for violation of Count 1.

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

In the matter of **Disciplinary File Number 2012-02861, Motechs 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**  
**2012-02861**  
**Motechs LLC**

**Felix Tang on behalf of Motechs LLC (Respondent)** appeared at the IFF. **Motechs LLC** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Smith** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Motechs 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: **Chowdhuri, Dyer, Gelardi, Giesen, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

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

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

Sanctions	
Count 1:	Revocation of the license for violation of Count 1.

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri,**

**Dyer, Gelardi, Giesen, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton. Members absent were: Dowdy, Pace and Walker.**

**In the matter of Disciplinary File Number 2012-01172, Raphael M Gonzales II, t/a Raven Enterprises (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  
2012-01172  
Raphael M Gonzales II,  
t/a Raven Enterprises**

**Ralph Gonzales II (Respondent)** appeared at the IFF. **Raphael M Gonzales II, t/a Raven Enterprises** did not appear at the board meeting in person or by counsel or by any other qualified representative.

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

Mrs. Clay shared with the Board that **Raphael M Gonzales II, t/a Raven Enterprises** previously entered into a Consent Order that was ratified on May 19, 2009 for violation of 18 VAC 50-22-260B and B 28. Total monetary penalty and Board costs were **\$2,650.00 of which \$2,000.00** was waived as they satisfied a judgment per the terms of the Consent Order and completed Remedial Education.

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 **Raphael M Gonzales II, t/a Raven Enterprises** violated the following sections of its Regulations:

Violations	February 1, 2006
Count 1:	18 VAC 50-22-260 B 14
Count 2:	18 VAC 50-22-260 B 16

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton. Members absent were: Dowdy, Pace and Walker.**

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

After discussion, **Mr. Williams** offered a motion seconded by **Mr. Gelardi** to impose

the following sanctions:

Sanctions		
Count 1:		\$1,800.00
Count 2:		\$2,000.00
Total		\$3,800.00

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

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In matter of the Disciplinary File Number 2012-00211, Raphael M Gonzales II, t/a Raven Enterprises (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  
2012-00211  
Raphael M Gonzales II, t/a  
Raven Enterprises**

**Raphael M Gonzales II, t/a Raven Enterprises (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **Raphael M Gonzales II, t/a Raven Enterprises** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

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

Mrs. Clay shared that **Raphael M Gonzales II, t/a Raven Enterprises** had priors. They entered into a consent order that was ratified on May 19, 2009. **Raphael M Gonzales II, t/a Raven Enterprises** violated 18 VAC 50-22-260B 9 and a monetary penalty with Board costs were assessed at \$2,260.00 of which \$2,000.00 was waived as they satisfied a judgment per the terms of the Order and completed Remedial Education as imposed.

After discussion, a motion was made by **Mr. Williams** 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 **Raphael M Gonzales II, t/a Raven Enterprises** 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: **Chowdhuri, Dyer, Gelardi, Giesen Middleton, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

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

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

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

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

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of Disciplinary File Number 2012-01656, Reliable Commercial Builders 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**  
**2012-01656**  
**Reliable Commercial**  
**Builders LLC**

**Kenneth Tyler** on behalf of **Reliable Commercial Builders LLC (Respondent)** appeared at the IFF. **Reliable Commercial Builders LLC** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Earlyne Boone (Complainant)** attended the Board meeting. She addressed the Board.

The presiding Board representative **Mr. Murrow** 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 **Reliable Commercial Builders 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 9	
Count 3:	18 VAC 50-22-26-0 B 11	
Count 4:	18 VAC 50-22-260 B 6	(Two Violations)
Count 5:	18 VAC 50-22-260 B 27	
Count 6:	18 VAC 50-22-260 B 2	

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

The presiding Board representative **Mr. Murrow** 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:	\$350.00
Count 2:	\$350.00
Count 3:	\$450.00
Count 4:	\$1,500.00 (2 @ 750 each)
Count 5:	\$650.00
Count 6:	\$900.00
Total	\$4,200.00
<p>In addition, for violation of Counts 1, 2, 3, 4, 5 and 6 the Board voted to require <b>Reliable Commercial Builders LLC</b> 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.</p>	

The motion passed by unanimous vote. Members voting “Yes” were **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of Disciplinary File Number 2012-02344, Ameri Corp Commercial Builders Ltd (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**  
**2012-02344**  
**Ameri Corp Commercial Builders Ltd**

**Ameri Corp Commercial Builders Ltd (Respondent)** did not appear at the IFF. **Ameri Corp Commercial Builders Ltd** did not attend the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Murrow** 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 **Ameri Corp Commercial Builders Ltd** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

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

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

Sanctions		
Count 1:		\$2,500.00
Total		\$2,500.00
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: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of Disciplinary File Number 2012-01888, Ace B Ramirez and Mauricio J Sobalvarro, t/a Gns Home Service – Gns Roofing (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  
2012-01888  
Ace B Ramirez and  
Mauricio J Sobalvarro,  
t/a Gns Home Service –  
Gns Roofing**

**Ace B Ramirez and Mauricio J Sobalvarro, t/a Gns Home Service – Gns Roofing (Respondent)** did not appear at the IFF meeting in person or by counsel or by any other qualified representative. **Ace B Ramirez and Mauricio J Sobalvarro, t/a Gns Home Service – Gns Roofing** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**Joshua Williams (Complainant)** attended the IFF meeting. He did not attend the Board meeting.

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. 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 **Ace B Ramirez and Mauricio J Sobalvarro, t/a Gns Home Service – Gns Roofing** 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 28

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

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

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

Sanctions	
Count 1:	\$400.00
Count 2:	\$1,200.00

Count 3:		\$1,200.00
Total		\$2,800.00

In addition, for violation of Count 1, the Board voted to require **Ace B Ramirez and Mauricio J Sobalvarro, t/a Gns Home Service – Gns Roofing** 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 the license be revoked.

