

## Draft BOARD FOR CONTRACTORS BOARD MEETING MINUTES

The Board for Contractors met on Tuesday, **July 30<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  
Herbert "Jack" Dyer, Jr.  
Michael Gelardi  
David Giesen  
Bailey Dowdy.  
Doug Murrow  
James Oliver  
E.C. "Chick" Pace  
Deborah Tomlin  
Dwight Todd Vander Pol  
Chancey Walker  
A. Bruce Williams

Mr. Goutam Chowdhuri, Troy Smith and Wyatt H. Walton, III were not present at the meeting.

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

Gordon Dixon, Director  
Eric L. Olson, Executive Director  
Mindy Spruill, Regulatory Boards Administrator  
Adrienne Mayo, Regulatory Boards Administrator  
Sheila Watkins, Administrative Assistant/  
Compliance Specialist  
Karen Bullock, Administrative Assistant/  
Compliance Specialist  
Kristin Clay, Legal Analyst  
Cameron Parris, Legal Analyst  
Rhonda Holmes, Legal Analyst  
Mark Courtney, Senior Director of Regulatory &  
Public Affairs  
Josh Laws, Assistant Attorney General

Chairman E. G. Middleton called the meeting to order at 9:05 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. Pace** to approve the agenda. The motion passed unanimously. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Middleton, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Williams.** Members absent were: **Chowdhuri, Smith and Walton.**

**Approval of the Agenda**

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

**Approval of Minutes**

April 9<sup>th</sup>, 2013 Board for Contractors Amended Meeting Minutes  
June 4, 2013 Board for Contractors Meeting  
April 25<sup>th</sup>, 2013 Informal Fact Finding Conference  
April 26<sup>th</sup>, 2013 Informal Fact Finding Conference  
April 30<sup>th</sup>, 2013 Informal Fact Finding Conference  
May 14<sup>th</sup>, 2013 Informal Fact Finding Conference ( two)  
May 21<sup>st</sup>, 2013 Informal Fact Finding Conference  
May 30<sup>th</sup>, 2013 Informal Fact Finding Conference  
June 3<sup>rd</sup>, 2013 Informal Fact Finding Conference

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

**There was no public comment.**

**Public Comment Period**

**In the matter of Recovery Fund File Number 2012-03539, Leuitha Winston, (Claimant) and Mark LaFoon, t/a LaFoon Construction, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Mark LaFoon t/a LaFoon Construction (Regulant)** did not appear at the Board meeting in person or by counsel or by any other

**File Number  
2012-03539  
Leuitha Winston  
(Claimant)  
and Mark LaFoon,**

qualified representative. **Leuitha Winston (Claimant)** did not attend the Board meeting.

**t/a LaFoon Construction (Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Giesen** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$16,374.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Middleton, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Williams**. Members absent were: **Chowdhuri, Smith and Walton**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **LaFoon Construction** involved improper and dishonest conduct.

Upon payment of the claim, the license of **LaFoon Construction** 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 2013-01654, Audrey Winter, (Claimant) and JB Contracting & Electrical, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **JB Contracting & Electrical, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Audrey Winter (Claimant)** did not attend the Board meeting.

**File Number  
2013-01654  
Audrey Winter  
(Claimant) and  
JB Contracting &  
Electrical (Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Giesen** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$20,000.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen,**

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

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **JB Contracting & Electrical** involved improper and dishonest conduct.

Upon payment of the claim, the license of **JB Contracting & Electrical** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. Payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

**In the matter of Recovery Fund File Number 2013-02059, Jeffrey & Nancy Feliciano, (Claimant) and Richmond Renovation, LLC, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Richmond Renovation LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Jeffrey & Nancy Feliciano (Claimant)** did not attend the Board meeting.

**File Number**  
**2013-02059**  
**Jeffrey & Nancy**  
**Feliciano (Claimants) and**  
**Richmond Renovation**  
**LLC**  
**(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$13,152.33**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Middleton, Dowdy, Walker, Pace, Oliver, Tomlin, Vander Pol, and Williams. Members absent were: Chowdhuri, Smith and Walton. Mr. Murrow opposed.**

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Richmond Renovation LLC** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Richmond Renovation 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. See order for additional details.

**In the matter of Recovery Fund File Number 2013-02542, Priscilla Bozemon, (Claimant) and Dr D's Quality LLC, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Dr. D's Quality LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Priscilla Bozemon, (Claimant)** did not attend the Board meeting.

**File Number**  
**2013-02542**  
**Priscilla Bozemon**  
**(Claimant) and**  
**Dr D's Quality LLC**  
**(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Williams** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$4,713.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Middleton, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Williams**. Members absent were: **Chowdhuri, Smith and Walton**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Dr. D's Quality LLC**, involved improper or dishonest conduct.

Upon payment of the claim, the license of **Dr D's Quality 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. See order for additional details.

**In the matter of Recovery Fund File Number 2013-02577, Louisa Visconti (Claimant) and Deck Doctor LLC (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Priority One Contractors Corporation (Regulant)** did not appear at the Board

**File Number**  
**2013-02577**  
**Louisa Visconti**  
**(Claimant)**

meeting in person or by counsel or by any other qualified representative.  
**Louisa Visconti (Claimant)** did not attend the Board meeting.

**and Deck Doctor LLC  
(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Williams** 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 and pays the claim in the amount of **\$20,000.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Middleton, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Williams**. Members absent were: **Chowdhuri, Smith and Walton**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Deck Doctor LLC** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Deck Doctor 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. See order for additional details.