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

**In the matter of Disciplinary File Number 2012-02600, Nc Contracting, 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  
2012-02600  
Nc Contracting, Inc.**

**Nc Contracting, Inc. (Respondent)** did not appear at the IFF meeting in person or by counsel or by any other qualified representative. **Nc Contracting, Inc.** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. 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 **Nc Contracting, Inc.** 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: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

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

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

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

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

**In the matter of Disciplinary File Number 2012-02677, Cardinal Construction 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  
2012-02677  
Cardinal Construction  
Services, Inc.**

**Cardinal Construction Services, Inc. (Respondent)** did not appear at the IFF. **Cardinal Construction Services did not** attend the Board meeting in person, by counsel or by any other qualified representative.

The presiding Board representative **Mr. Oliver** 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 **Robert Egan, II** violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 2	
Count 2:	18 VAC 50-22-260 B 20	
Count 3:	18 VAC 50-22-260 B 27	
Count 4:	18 VAC 50-22-260 B 6	
Count 6:	18 VAC 50-22-260 B 14	
Count 5:	18 VAC 50-22-230 A	Eff. September 1, 2001

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri,**

**Dyer, Gelardi, Giesen, Middleton, Murrow, Smith, Tomlin, Vander Pol, Williams and Walton. Members absent were: Dowdy, Pace and Walker.**

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

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

Sanctions		
Count 1:		\$1,500.00
Count 2:		\$1,500.00
Count 3:		\$1,500.00
Count 4:		\$2,500.00
Count 5:		\$500.00
Count 6:		\$2,500.00
Total		\$10,000.00

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Smith, Tomlin, Vander Pol, Williams and Walton. Members absent were: Dowdy, Pace and Walker.**

**In the matter of Disciplinary File Number 2012-01738, Robin L. Parker, t/a Parker Brothers 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  
2012-01738  
Robin L. Parker, t/a  
Parker Brothers  
Construction**

**Robin L. Parker, t/a Parker Brothers Construction (Respondent)** did not appear at the IFF. **Robin L. Parker, t/a Parker Brothers Construction did not** attend the Board meeting in person, by counsel nor by any other qualified individual. **Patrick Zimmerman and Kea Zimmerman (Complainant)** attended the IFF and the Board meetings.

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. Williams** 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 **Robert L Parker** 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 6	

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

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

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

Sanctions		
Count 1:		\$500.00
Count 2:		\$350.00
Count 3:		\$0.00
Count 4:		\$350.00
Total		\$1,200.00

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

**In the matter of Disciplinary File Number 2012-02223, United States Roofing, 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  
2012-02223  
United States  
Roofing, Inc.**

**United States Roofing, Inc. (Respondent)** did not appear at the IFF in person, by counsel nor by any other qualified individual. **United States Roofing, Inc** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Erik B Lawson** attorney for **Aaron Wyche, (Complainant)** attended the IFF.

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

**A Handout from the complainant** was given to the Board for review.

After review of the handout and 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. As to Count 1, Count 2, and Count 3, the Board closes these aspects of the file with a finding of no violation.

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

**In the matter of Disciplinary File Number 2012-02765, Darrell Campbell 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**  
**2012-02765**  
**Darrell Campbell**  
**Construction, LLC**

**Darrell K Campbell** on behalf of **Darrell Campbell Construction, LLC (Respondent)** appeared at the IFF. **Darrell Campbell Construction, LLC** did not attend the Board meeting in person, by counsel nor by any other qualified individual.

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. Gelardi** and seconded by **Mr. Williams** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Darrell Campbell Construction, LLC** violated the following sections of its Regulations:

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

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

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

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

**Sanctions**

In addition, for violation of Count 1, the Board voted to require **Darrell Campbell Construction, LLC** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 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: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of Disciplinary File Number 2012-02847, Potomac Signs, 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**

**2012-02847**

**Potomac Signs, Inc.**

**Potomac Signs, Inc. (Respondent)** did not attend the IFF and did not attend the Board meeting in person, by counsel nor by any other qualified individual. **Rand Gaber (Complainant)** attended the IFF. He also attended the Board meeting and addressed the Board.

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. Williams** and seconded by **Mr. Giesen** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in the matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of this Order. The board finds substantial evidence that Potomac Signs Inc violated the following sections of its Regulations:

Effective:	February 1, 2006
Count 1:	18 VAC 50-22-260 B 6 Three Violations

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

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. Giesen** and seconded by **Mr. Williams** to impose the following monetary penalties:

Sanctions		
Count 1:	2 Violations @ 750 and one @ 1,200	\$2,700.00
Total		\$2,700.00
The Board also imposes Revocation of the license for violation of Count 1.		

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

**In the matter of Disciplinary File Number 2012-02700, Maciej Szpak, t/a Rimax 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  
 2012-02700  
 Maciej Szpak, t/a Rimax  
 Construction**

**Maciej Szpak, t/a Rimax Construction (Respondent)** did not appear at the IFF in person, by counsel nor by any other qualified individual. **Maciej Szpak, t/a Rimax Construction** did not attend the Board meeting in person or by counsel or by any other qualified representative. **Jean Schartup (Complainant)** did attend the IFF.

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. 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 **Maciej Szpak** 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 6	
Count 4:	18 VAC 50-22-260 B 14	
Count 5:	18 VAC 50-22-260 B 16	
Count 6:	18 VAC 50-22-260 B 7	

Count 7:	18 VAC 50-22-260 B 13	
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The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

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

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

Sanctions		
Count 1:		\$350.00
Count 2:		\$1,500.00
Count 3:		\$750.00
Count 4:		\$1,700.00
Count 5:		\$1,350.00
Count 6:		\$1,350.00
Count 7:		\$1,250.00
Total		\$8,250.00

In addition, for violation of Count 1, the Board voted to require **Maciej Szpak** 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 Board also imposes the following sanction: Revocation of license for violation of Count 2, 3, 4, 5, 6 and 7.