**In the matter of Recovery Fund File Number 2013-02667, Carina Salinas & Emil Mendoza-Torrico, (Claimant) and John T Taborga t/a Taborga Construction, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **John T Taborga t/a Taborga Construction, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **James and Melisa Packett, (Claimants)** did not attend the Board meeting.

**File Number  
2013-02667  
Carina Salinas & Emil  
Mendoza-Torrico  
(Claimant) and  
John T Taborga t/a  
Taborga Construction  
(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Giesen** 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 and pays the claim in the amount of **\$20,000.00**. The Claim Review and

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

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Taborga Construction** involved improper and dishonest conduct.

Upon payment of the claim, the license of **John T Taborga Construction** 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. See order for additional details.

**In the matter of Recovery Fund File Number 2013-02719, David Hammond, (Claimant) and Raymond F Evans, t/a Choice Construction, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Stingray Construction LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **David Hammond (Claimant)** did not attend the Board meeting.

**File Number**  
**2013-02719**  
**David Hammond**  
**(Claimant) and**  
**Raymond F Evans, t/a**  
**Choice Construction**  
**(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$20,000.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Middleton, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Williams.** Members absent were: **Chowdhuri, Smith and Walton.**

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

Upon payment of the claim, the license of **Choice Construction** 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. See order for additional details.

**In the matter of Recovery Fund File Number 2013-02915, Reginald Edwards, (Claimant) and New Start Homes Inc, (Regulant);** the board was informed that this case was referred back to an Informal Fact Finding Conference.

**File Number**  
**2013-02915**  
**Reginald Edwards**  
**(Claimant)**  
**New Start Homes Inc**  
**(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$1,525.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Middleton, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Williams.** **Members absent were: Chowdhuri, Smith and Walton.**

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **New Start Homes Inc** involved improper and dishonest conduct.

Upon payment of the claim, the license of **New Start Homes Inc** 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. See order for additional details.

**In the matter of Recovery Fund File Number 2013-00300, Kenneth & Mari Hogleund (Claimant) and Deep Creek of Virginia used in, t/a VA by Deep Creek Log Homes Incorporated, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Deep Creek of Virginia used in, t/a VA by Deep Creek Log Homes Incorporated (Regulant)** did not appear at the Board meeting in person or by

**File Number**  
**2013-00300**  
**Kenneth & Mari Hogleund**  
**(Claimant)**  
**And Deep Creek of**  
**Virginia used in,**

counsel or by any other qualified representative. **Kenneth Hoglund (Claimant) and his attorney, John Symankiewicz** did attend the Board meeting. They addressed the Board.

**t/a VA by Deep Creek Log Homes Incorporated (Regulant)**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$20,000.00**. Mr. Dyer had questions. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Gelardi, Giesen, Dowdy, Middleton, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Williams**. **Members absent were: Chowdhuri, Smith and Walton**. **Dyer and Walker opposed.**

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Va by Deep Creek Log Homes Incorporated** involved improper and dishonest conduct.

Upon payment of the claim, the license of **VA by Deep Creek Log Homes Incorporated** 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. See order for additional details.

**In the matter of Recovery Fund File Number 2013-00931, Mary B Cox, (Claimant) and Kenneth Yates t/a Yates Home Repairs, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Kenneth Yates t/a Yates Homes Repairs (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Mary B Cox (Claimant)** did not attend the Board meeting.

**File Number  
2013-00931  
Mary B. Cox  
(Claimant)  
and Kenneth Yates t/a  
Yates Home Repairs  
(Regulant)**

**Rhonda Holmes offered a correction for this case file. She shared the correct license number in the record should be 2705-062531.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$20,000.00**. Mr. Dyer had questions. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Gelardi, Giesen, Dowdy,**

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

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Yates Homes Repairs** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Yates Home Repairs** 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. See order for additional details.

**In the matter of Recovery Fund File Number 2013-01581, Misty Hook, (Claimant) and William Cascio t/a Cascio Construction, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **William Cascio t/a Cascio Construction (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Misty Hook (Claimant)** did not attend the Board meeting.

**File Number**  
**2013-01581**  
**Misty Hook (Claimants)**  
**and William Cascio t/a**  
**Cascio Construction**  
**(Regulant)**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Williams** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$18,000.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Middleton, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Williams. Members absent were: Chowdhuri, Smith and Walton.**

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **William Cascio t/a Cascio Construction** involved improper and dishonest conduct.

Upon payment of the claim, the license of **William Cascio t/a Cascio Construction** 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. See order for

additional details.

**In the matter of Recovery Fund File Number 2013-01582, Misty Hook (Claimant) and William Cascio t/a Cascio Construction, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **William Cascio t/a Cascio Construction (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Misty Hook (Claimant)** did not attend the Board meeting.

**File Number**  
**2013-01582**  
**Misty Hook (Claimants)**  
**and William Cascio t/a**  
**Cascio Construction**  
**(Regulant)**

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 Summary. The Claim Review and Summary are incorporated as a part of the Order. The Board denies payment of the claim. The Board finds substantial evidence that the actions of Cascio Construction did not fall within the statutory definition of improper or dishonest conduct.

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

**In the matter of Recovery Fund File Number 2013-02009, Alfred Elkins (Claimant) and Mechanical Heating & Cooling, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Mechanical Heating & Cooling (Regulant)** did appear at the Board meeting by counsel **Marvin Roseman**, their attorney. **Alfred Elkins (Claimant)** did attend the Board meeting. They addressed the Board. Carol Elkins was present but did not address the Board.

**File Number**  
**2013-02009**  
**Alfred Elkins**  
**(Claimant) and**  
**Mechanical Heating**  
**& Cooling**  
**(Regulant)**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Oliver** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and deny payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. Mr. Gelardi and Mr. Vander Pol had questions for counsel. The Board orders that this claim be denied based on the fact the claimant did not file the claim within one year as required by statute.

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

**In the matter of Recovery Fund File Number 2013-02099, Craig Brown (Claimant) and Gary Miller, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. Michael Pierce for **Gary Miller (Regulant)** did not appear at the Board meeting in person by any qualified representative or by counsel. **Craig Brown (Claimant)** did not attend the Board meeting in person, by counsel or by any other qualified representative.

File Number  
**2013-02099**  
**Craig Brown**  
**(Claimant)**  
**and Gary Miller**  
**(Regulant)**

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 Summary and deny payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. The Board orders that the claim be denied based on the fact that the Board finds the Order of the Court does not contain language that supports the conclusion that the conduct of the Regulant was improper or dishonest. Also the Board finds that the Claimant did not conduct debtor interrogatories.

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

**In the matter of Recovery Fund File Number 2013-02307, Martin Mitchell, Jr. (Claimant) and Guillermo Roviralta t/a Build a Custom Home, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Guillermo Roviralta t/a Build a Custom Home (Regulant)** did appear at the Board meeting in person, by counsel or by any other qualified representative. **Martin Mitchell, Jr. (Claimant)** did not attend the Board meeting.

File Number  
**2013-02307**  
**Martin Mitchell, Jr.**  
**(Claimants)**  
**and**  
**Guillermo Roviralta**  
**t/a Build a Custom Home**  
**(Regulants)**

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 Summary and deny payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. The Board finds that the Claimant did not file his claim within one year as required by statute. In addition, the Board finds that the contract did not involve a transaction for the Claimant's primary residence.

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

**In the matter of Recovery Fund File Number 2012-01660, Theresa M. Bales (Claimant) and Jesse Patrick McDowell, t/a AAPM Construction/Heck Of A Deck Builders, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Jesse Patrick McDowell, t/a AAPM Construction/Heck Of A Deck Builders (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Theresa M. Bales (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number  
2012-01660  
Theresa M. Bales  
(Claimant)  
and  
Jesse Patrick McDowell,  
t/a AAPM Construction/  
Heck Of A Deck Builders  
(Regulant)**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Dyer** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and deny payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. The Board finds there is no language in the court order that supports or identifies any improper or dishonest conduct on the part of **Jesse Patrick McDowell, t/a AAPM Construction/Heck Of A Deck Builders.**

The motion passed by a unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Murrow, Oliver, Giesen, Vander Pol, and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** Tomlin, the Board's hearing officer was not present and did not vote.

**In the matter of Recovery Fund File Number 2013-02469, Richard & Karla**

**File Number**

**McKinley (Claimant) and Distinctive Remodeling Solutions, LLC, (Regulant)**; the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Distinctive Remodeling Solutions, LLC (Regulant)** did not appear at the Board meeting in person, by counsel or by any other qualified representative. **Richard & Karla McKinley (Claimant)** did attend the Board meeting in person, by counsel or by any other qualified representative.

**2013-02469  
Richard & Karla  
McKinley (Claimant)  
and  
Distinctive Remodeling  
Solutions, LLC  
(Regulant)**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Dyer** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and denies payment of the claim. The Claim Review and Recommendation are incorporated as a part of this Order. The Board finds there is no language in the order that supports the conclusion that the court found that the conduct of **Distinctive Remodeling Solutions, LLC** involved improper or dishonest conduct. The motion passed by a unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Middleton, Dowdy, Walker, Pace, Murrow, Oliver, Vander Pol, and Williams**. Members absent were: **Chowdhuri, Smith and Walton**. **Tomlin, the Board's hearing officer was not present and did not vote.**

**In the matter of Recovery Fund File Number 2013-01882, Bryan Canter (Claimant) and Jin Ku Han aka Kun Jung Han t/a Elim Construction Company, (Regulant)**; the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Jin Ku Han aka Kun Jung Han t/a Elim Construction Company (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Bryan Canter (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number  
2013-01882  
Bryan Canter (Claimant)  
Jin Ku Han aka Kun  
Jung Han t/a Elim  
Construction Company  
(Regulant)**

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 Summary and denies payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. The Board finds that the Claimant did not contract with a Regulant of the Board as required by statute.

The motion passed by a unanimous vote. Members voting "Yes" were: **Dyer, Giesen, Gelardi, Middleton, Dowdy, Walker, Pace, Murrow, Oliver, Vander**

**Pol, and Williams. Members absent were: Chowdhuri, Smith and Walton. Tomlin, the Board's hearing officer was not present and did not vote.**

**In the matter of Recovery Fund File Number 2013-02237, Jeffrey May (Claimant) and Old Richmond Exteriors, LLC, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Old Richmond Exteriors, LLC, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Jeffrey May (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number  
2013-02237  
Jeffrey May (Claimant)  
And  
Old Richmond  
Exteriors, LLC,  
(Regulant)**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Giesen** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and pay the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of the Order. The Board finds there is language in the order that supports the conclusion that the court found the conduct of **Old Richmond Exteriors, LLC** involved improper or dishonest conduct.