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of Disciplinary File Number 2012-01742, Culver Design Build (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**  
**2012-01742**  
**Culver Design Build**

**Sloan Culver (Respondent)** did appear at the IFF in on behalf of **Culver Design**

**Build.**

**Mark Holmes and Marianne Bizek (Complainants)** appeared at the IFF along with witnesses: Patrick Barbe and Craig Wallace.

**Sloan Culver** (Respondent) and attorney **Peter Williams** on behalf of **Culver Design Build** did attend the Board meeting in person. Mr. Williams addressed the Board. **Mark Holmes and Marianne Bizek (Complainants)** along with witness **Craig Wallace** attended the Board meeting and addressed the Board.

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

Two handouts (one from the Respondent and one from the Complainants) were given to the Board members for review.

After review of handouts and 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 **Culver Design Build**, violated the following sections of its Regulations:

Violations	February 1, 2006
Count 1:	18 VAC 50-22-260 B 25

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

The presiding Board representative **Mr. Redifer** 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 reject the hearing officer’s recommendation and impose the following sanctions due to disregard of notice of violations:

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

The Board also imposes the following sanctions:  
Revocation of the license for violation of Counts 1.

The motion failed by a vote of 7 (seven) “Yes” and 5 (five) “No”. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Murrow, Smith, and Vander Pol.** Members voting “no” were: **Williams, Tomlin, Middleton, Oliver and Walton.**

**After further discussion the Board went into closed session.**

**Mr. Dyer offered a motion for the Board to enter into closed session:**

**Closed Session**

Mr. Chairman, I move that this meeting be recessed and that the Board immediately reconvene in closed meeting for the purpose of deliberation on disciplinary cases resulting from Informal or Formal hearings in order to reach a decision as permitted by § 2.2-3711.A.27 of the Code of Virginia. The following non-members will be in attendance to reasonably aid the consideration of the topic: Steven Jack, Eric Olson, Mark Courtney, and Nick Christner. This motion is made with respect to the matters identified as agenda item 52, case # 2012-01742. The motion was seconded by **Mr. Oliver.**

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

**The Board entered closed session at 11:28 am.**

The meeting reconvened at 12:02 pm from the closed session.

**Certification of Closed Meeting**

**Eric Olson read the certification of Closed Meeting:**

WHEREAS, the Board for Contractors has convened a closed meeting on this date, January 29<sup>th</sup>, 2013, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, § 2.2-3712 of the Code of Virginia requires a certification by this Board for Contractors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board for Contractors hereby certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board for Contractors.

Call for vote (each member must answer “Aye” or “Nay”):

Goutman Chowdhuri	“Aye”
H. Bailey Dowdy	“Absent”
Herbert “Jack” Dyer, Jr.	“Aye”
Michael Gelardi	“Aye”
David Giesen	“Aye”
E G Rudy Middleton, III	“Aye”
Douglas Murrow	“Aye”
James Oliver	“Aye”
E. C. Chick Pace, III	“Absent”
Troy Smith, Jr.	“Aye”
Deborah L. Tomlin	“Aye”
Dwight Todd Vander Pol	“Aye”
Chancey Walker	“Aye”
Wyatt Walton	“Aye”
A. Bruce Williams	“Aye”

**Mr. Oliver offered a motion seconded by Mr. Williams** to impose a fine of \$2,500.00 for violation of Count 1 and in addition, the Board requires Culver Design Build Inc have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order. Failure to comply with the terms will result in the automatic imposition of license suspension. The Board also imposes the following: Culver Design Build, Inc’s license will be placed on probation for a period of 90 (ninety) days from the effective date of this order. Within the probationary period, the Designated Employee will retake and pass the 3 (three part) exam required upon initial licensure and submit proof of passing such exam to the Board.

The motion passed with a majority vote. Members voting “Yes” were: **Chowdhuri, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Member voting “No” was: **Dyer**

**Members absent were: Dowdy, Pace and Walker.**

**In the matter of Disciplinary File Number 2012-02869, Jerry Bales, t/a Mid State Contractors (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  
2012-02869  
Jerry Bales, t/a Mid  
State Contractors**

**Jerry Bales, t/a Mid State Contractors, (Respondent)** did not attend the IFF. **Jerry Bales, t/a Mid State Contractors** 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. Dyer** and seconded by **Mr. Gelardi** 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 **Jerry Bales, t/a Mid State Contractors**, violated the following sections of its Regulations:

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

The motion passed by majority vote. Members voting “Yes” were **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

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

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

Sanctions In addition, for violation of Count 1, 3 and 4, the Board voted to impose revocation of <b>Jerry Bales, t/a Mid State Contractors license</b> .
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The motion passed by majority vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Disciplinary File Number 2012-03118, Jerry Bales t/a Mid State Contractors (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  
2012-03118  
Jerry Bales t/a Mid  
State Contractors**

**Old Richmond Exteriors, LLC (Respondent)** did not appear at the IFF. **Old Richmond Exteriors, LCC (Respondent)** did not attend the Board meeting in person or by counsel or by any other qualified representative. **Joseph and Carole Welsh**

(**Complainants**) attended the IFF.

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

**Mrs. Clay** shared there were priors: **Jerry Bales, t/a Mid State Contractors** entered into a Consent Order that was ratified on June 5, 2012 with a violation of 18 VAC 50-22-260 B 9 that included a monetary penalty and board costs of \$650.00 along with required successful completion of Remedial Education. The Regulant did NOT comply.

After further discussion, a motion was made by **Mr. Williams** 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 **Jerry Bales**, 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

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

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

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

Sanctions		
Count 1:		\$350.00
Count 2:		\$350.00
Total		\$700.00

In addition, for violation of Count 1 and Count 2, the Board voted to require Jerry Bales have a member of responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date 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: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of Disciplinary File Number 2011-03628, James Ira Lewis Jr. (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  
2011-03628  
James Ira Lewis Jr.**

**James Ira Lewis Jr. (Respondent)** did not attend the IFF in person or by counsel or by any other qualified representative. **James Ira Lewis Jr. (Respondent)** did not attend the Board meeting in person or by counsel or by any other qualified representative. **Michael Robinson (Complainants) and witness Leatha Miles, by telephone,** participated at the IFF.

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. 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 **James Ira Lewis Jr.,** 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 27	
Count 3:	18 VAC 50-22-260 B 6	
Count 4:	18 VAC 50-22-260 B 30	

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

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

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

Sanctions		
Count 1:		\$350.00
Count 2:		\$1,200.00
Count 3:		\$1,200.00
Count 4:		\$1,500.00
Total		\$4,250.00

In addition, for violation of Counts 1 and 2, the Board voted to require **James Ira Lewis Jr.** 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 the automatic imposition of license suspension.

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

**In the matter of Disciplinary File Number 2012-03039, H D Watson Builders 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  
2012-03039  
H D Watson  
Builders LLC**

**H D Watson Builders LLC (Respondent)** did not attend the IFF in person or by counsel or by any other qualified representative. **H D Watson Builders LLC (Respondent)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. 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 **H D Watson Builders 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 15	
Count 3:	18 VAC 50-22-260 B 29	
Count 4:	18 VAC 50-22-260 B 6	2 violations

Count 5:	18 VAC 50-22-260 B 28	2 violations
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The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

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

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

Sanctions		
Count 1:		\$350.00
Count 2:		\$750.00
Count 3:		\$350.00
Count 4:	2 @ 500.00 each	\$1,000.00
Count 5:		\$0.00
Total		\$2,450.00

In addition, for violation of Counts 1, 2, 3 and the Board voted to require **H D Watson Builders LLC** 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 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: **Chowdhuri, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of Disciplinary File Number 2012-00377, Douglas Scott Oswinkle t/a Scott Oswinkle’s Better Homes Services (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  
 2012-00377  
 Douglas Scott Oswinkle  
 t/a Scott Oswinkle’s  
 Better Homes Services**

**Douglas Scott Oswinkle t/a Scott Oswinkle’s Better Homes Services (Respondent)** did attend the IFF in person. **Douglas Scott Oswinkle t/a Scott Oswinkle’s Better Homes Services (Respondent)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Tomlin** was not present, did not participate in

the discussion and did not vote.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Smith** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Douglas Scott Oswinkle t/a Scott Oswinkle's Better Homes Services**, violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 13	
Count 2:	18 VAC 50-22-230 B	Eff: September 1, 2001

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

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

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

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

In addition, for violation of Count 1, the Board voted to require **Douglas Scott Oswinkle t/a Scott Oswinkle's Better Homes Services** 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 the automatic imposition of license suspension.

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Disciplinary File Number 2013-000702, Charles Gallagher t/a Liberty Paving & Excavating (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding

**File Number**  
**2013-00702**  
**Charles Gallagher t/a**

Conference (IFF), and the Summary and recommendation.

**Liberty Paving &  
Excavating**

**Charles Gallagher t/a Liberty Paving & Excavating (Respondent)** did not attend the IFF in person or by counsel or by any other qualified representative. **Charles Gallagher t/a Liberty Paving & Excavating (Respondent)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Tomlin** 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 **Charles Gallagher t/a Liberty Paving & Excavating**, 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: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

The presiding Board representative **Mrs. Tomlin** 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:	\$1,500.00
Total	\$1,500.00

In addition, for violation of Count 1, the Board voted to revoke **Charles Gallagher t/a Liberty Paving & Excavating** contractor’s license.

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

In the matter of Disciplinary File Number 2013-00779, Ronald B Wiltshire, t/a

File Number

**2013-00779**  
**Ronald B Wiltshire,**  
**t/a Wiltshire And Sons**

**Wiltshire And Sons (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.

**Ronald B Wiltshire, t/a Wiltshire And Sons (Respondent)** did not attend the IFF in person or by counsel or by any other qualified representative. **Ronald B Wiltshire, t/a Wiltshire And Sons (Respondent)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Williams** 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 **Ronald B Wiltshire, t/a Wiltshire And Sons**, 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: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

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

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

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

In addition, for violation of Count 1 the Board voted to require **Ronald B Wiltshire, t/a Wiltshire And Sons** revoke the Contractor’s license for violation of Count 1.

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

**In the matter of Disciplinary File Number 2012-02286, Old Dominion Service Group 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  
 2012-02286  
 Old Dominion Service  
 Group LLC**

**Old Dominion Service Group LLC (Respondent)** did not attend the IFF in person or by counsel or by any other qualified representative. **Old Dominion Service Group LLC (Respondent)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Williams** 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 **Old Dominion Service Group LLC**, violated the following sections of its Regulations:

Violations	September 1, 2001	
Count 1:	18 VAC 50-22-230 A	
Count 4:	18 VAC 50-22-230 B	
Violations	February 1, 2006	
Count 2:	18 VAC 50-22-260 B 6	
Count 3:	18 VAC 50-22-260 B 13	
Count 5:	18 VAC 50-22-260 B 2	
Count 6:	18 VAC 50-22-260 B 28	

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

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

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

Sanctions		
Count 1:		\$600.00
Count 2:		\$1,000.00
Count 3:		\$1,000.00

Count 4:		\$600.00
Count 5:		\$1,000.00
Count 6:		\$2,500.00
<b>Total</b>		<b>\$6,700.00</b>

In addition, for violation of Counts 1, and 4 the Board voted to require **Old Dominion Service Group LLC** 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 the automatic imposition of license suspension. The Board also imposed Revocation of the license for violation of Counts 2, 3, 5 and 6.

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

**In the matter of Disciplinary File Number 2012-02486, Custom Dreams Contracting, 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  
2012-02486  
Custom Dreams  
Contracting, Inc.**

**Custom Dreams Contracting, Inc (Respondent)** did not attend the IFF in person or by counsel or by any other qualified representative. **Custom Dreams Contracting, Inc (Respondent)** did not attend the Board meeting in person or by counsel or by any other qualified representative. Eric and Marion Vander Pol (**Complainants**) attended the IFF and the Board meeting. They addressed the Board.