The motion passed by a majority vote. Members voting "Yes" were: **Gelardi, Giesen, Middleton, Dowdy, Walker, Pace, Murrow, Oliver, Vander Pol, and Williams**. Members voting "No" – Dyer **Members absent were: Chowdhuri, Smith and Walton. Tomlin, the Board's hearing officer was not present and did not vote.**

**In the matter of Recovery Fund File Number 2013-02675, Gayle Scudder (Claimant) and Combined, Inc. t/a Carlson Custom Homes, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Combined, Inc., (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Gayle Scudder (Claimant)** did attend the Board meeting by counsel Lamont Hamilton. He addressed the Board on his client's behalf.

**File Number  
2013-02675  
Gayle Scudder  
(Claimant)  
And  
Combined, Inc. t/a  
Carlson Custom Homes  
(Regulant)**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Dyer** to adopt the claim review which contains the facts regarding the recovery

fund claim in this matter, and adopts the Summary and denies payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. Mr. Williams had questions for the Claimant's attorney. The Board finds that the contract between the Claimant and the Regulant does not involve contracting as required by statute. Additionally the Claimant has not conducted debtor interrogatories in the timeframe allotted since submission of the claim.

The motion passed by a majority vote. Members voting "Yes" were: **Dyer, Giesen, Gelardi, Middleton, Dowdy, Walker, Pace, Murrow, Oliver and Vander Pol.** Members voting "No" – **Williams.** **Members absent were: Chowdhuri, Smith and Walton. Tomlin, the Board's hearing officer was not present and did not vote.**

**The Board took a ten minute recess.**

**Recess**

**The Chairman** called the meeting back to order and moved to the Licensing cases on the Agenda.

**Reconvene**

**In the matter of License Application File Number 2013-00525 Doanh The Tran** 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  
2013-00525  
Doanh The Tran**

Applicant **Doanh The Tran** appeared at the IFF via telephone. **Doanh The Tran** did not appear at the Board meeting in person, by counsel or by any other qualified representative.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Dowdy** to deny issuing a license. The Board determined that Tran failed to comply with all of the rules established by the Board and the testing organization with regard to conduct of his examination. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Middleton, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Williams.** **Members absent were: Chowdhuri, Smith and Walton.**

**In the matter of License Application File Number 2013-00860 B3 General Contracting, 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**  
**2013-00860**  
**B3 General**  
**Contracting, Inc.**

Applicant **Duk Bae Kim for B3 General Contracting, Inc along with Andrew Kim, Witness** appeared at the IFF. **Duk Bae Kim for B3 General Contracting, Inc along with Andrew Kim, witness** appeared at the Board meeting. They addressed the Board.

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

**In the matter of License Application File Number 2013-01696 Pro Star Builders, LLLP** 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**  
**2013-01696**  
**Pro Star Builders, LLLP**

Applicant **William Wyatt for Pro Star Builders, LLLP** appeared at the IFF. **William Wyatt for Pro Star Builders, LLLP** did appear at the Board meeting. He addressed the Board.

**A handout for this case was provided to the board members and they reviewed the document.**

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Pace** to deny a license. The Board has considered its regulations: 18 50 VAC 260 E and other applicable law §54.1-1106.A of the Code of Virginia. After reviewing the facts, the Board thoroughly considered the record, the Summary of the IFF and the Recommendation. The Board determined that **Pro Star Builders, LLLP** has an unsatisfactory past performance record, including an unsatisfactory reputation for paying material bills and carrying out other contractual obligations. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow,**

**Oliver, Tomlin, Vander Pol, and Williams.** Members voting “No” – **Middleton.** Members absent were: **Chowdhuri, Smith and Walton.**

**In the matter of License Application File Number 2013-02432 Buford N Peters 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  
**2013-02432**  
**Buford N Peters III**

Applicant **Buford N Peters III** appeared at the IFF. **Buford N Peters III** appeared at the Board meeting. He addressed the Board.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Williams** to grant a license. Mr. Vander Pol had questions and there was further discussion. **Mr. Gelardi** modified his motion seconded by **Mr. Dyer** to grant a conditional license and allow 60 days to provide experience form with his name on it. The motion passed by majority vote. Members voting “Yes” were: **Dyer, Gelardi, Giesen, Middleton, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, and Williams.** Members voting “No” – **Vander Pol.** Members absent were: **Chowdhuri, Smith and Walton.**

**In the matter of License Application File Number 2013-02437 Clinton Shell** 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  
**2013-02437**  
**Clinton Shell**

Applicant **Clinton Shell** appeared at the IFF. **Clinton Shell** appeared at the Board meeting. He addressed the Board.

After discussion **Mr. Vander Pol** offered a motion that was seconded by **Mr. Gelardi** to grant 60 days to provide proof of 48 hours of vocational training and then **Mr. Shell** will be allowed to sit for the exam. There was further discussion and then the motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Middleton, Oliver, Tomlin, Vander Pol, and Williams.** Members absent were: **Chowdhuri, Smith and Walton.**

**In the matter of License Application File Number 2013-02555 Unique Drywall 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**  
**2013-002555**  
**Unique Drywall LLC**

Applicant **Unique Drywall LLC** appeared at the IFF. **Unique Drywall LLC** did not appear at the Board meeting in person, by counsel or by any other qualified representative.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Pace** to approve a conditional license. There was further discussion Mr. Dyer offered an amended motion seconded by **Mr. Oliver** to issue the applicant a conditional license with the following terms documentation every six months (for two years) from the bankruptcy trustee that all payments are being made and a Certified Public Accountant reviewed balance sheet that documents \$15,000.00 in net worth. After further discussion the motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Middleton, Oliver, Tomlin, Vander Pol, and Williams.** Members absent were: **Chowdhuri, Smith and Walton.**

**In the matter of License Application File Number 2013-02672 Michael Spadaccia t/a Fixed-4-U** 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**  
**2013-02672**  
**Michael Spadaccia**  
**t/a Fixed-4-U**

Applicant **Michael Spadaccia t/a Fixed-4-U** appeared at the IFF. **Michael Spadaccia t/a Fixed-4-U** did appear at the Board meeting. He addressed the Board.

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

**In the matter of License Application File Number 2013-02673 Kelly Heating & Cooling, LLC** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2012-02673  
Kelly Heating &  
Cooling, LLC**

Applicant **Basil Kelly for Kelly Heating & Cooling, LLC** appeared at the IFF. **Basil Kelly for Kelly Heating & Cooling, Basil Kelly** attended the Board meeting. He addressed the Board.

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

**In the matter of License Application File Number 2013-02674 Jason S Brumfield,** 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  
2013-02674  
Jason S Brumfield**

Applicant **Jason S Brumfield** appeared at the IFF. **Jason S Brumfield** did attend the Board meeting. He addressed the Board.

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

**In the matter of license Application File number 2013-02816 Gregory Rattan,** 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  
2013-02816  
Gregory Rattan**

Applicant **Gregory Rattan** appeared at the IFF. **Gregory Rattan** did attend the Board meeting. He addressed the Board.

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

In the matter of license Application file number 2013-02819 **Summit Electrical Services Company**, 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  
**2013-02819**  
**Summit Electrical Services Company**

Applicant **Summit Electrical Services Company** appeared at the IFF. Thomas Whoehrl, attorney for Mr. William Klotz **Summit Electrical Services Company** did attend the Board meeting. They addressed the Board.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to grant a conditional license. After further discussion **Mr. Pace** offered a modified motion seconded by **Mr. Williams** to have **Summit Electrical Services Company** provide a CPA Reviewed Balance Sheet documenting required net worth within 14 days. Also within 14 days of licensure provide documentation that **Summit Electrical Services Company** is the owner of the cargo van referenced in the file. Once these terms are met a license will be granted. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.**

In the matter of license Application file number 2013-02844 **Robert Barnes, Jr.**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number  
**2013-02844**  
**Robert Barnes, Jr.**

Applicant **Robert Barnes, Jr.** appeared at the IFF. **Robert Barnes, Jr.** did attend the Board meeting. He addressed the Board.

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

In the matter of license Application number 2013-02845 **Rogers LaRue, Jr.;** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number  
**2013-02845**  
**Rogers LaRue, Jr.**

Applicant **Rogers LaRue, Jr.** appeared at the IFF. **Rogers LaRue, Jr.** attended the Board meeting. He addressed the Board.

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

In the matter of license Application number 2013-03063 **CML Enterprises 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  
**2013-03063**  
**CML Enterprises LLC**

Applicant Chad Longo and Beverly Longo **CML Enterprises LLC** appeared at the IFF. Chad Longo and Beverly Longo for **CML Enterprises LLC** did attend the Board meeting. They addressed the Board.

**A handout for this case was provided to the board members and they reviewed the document.**

After review of the handout and Board discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Dyer** to amend the Recommendation and issue a Class C license based on the financial information that was provided with the application. Mr. Walker and Mr. Oliver had questions. After further discussion **Mr. Gelardi** offered a modified motion seconded by **Mr. Pace** to have **CML Enterprises LLC** provide a CPA Reviewed Balance Sheet documenting required \$15,000.00 net worth within 60 days. Also **CML Enterprises LLC** must provide a new FEIN or documentation from the IRS that one is not needed. Once these terms are met a Class B license will be issued. The motion passed by majority vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.**

**In the matter of license Application 2013-02434 Jeffrey Moore**, 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**  
**2013-02434**  
**Jeffrey Moore**

Applicant **Jeffrey Moore** appeared at the IFF. **Jeffrey Moore** did attend the Board meeting. He addressed the Board.

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

**In the matter of license Application 2013-2435 Joseph Sawyer**, 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**  
**2013-02435**  
**Joseph Sawyer**

Applicant **Joseph Sawyer** appeared at the IFF. **Joseph Sawyer** did attend the Board meeting. He addressed the Board.

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

**Chowdhuri, Smith and Walton.**

**In the matter of License File Number 2013-02436 Richard Gatton t/a RG Quality Remodeling 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  
2013-02436  
Richard Gatton t/a RG  
Quality Remodeling  
LLC**

Applicant **Richard Gatton t/a RG Quality Remodeling LLC** appeared at the IFF. **Richard Gatton t/a RG Quality Remodeling LLC** did not attend the Board meeting.