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

After discussion, a motion was made by **Mr. 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 **Custom Dreams Contracting Inc,** violated the following sections of its Regulations:

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

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

The presiding Board representative **Mrs. Tomlin** 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:		\$1,500.00
Count 2:		\$1,500.00
Count 3:		\$1,500.00
Total		\$4,500.00

In addition, for violation of Counts 1, and 4 the Board voted to require **Custom Dreams Contracting, 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. Failure to comply with the terms will result the automatic imposition of license suspension.

The Board also voted to stall Revocation of the license for violation of Count 3 for a period of 2 years, subject to the completion of remedial education as identified above and also requiring Custom Dreams Contracting Inc shall not violate the Board’s regulations.

If Custom Dreams Contracting, Inc. fails to comply with the terms of the probation, then the license revocation specified will be imposed.

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

**In the matter of Disciplinary File Number 2012-02558, IMAC 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**  
**2012-02558**  
**IMAC Construction Inc.**

**IMAC Construction Inc. (Respondent)** did not attend the IFF in person or by counsel or by any other qualified representative. **IMAC Construction Inc. (Respondent)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. 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 **IMAC Construction Inc.**, violated the following sections of its Regulations:

Violations		
February 1, 2006		
Count 1:	18 VAC 50-22-260 B 2	
Count 2:	18 VAC 50-22-260 B 28	
Count 3:	18 VAC 50-22-230 B	September 1, 2001

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

The presiding Board representative **Mrs. Tomlin** 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:		\$2,500.00
Count 2:		\$2,500.00
Total		\$5,000.00

In addition, for violation of Counts 1, and 4 the Board voted to require **IMAC Construction 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. 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 Counts 1 and 2.

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

**In the matter of Disciplinary File Number 2013-00370, Security Remodeling Inc, t/a Jerry's Handyman & Remodeling 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  
2013-00370  
Security Remodeling Inc,  
t/a Jerry's Handyman &  
Remodeling Inc**

**Security Remodeling Inc, t/a Jerry's Handyman & Remodeling Inc (Respondent)** did not attend the IFF in person or by counsel or by any other qualified representative. **Security Remodeling Inc, t/a Jerry's Handyman & Remodeling Inc (Respondent)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

Mrs. Clay shared with the Board that priors exist. **Security Remodeling Inc, t/a Jerry's Handyman & Remodeling Inc** had a Consent Order ratified on July 26, 2011 and identified in the order was the following: violation of 18 VAC 50-22-260 B 28 with a monetary penalty and board costs totaling \$500.00 which was paid.

After discussion, a motion was made by **Mr. Williams** 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 **Security Remodeling Inc, t/a Jerry's Handyman & Remodeling 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: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

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

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

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

In addition, for violation of Count 1 the Board imposed Revocation of the license.

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

**In the matter of Disciplinary File Number, 2013-00579 Michael L. Ray t/a Weather Tile Home Improvement; Mr. Olson shared that** Mr. Ray has been in contact with Board Staff and shared information via fax that prompts staff to share that the information may be viewed and new evidence and the case be remanded to Staff.

**File Number  
2013-00579  
Michael L. Ray t/a  
Weather Tile Home  
Improvement**

After discussion, Mr. Dyer offered a motion seconded by Mr. Oliver to remand the case to staff for consideration and conducting an Informal Fact Finding Meeting.

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

**In the matter of Disciplinary File Number 2013-01060, Gators Landscaping & 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  
2013-01060  
Gators Landscaping &  
Construction LLC**

**Gators Landscaping & Construction LLC (Respondent)** did not attend the IFF in person or by counsel or by any other qualified representative. **Gators Landscaping & Construction LLC (Respondent)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. 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 **Gators Landscaping & Construction LLC**, 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: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

The presiding Board representative **Mrs. Tomlin** 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:		\$1,500.00
Total		\$1,500.00

In addition, for violation of Count 1, the Board imposed Revocation of the license.

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

**In the matter of Consent Order File Number 2012-03077 Board v. Stowe Wall Systems 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**  
**2012-03077**  
**Stowe Wall Systems Inc**

**Stowe Wall Systems 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 8	\$ 350.00
Count 2:	18 VAC 50-22-260 B 9	\$ 500.00
Count 3:	18 VAC 50-22-260 B 31	\$ 400.00
Count 4:	18 VAC 50-22-260 B 27	\$ 0.00
Count 5:	18 VAC 50-22-260 B 28	\$ 1,850.00
Board Costs		\$ 150.00
Total		\$ 3,250.00

In addition for violation of Count 5, **Stowe Wall Systems Inc.** agrees to revocation of its license.

Further, the Board shall waive imposition of the \$3,100.00 total

monetary penalties for Counts 1, 2, 3, and 5.

Also, for violation of counts 1, 2 and 3, **Stowe Wall Systems Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.**

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of Consent Order File Number 2012-01294 Board v. Aubrey Burrow t/a Kilroys Additions & Decks;** 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  
2012-01294  
Aubrey Burrow t/a  
Kilroys Additions  
& Decks**

**Aubrey Burrow** 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	\$ 300.00
Count 2:	18 VAC 50-22-260 B 29	\$ 250.00
Count 3:	18 VAC 50-22-260 B 29	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 1,100.00

In addition for violation of Counts 1, through 3, **Aubrey Burrow t/a Kilroys Additions & Decks** agrees to have a member of responsible management successfully complete a Board approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of Consent Order File Number 2012-01770 Board v. Robert Allen Foster, t/a F & F Trim;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the

**File Number  
2012-01770  
Robert Allen Foster,**

regulatory and/or statutory issues in this matter.