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

**Mr. Gelardi** offered a motion seconded by **Mr. Williams** to reopen **2013-02432**. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.**

**File Number  
2013-02432  
Reopening  
Case**

**In the matter of Application File Number 2013-02432 Buford N Peters 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  
2013-02432  
Buford N Peters III**

Applicant **Buford N Peters III** appeared at the IFF. **Buford N Peters III** appeared at the Board meeting. He addressed the Board.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Williams** to remand this case back to staff for preparation of an Informal Fact

Finding Conference. The motion passed by majority vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Middleton, Dowdy, Walker, Pace, Murrow, Vander Pol, Tomlin, and Williams.** Members voting "No" – **Oliver.** **Members absent were: Chowdhuri, Smith and Walton.**

**In the matter of Disciplinary File Number 2013-00927, T B Lucas Mechanical 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. **T B Lucas Mechanical LLC (Respondent)** appeared at the IFF. **T B Lucas Mechanical LLC** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2013-00927**  
**T B Lucas Mechanical**  
**LLC**

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 **T B Lucas Mechanical LLC** violated the following sections of its Regulations:

Violations	Effective:	February 1, 2006
Count 1:	18 VAC 50-22-260 B 6	
Count 2:	18 VAC 50-22-260 B 27	
Count 5:	18 VAC 50-20-260 B 28	
Effective 9.1.2001		
Count 3:	18 VAC 50-20-230 B	
Effective 12.1.2012		
Count 4:	18 VAC 50-22-210	

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** **Members absent were: Chowdhuri, Smith and Walton.** **Dowdy, the Board's hearing officer was not present and did not vote.**

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

Sanctions	
Count 1:	\$100.00
Count 2:	\$600.00
Count 3:	\$300.00
Count 5:	\$1,500.00
Total	\$2,500.00
In addition, for violation of Count 1, 2, 3 the Board voted to require <b>T B Lucas Mechanical LLC</b> have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. Failure to comply with the terms will result in the automatic imposition of license suspension. Revocation of the license for violation of Count 4 and Count 5 is imposed by the Board.	

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Dowdy, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-02664, Joshua Smith, t/a Smith & Associates (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**  
**2013-02664**  
**Joshua Smith, t/a**  
**Smith & Associates**

**Joshua Smith, t/a Smith & Associates (Respondent)** appeared at the IFF. **Joshua Smith, t/a Smith & Associates** did not attend the Board meeting in person, by counsel or by any qualified representative.

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 **Joshua Smith, t/a Smith & Associates** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Dowdy, the Board's hearing officer was not present and did not vote.**

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

Sanctions	
Count 1:	\$1,250.00
Total	\$1,250.00
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: **Dyer, Gelardi, Giesen, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Dowdy, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-00167, Patrick Call, t/a Look Good Tree Landscaping & Home Improvements (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  
2013-00167  
Patrick Call, t/a Look  
Good Tree  
Landscaping & Home  
Improvements**

**Patrick Call, t/a Look Good Tree Landscaping & Home Improvements (Respondent)** did not appear at the IFF in person, by counsel nor by any other qualified representative. **Patrick Call, t/a Look Good Tree Landscaping & Home Improvements** did not attend the Board meeting in person, by counsel nor by any other qualified representative.

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 **Patrick Call, t/a Look Good Tree Landscaping & Home Improvements** violated the following sections of its Regulations:

Violations	Effective:	February 1, 2006
Count 1:	18 VAC 50-22-260 B 2	
Count 2:	18 VAC 50-22-260 B 22	Six violations
Count 3:	18 VAC 50-22-260 B 23	
Count 4:	18 VAC 50-22-260 B 13	
Count 5:	18 VAC 50-22-260 B 22	
Count 6:	18 VAC 50-22-260 B 23	

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

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

Sanctions	
Count 1:	\$900.00

Count 6:	\$700.00
Total	\$1,600.00
The Board also imposes the following sanction: Revocation of the license for violation of Count 2, 3, 4, 5 and 6.	

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Dowdy, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-02470, Ronald Jeffrey Croley, t/a Jeff Croley's Heating & A/c (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  
 2013-02470  
 Ronald Jeffrey Croley,  
 t/a Jeff Croley's  
 Heating & A/c**

**Ronald Jeffrey Croley, t/a Jeff Croley's Heating & A/C (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **Ronald Jeffrey Croley, t/a Jeff Croley's Heating & A/c** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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 **Ronald Jeffrey Croley, t/a Jeff Croley's Heating & A/c** violated the following sections of its Regulations:

Violations	Effective: February 1, 2006
Count 1:	18 VAC 50-22-260 B 13
Count 2:	18 VAC 50-22-260 B 28
Count 3:	18 VAC 50-22-260 B

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Dowdy and Smith, the Board's hearing officer(s) were not present and did not vote.**

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

Sanctions	
Count 1:	\$1,250.00
Count 2:	\$1,850.00
Count 3:	\$1,850.00
Total	\$4,950.00
In addition, for violation of Count 1, the Board voted to require Revocation of the license.	

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Dowdy and Smith, the Board's hearing officers was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-00819, Tay Co (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2013-00819**  
**Tay Co**

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Walker**

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

Violations Effective: February 1, 2006		
Count 1:	18 VAC 50-22-260 B 8	
Count 2:	18 VAC 50-22-260 B 9	

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Pace, the Board's hearing officer was not present and did not vote.**

After discussion **Mr. Walker** offered a motion seconded by **Mr. Dyer** 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 2 the Board voted to require <b>Tay Co</b> have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 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: **Dyer, Gelardi, Giesen, Dowdy, Walker, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Pace, the Board's hearing officer was not present and did not vote.**

**In the matter Disciplinary File Number 2013-00231, Walter Miller t/a Basements USA (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**  
**2013-00231**  
**Walter Miller t/a**  
**Basements USA**

**Walter Miller t/a Basements USA (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **Walter Miller t/a Basements USA** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