**t/a F & F Trim**

**Robert Allen Foster, t/a F & F Trim** 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 50-20-260 B 18	\$800.00
Count 2:	18 VAC 50-20-260 B 18 (to-wit 50-22-260 B 9)	\$350.00
Count 3:	18 VAC 50-20-260 B 18 (to-wit 50-22-260 B 8)	\$350.00
Count 4:	18 VAC 50-20-260 B 18 (to-wit 50-22-260 B 6)	\$750.00
Count 5:	18 VAC 50-20-260 B 18 (to-wit 50-22-260 B 31)	\$400.00
Count 6:	18 VAC 50-22-260 B 28	\$1,850.00
Board Costs		\$ 150.00
Total		\$4,650.00
<p>For violation of Count 6, <b>Robert Allen Foster</b> agrees to revocation of his license.</p> <p>Further, the Board shall waive imposition of the \$4,500.00 monetary penalties for Counts 1-6. Also, <b>Robert Allen Foster, t/a F &amp; F Trim</b> 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. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Consent Order File Number 2012-03042 Board v. Harris Stone Masonry & 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**  
**2012-03042**  
**Harris Stone Masonry & Construction LLC**

**Harris Stone Masonry & 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 9	\$350.00
Count 2;	18 VAC 50-22-260 B 6	\$500.00
Board Costs		\$150.00
Total		\$1,000.00
<p>Further, for violation of Counts 1 and 2, <b>Robert Allen Foster, t/a F &amp; F Trim</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.</p>		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Consent Order File Number 2012-03135 Board v. Kempsville Contracting Services Inc, t/a Kitchen King Cabinets**; 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**  
**2012-03135**  
**Kempsville Contracting**  
**Services Inc, t/a Kitchen**  
**King Cabinets**

**Kempsville Contracting Services Inc, t/a Kitchen King Cabinets** 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	\$ 1,000.00
Count 2:	18 VAC 50-22-260 B 27	\$ 500.00
Board Costs		\$ 150.00
Total		\$1,650.00
<p>Further, for violation of Counts 1 and 2, <b>Kempsville Contracting Services Inc, t/a Kitchen King Cabinets</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.</p>		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Consent Order File Number 2012-03180 Board v. Clarence Ward Kemp/Tina Hylton Kemp, t/a Outfront Builders;** 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  
2012-03180  
Clarence Ward Kemp/  
Tina Hylton Kemp, t/a  
Outfront Builders**

**Clarence Ward Kemp/Tina Hylton Kemp, t/a Outfront Builders** 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		\$1,600.00
Further for violation of Count 1, <b>Clarence Ward Kemp/Tina Hylton Kemp, t/a Outfront Builders</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		
In addition, the Board shall waive imposition of the \$750.00 monetary penalty for Count 1.		

Upon a motion by **Mr. Dyer** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of Consent Order File Number 2012-03359 Board v. AAII Area Roofing and Restoration 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  
2012-03359  
AAII Area Roofing  
and Restoration Inc.**

**AAII Area Roofing and Restoration 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
Further for violation of Count 1, <b>AAII Area Roofing and Restoration Inc.</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial		

education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Consent Order File Number 2012-03601 Board v. Complete Mechanical Contracting 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**  
**2012-03601**  
**Complete Mechanical Contracting LLC**

**Complete Mechanical Contracting 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	\$750.00
Count 2:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$1,300.00

In addition for violation of Counts 1 and 2, **Complete Mechanical Contracting LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Consent Order File Number 2012-03686 Board v. Premier Roofing & Siding Contractors 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**  
**2012-03686**  
**Premier Roofing & Siding Contractors Inc**

**Premier Roofing & Siding Contractors 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	\$ 250.00
Board Costs		\$ 150.00
Total		\$400.00
Further for violation of Count 1, <b>Premier Roofing &amp; Siding Contractors Inc</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Consent Order File Number 2012-03551 Board v. Allen W Knott, t/a Knott’s Roofing**; 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**  
**2012-03551**  
**Allen W Knott, t/a**  
**Knott’s Roofing**

**Allen W Knott, t/a Knott’s Roofing** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 350.00
Board Costs		\$ 150.00
Total		\$ 500.00
Further, for violation of Count 1 <b>Allen W Knott, t/a Knott’s Roofing</b> agrees to have a member of Responsible Management successfully complete remedial education.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Consent Order File Number 2012-03733 Board v. Dennis D & Willard T Revels, t/a Revels Roofing**; 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**  
**2012-03733**  
**Dennis D & Willard**  
**T Revels, t/a Revels**  
**Roofing**

**Dennis D & Willard T Revels, t/a Revels Roofing** 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
<p>In addition, for violation of Count, 1, <b>Dennis D &amp; Willard T Revels, t/a Revels Roofing</b> agrees to revocation of their license. Also, the Board shall waive imposition of the \$1,850.00 monetary penalty for Count 1 provided a member of Responsible Management of <b>Dennis D &amp; Willard T Revels, t/a Revels Roofing</b> satisfies the judgment and provides the Board with proof of the satisfaction within ninety days of the effective date of the order. If <b>Dennis D &amp; Willard T Revels, t/a Revels Roofing</b> fails to comply with this condition, then the full monetary penalty and license revocation will be automatically imposed</p>		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Consent Order File Number 2013-00153 Board v. Hands on Deck 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  
 2013-00153  
 Hands on Deck  
 Construction LLC**

**Hands on Deck 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 22	\$ 0.00
Count 2:	18 VAC 50-22-260 B 23	\$ 700.00
Board Costs		\$ 150.00
Total		\$850.00
<p>In addition, for violation of Counts 1 and 2, <b>Hands on Deck Construction LLC</b> agrees to revocation of its license.</p>		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the

Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of Consent Order File Number 2013-00258 Board v. Ywain Young, t/a Young Tec 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  
 2013-00258  
 Ywain Young, t/a Young  
 Tec Construction**

**Ywain Young, t/a Young Tec 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 9	\$ 350.00
Count 2:	18 VAC 50-22-260 B 11	\$ 450.00
Count 3:	18 VAC 50-22-260 B 8	\$ 750.00
Board Costs		\$ 150.00
Total		\$ 1,700.00
Further <b>Ywain Young, t/a Young Tec Construction</b> agrees that a member of Responsible Management will successfully complete a Board approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**In the matter of Consent Order File Number 2013-00335 Board v. Rick Thompson Electric Company 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  
 2013-00335  
 Rick Thompson  
 Electric Company Inc**

**Rick Thompson Electric Company 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, the Board shall waive \$600.00 of the monetary penalty for Count 1 provided a member of Responsible Management of <b>Rick Thompson Electric Company Inc</b> successfully completes a Board-approved remedial education class within 90 days of the order. If a member of responsible Management of Rick Thompson Electric Company Inc fails to comply with this condition, then the full monetary penalty will be automatically imposed.	