Violations	Effective: February 1, 2006
Count 1:	18 VAC 50-22-260 B 9
Count 2:	18 VAC 50-22-260 B 31
Count 3:	18 VAC 50-22-260 B 27
Count 4:	18 VAC 50-22-260 B 6
Count 5:	18 VAC 50-22-260 B 28

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Pace, the Board's hearing officer was not present and did not vote.**

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

Sanctions	
Count 1:	\$350.00
Count 2:	\$400.00
Count 3:	\$1,000.00
Count 4:	\$1,500.00
Count 5:	\$1,350.00
Total	\$4,600.00

In addition, for violation of Count 5 the Board voted to Revoke the license. In addition, the Board voted to stay the revocation of the license and to place Walter Miller on probation subject to the following conditions: Miller shall provide evidence acceptable to the Board within ninety days of the order that he has satisfied both outstanding judgments. If Miller fails to comply with the term of the probation, then license revocation as specified above shall be imposed. For violation of count 1, 2, 3, and 4 the Board voted to require Walter Miller 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: **Dyer, Gelardi, Giesen, Dowdy, Walker, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Pace, the Board’s hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-00522, Richard Seely Jr, t/a R L Seely Homes (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2013-00522  
Richard Seely Jr, t/a  
R L Seely Homes**

**Richard Seely Jr, t/a R L Seely Homes (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **Richard Seely Jr, t/a R L Seely Homes** did not attend the Board meeting in person or

by counsel or by any other qualified representative.

Mrs. Clay shared with the Board that **Richard Seely Jr, t/a R L Seely Homes** has a prior violation, file number 2012-00725 for violation of 18 VAC 50-22-260 B 10 with a fine of \$500.00 and required successful completion of Remedial Education. The Regulant met these requirements.

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 **Richard Seely Jr, t/a R L Seely Homes** violated the following sections of its Regulations:

Violations	Effective: February 1, 2006
Count 1:	18 VAC 50-22-260 B 7
Count 2:	18 VAC 50-22-260 B 28

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** Pace, the Board's hearing officer was not present and did not vote.

After discussion **Mr. Dyer** offered a motion seconded by **Mr. Gelardi** to amend the sanction and add license revocation to count 1 and count 2 due to the egregiousness of the offense and impose the following sanctions:

Sanctions	
Count 1:	\$750.00
Count 2:	\$0.00
Total	\$750.00
In addition, for violation of Count 1 the Board voted to Revoke the	

license. In addition, for violation of Count 1, and 2, the Board voted to require **Richard Seely Jr, t/a R L Seely Homes** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. Failure to comply with the terms will result in the automatic imposition of license suspension. In addition the Board voted to stay revocation for Count 2 and place Richard L Seely, Jr. license on probation with the following conditions: **Richard Seely Jr, t/a R L Seely Homes** shall provide evidence acceptable to the Board within ninety days of the effective date of this order that he has satisfied the outstanding judgment. If Richard L Seely, Jr. fails to comply with the term of the probation, then license revocation as specified above shall be imposed.

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Smith, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-00917, Creative Works 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**  
**2013-00917**  
**Creative Works LLC**

**Kristopher Orendorff on behalf of Creative Works LLC (Respondent)** did appear at the IFF. **Creative Works LLC** did attend the Board meeting in person.

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

Violations Effective: February 1, 2006

Count 1:	18 VAC 50-22-260 B 27	
Count 2:	18 VAC 50-22-260 B 17	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Smith, the Board’s hearing officer was not present and did not vote.**

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

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

In addition, for violation of Count 1 and 2, the Board voted to require **Creative Works LLC** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 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: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Smith, the Board’s hearing officer was not present and did not vote.**

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

**Emerald's Rush Contracting Inc**

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

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 **Emerald's Rush Contracting Inc** violated the following sections of its Regulations:

Violations	Effective: February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 14	
Count 3:	18 VAC 50-22-260 B 16	
Count 4:	18 VAC 50-22-230 B	December 1, 2012

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Smith, the Board's hearing officer was not present and did not vote.**

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

Sanctions	
Count 1:	\$300.00
Count 2:	\$2,500.00
Count 3:	\$2,500.00
Count 4:	\$1,800.00

Total	\$7,100.00
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In addition, for violation of Count 1, the Board voted to require **Emerald's Rush Contracting Inc** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension. The Board voted to impose revocation of license.

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Smith the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-02331, Steven Hillary Baker (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**  
**2013-02331**  
**Steven Hillary Baker**

**Steven Hillary Baker (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **Steven Hillary Baker** did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, a motion was made by **Mr. Walker** 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 **Steven Hillary Baker** violated the following sections of its Regulations:

Violations	Effective: February 1, 2006
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Count 1:	18 VAC 50-22-260 B
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	13	
Count 2:	18 VAC 50-22-230 B	9-1-2001

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Smith the Board's hearing officer was not present and did not vote.**

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

Sanctions	
Count 1:	\$1,350.00
Count 2:	\$600.00
Total	\$1,950.00
The Board also imposed the sanction of license Revocation for violation of Count 1 and 2.	

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Smith, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-02418, Handyman Central 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**  
**2013-02418**  
**Handyman Central Inc**

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

representative.

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 **Handyman Central Inc** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Smith the Board's hearing officer was not present and did not vote.**

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

Sanctions	
Count 1:	\$1,350.00
Total	\$1,350.00
The Board also imposed the sanction of license Revocation for violation of Count 1.	

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Smith, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-00433 Kamphuis 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**  
**2013-00433**  
**Kamphuis Construction**  
**LLC**

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

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 **Kamphuis Construction LLC** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** Tomlin the Board's hearing officer was not present and did not vote.