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Consent Order File Number 2013-00367 Board v. Thomas Bryan Kinnett, t/a Kinnett Plumbing** 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**  
**2013-00367**  
**Thomas Bryan Kinnett,**  
**t/a Kinnett Plumbing**

**Thomas Bryan Kinnett, t/a Kinnett Plumbing** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 18	\$ 500.00
Board Costs		\$ 150.00
Total		\$ 650.00

Further, for violation of Count 1, **Thomas Bryan Kinnett, t/a Kinnett Plumbing** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Consent Order File Number 2013-00368 Board v. Zang Electric**

**File Number**

**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.

**2013-00368**  
**Zang Electric LLC**

**Zang Electric 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	\$ 500.00
Board Costs		\$ 150.00
Total		\$ 650.00
Further for violation of Count 1, <b>Zang Electric LLC</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

**In the matter of Consent Order File Number 2012-01716 Board v. Joseph Lawrence Tyler, t/a Tyler 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**  
**2012-01716**  
**Joseph Lawrence Tyler,**  
**t/a Tyler Construction**

**Joseph Lawrence Tyler, t/a Tyler 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 9	\$ 500.00
Count 2:	18 VAC 50-22-260 B 2	\$ 500.00
Board Costs		\$ 150.00
Total		\$ 1,150.00
In addition, for violation of Counts 1 and 2, <b>Joseph Lawrence Tyler, t/a Tyler Construction</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		
Further, the board shall waive imposition of the \$500.00 monetary		

penalty for Count 1 and shall waive the imposition of the \$500.00 monetary penalty for Count 2.

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

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

**In the matter of Consent Order File Number 2012-003731 Board v. Graf Construction Co Two 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**  
**2012-03731**  
**Graf Construction Co**  
**Two LLC**

**Graf Construction Co Two 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 17	\$ 750.00
Count 2:	18 VAC 50-22-260 B 17	\$ 750.00
Board Costs		\$ 150.00
Total		\$ 1,500.00

In addition, for violation of Counts 1 and 2, **Graf Construction Co Two 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. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

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

**In the matter of Consent Order File Number 2012-02669 Board v. Pierce Properties** **File Number**

**& Pools 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.

**2012-02669  
 Pierce Properties &  
 Pools LLC**

**Pierce Properties & Pools 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	\$ 200.00
Count 3:	18 VAC 50-22-260 B 31 (two violations at \$100.00 each)	\$200.00
Board Costs		\$ 150.00
Total		\$ 700.00
Further for violation of Counts 1 and 3, <b>Pierce Properties &amp; Pools LLC</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

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

**In the matter of Consent Order File Number 2012-03684 Board v. American Construction Company of Virginia** 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  
 2012-03684  
 American Construction  
 Company of Virginia**

**American Construction Company of Virginia** 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 2	\$ 700.00
Count 2:	18 VAC 50-22-260 B 6	\$ 500.00
Board Costs		\$ 150.00

Total	\$ 1,350.00
<p>In addition, for violation of Count 1 and 2, <b>American Construction Company of Virginia</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.</p>	

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

The presiding Board representative **Mr. Smith** did not vote.

**In the matter of Consent Order File Number 2012-03311 Board v. Rising Trout Holdings 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**  
**2012-03311**  
**Rising Trout Holdings Inc**

**Rising Trout Holdings 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 8 (8 violations at 350.00 each)	\$ 2,800.00
Count 2:	18 VAC 50-22-260 B 9 (8 violations at 350.00 each)	\$ 2,800.00
Count 3:	18 VAC 50-22-260.B. 14	\$1,550.00
Count 4:	18 VAC 50-22-260 B 16	\$ 2,500.00
Board Costs		\$ 150.00
Total		\$ 9,800.00

In addition, for violation of Counts 3 and 4, **Rising Trout Holdings Inc** agrees to revocation of its license.

Further, the Board shall waive imposition of the \$2,800.00 monetary penalty for Count 1, the \$2,800.00 monetary penalty for Count 2, the \$1,550.00 monetary penalty for Count 3 and the \$2,500.00 monetary penalty for count 4, on the condition that **Rising Trout Holdings Inc** reimburses \$22,687.91 to Frank and Linda Britton and provides the board with proof of the payment within sixty days of the effective date of this order. If **Rising**

**Trout Holdings Inc** fails to comply with these conditions, then the full monetary penalty will be automatically imposed.

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

The presiding Board representative **Mr. Vander Pol** did not vote.

**In the matter of Consent Order File Number 2012-01887 Board v. Right Now Heating & Air Conditioning 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**  
**2012-01887**  
**Right Now Heating & Air**  
**Conditioning Inc**

**Right Now Heating & Air Conditioning 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 22	\$,00.00
Count2:	18 VAC 50-22-260 B 23	\$ 700.00
Count 3:	18 VAC 50-22-260 B 28	\$1,850.00
Board Costs		\$ 150.00
Total		\$ 2,650.00

For Count 3, Right Now Heating & Air Conditioning Inc agrees to revocation of its license.

Further, the board shall waive imposition of the \$1,850.00 monetary penalty and license revocation for count 3, provided Right Now Heating & Air Conditioning Inc satisfies the judgments and provides the Board with proof of the satisfactions within 90 days of the order. If Right Now Heating & Air Conditioning Inc fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

In addition, Right Now Heating & Air Conditioning Inc agrees to submit to the Board the results of a review, to be completed by a Certified Public Accountant, verifying that it currently meets all financial requirements for Class B licensure under 18 VAC 50-22-50. Such review must be submitted to the board within ninety 90

days of the ratification of this Order. Failure to comply with these terms will result in automatic license suspension until full compliance is obtained.

Also, for Count 2, Right Now Heating & Air conditioning Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

The presiding Board representative **Mr. Walker** was not present and did not vote.

**In the matter of Consent Order File Number 2013-00217 Board v. Sandru Inc, t/a Tile By Drew;** 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**  
**2013-00217**  
**Sandru Inc, t/a Tile By**  
**Drew**

**Sandru Inc, t/a Tile By Drew;** 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
Further for violation of Count 1, <b>Sandru Inc, t/a Tile By Drew;</b> agrees to revocation of its license.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

The presiding Board representative **Mr. Walker** was not present and did not vote.

**Eric Olson gave the board members a handout pertaining to 2010-03551.**

**Steven Jack, Board Counsel** addressed the Board concerning Tom and Cathie Hilton and Hamlet and Company, Inc and their appeal in the Circuit Court of the City of Norfolk. The General District Court found in favor of the Petitioners and awarded \$15,000 plus \$48.00 in court costs. The Court found that the Board’s Final Opinion and Order of April 19, 2011 be Reversed and the matter Remanded to the Board for consideration of the pleadings filed in the General District Court. Board Counsel shared this information with the Board and recommended that the Board reconsider and approve payment of the claim.

After discussion a motion was offered by **Mr. Dyer** and seconded by **Mr. Gelardi** to pay the claim in the amount of \$15,048.00.

The motion passed by majority vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Smith, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.** Tomlin voted “no”.

**Sharon Verry, Director of Finance at the Department of Professional and Occupational Regulations;** attended the Board meeting and conducted a workshop on travel training for the Board members. The Board members asked questions of Ms. Verry and they thanked her for the handouts and for the information she provided.

**Adrienne Mayo, Regulatory Boards Administrator provided the Board with a Committee Report;**

The following is a summary and report of the meeting of the Committee of the Board for Contractors held on January 28, 2013. The items requiring Board action are marked with an asterisk (\*).

**Education Provider Applications\***

The following application for proposed education provider and course was reviewed by the committee and their recommendations are as follows:

Name	Education	Type	Staff Recommendation	Code Disclaimer	Retroact Approva Requeste

**Old Business**  
**2010-03551**

**Tom Hilton, et al.,**  
**v.**  
**Department of Professional and Occupational Regulation**

**New Business/**  
**Finance Training**

**Committee Report & Additional Board’s New Business/Training**  
**Adrienne Mayo, Eric Olson,**  
**Gordon Dixon and Mark Courtney**

Electrical Solutions (NEW)	Continuing	ELE in Classroom	<b>Approval</b>	<b>Yes</b>	<b>No</b>
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Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board approved the Committee Recommendation for Application Approval of Electrical Solutions with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton.** Members absent were: **Dowdy, Pace and Walker.**

**Old Business: Mrs. Mayo shared:**

### **Regulatory Reform Initiative**

A Notice of Intended Regulatory Action (NOIRA) adopted by the Board in response to Executive Order 14 has been submitted. Several individuals addressed the Committee to share their concerns regarding the NOIRA. Board staff advised public comments will be received through February 27, 2013 and all comments may be submitted to the Board office by e-mail, fax or via regular mail.

Further, proposed amendments to the Board for Contractor Individual License and Certification Regulations were reviewed and discussed by the Committee. The Committee voted to table presenting any proposed amendments to the Board for review until after the public comment period.

The Board accepted this information without a vote.

### **Regulatory Homework**

In response to the Committee’s request Mindy Spruill, Board Administrator presented requirements of other states with regards to bonding, credit reporting, net worth CPA reviews vs. audits and licensing/renewal fees.

Mr. Olson recapped this information for the Board in Ms. Spruill’s absence. There was discussion on the information.

**New Business: Ms. Mayo shared:**

### **Legislative Update**

**Gordon Dixon**, Agency Director gave the Committee an overview of the 2013 legislative session and bills that have been introduced.

During the Board meeting Mr. Olson gave the Board an overview of the 2013 legislative

session and bills that have been introduced.

### **Correspondence Between Board Members**

Board staff addressed the Committee advising any correspondence involving board business is to be forwarded to the Board's Director to ensure consideration of the matter as an agenda item during a publicly noticed Board.

**Mr. Eric Olson, Mr. Gordon Dixon, Mr. Mark Courtney and Mr. Steven Jack** (Board's attorney) gave the Board members additional Freedom of Information Act Training. **Mark Courtney** presented a workshop of FOIA to the Board Members present. There was discussion. **Mr. Courtney** also touched on the Roles and Responsibilities of a Board member. The Board chairman **Mr. Middleton** requested that all Board members receive this refresher update training at least once annually.

### **Board Application Matrix**

The Committee reviewed the current Criminal History and Financial History Application Matrices. The Committee will further examine the matrices to determine whether amendments are needed during its April meeting.

The next Board meeting will be April 9<sup>th</sup>, 2013.

### **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. Also any members who have not completed their Financial Disclosure Statement please see Sheila Watkins today.

### **Paperwork**

There being no further business to come before the Board, the meeting was adjourned at **02:39 p.m.** upon a motion by **Mr. Middleton** and seconded by **Mr. Oliver**.

### **Adjournment**

The motion passed with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, Williams and Walton**. Members absent were: **Dowdy, Pace and Walker**.

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E.G. Middleton, III, Chairman

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Gordon N. Dixon, Secretary