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

Sanctions	
Count 1:	\$750.00

Total	\$750.00
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The Board imposed the sanction of license Revocation for violation of Count 1. The Board voted to stay revocation of the license and placed Kamphuis Construction, LLC on probation subject to: **Kamphuis Construction LLC providing evidence acceptable to the Board within 30 days of the order that it has paid Loudoun Valley Roofing and Broad Run in full for the services they provided at the subject property. The Board voted to reduce the amount of time Kamphuis has to pay Loudoun Valley Roofing and Broad Run due to the amount of time the debt has been outstanding. In addition, the Board found that 30 days was adequate time to satisfy the debts.**

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** Tomlin, the Board's hearing officer was not present and did not vote.

**In the matter of Disciplinary File Number 2013-00551, Total Exteriors Corp (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2013-00551**  
**Total Exteriors Corp**

**Total Exteriors Corp (Respondent)** did not appear at the IFF in person, by counsel or by any other qualified representative. **Blue Masonry LLC** did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary with a finding of no violation.

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Middleton**

**and Williams. Members absent were: Chowdhuri, Smith and Walton. Vander Pol, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-00319, William Figg (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  
2013-00319  
William Figg**

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

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 **William Figg** violated the following sections of its Regulations:

Violations	Effective:	February 1, 2006
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 27	
Count 3:	18 VAC 50-22-260 B 15	
Count 4:	18 VAC 50-22-260 B 9	Eff: 9-1-2001

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Pace, Oliver, Tomlin, Vander Pol, Middleton and Williams. Members absent were: Chowdhuri, Smith and Walton. Walker and Murrow the Board's hearing officers were not present 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:	\$2,000.00
Count 3:	\$2,500.00
Count 4:	\$350.00
Total	\$5,200.00
The Board also imposed the sanction of license Revocation for violation of Count 3.	

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

**In the matter of Consent Order File Number 2013-01290 Board v. Exteriors R Us 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  
 2013-01290  
 Exteriors R Us LLC**

**A handout for this case was provided to the board members and they reviewed the document.**

**Exteriors R Us 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 29	\$ 500.00
Board Costs		\$ 150.00
Total		\$ 650.00

In addition, for violation of Count 1, **Exteriors R Us LLC**

agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety days of the effective date 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: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.**

**In the matter of Consent Order File Number 2013-01244 Board v. Republic Construction Company;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-01244  
Republic Construction  
Company**

**Republic Construction Company** 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
Board Costs		\$ 150.00
Total		\$ 650.00

In addition, for violation of Count, **Republic Construction Company** 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: **Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.** **Dyer did not vote.**

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

**In the matter of Consent Order File Number 2013-03778 Board v. Jim Kerrigan, t/a Jim Kerrigan Contracting** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2012-03778  
Jim Kerrigan,  
t/a Jim Kerrigan  
Contracting**

**Jim Kerrigan t/a Jim Kerrigan Contracting** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230 A	\$ 350.00
Count 2:	18 VAC 50-22-260.B.9	\$ 350.00
Count 3:	18 VAC 50-22-260.B.5	\$1,300.00
Board Costs		\$ 150.00
Total		\$ 2,150.00

For violation of Count 1, 2, and 3, **Jim Kerrigan, t/a Jim Kerrigan Contracting** agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the effective date of the Order.

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

**In the matter of Consent Order File Number 2013-00113 Board v. James R McGhee, t/a Personalized Custom Building** 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  
2013-00113  
James R McGhee, t/a  
Personalized Custom  
Building**

**James R McGhee, t/a Personalized Custom Building** 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	\$ 1,000.00
Board Costs		\$ 150.00
Total		\$ 1,150.00
Further for violation of Count 1, <b>James R McGhee, t/a Personalized Custom Building</b> 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. Gelardi** seconded by **Mr. Williams**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.**

**In the matter of Consent Order File Number 2013-00371 Board v. Lonnie James Gammon III, t/a First Quality 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**  
**2013-00371**  
**Lonnie James Gammon**  
**III, t/a First Quality**  
**Roofing**

**Lonnie James Gammon III, t/a First Quality 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 27	\$ 650.00
Count 2:	18 VAC 50-22-260 B 6	\$ 1,500.00
Board Costs		\$ 150.00
Total		\$ 2,300.00
In addition, for violation of Counts 1 and 2, <b>Lonnie James Gammon III, t/a First Quality Roofing</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

**In the matter of Consent Order File Number 2013-00764 Board v. Ellen B Richardson, t/a Richardson General Contractors;** 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  
2013-00764  
Ellen B Richardson, t/a  
Richardson  
General Contractors**

**Ellen B Richardson, t/a Richardson General Contractors** 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
Board Costs		\$ 150.00
Total		\$ 500.00
In addition, for violation of Count 1, <b>Ellen B Richardson, t/a Richardson General Contractors</b> agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the effective date of the Order.		

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

**In the matter of Consent Order File Number 2013-00838 Board v. Terrasys Designs 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**  
**2013-00838**  
**Terrasys Designs LLC**

**Terrasys Designs LLC;** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$ 200.00
Board Costs		\$ 150.00
Total		\$ 350.00

For Count 1, **Terrasys Designs 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 **Mrs. Tomlin**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.**

**In the matter of Consent Order File Number 2013-01030 Board v. Kenneth W Stocks t/a Premier Remodeling Design;** 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**  
**2013-01030**  
**Kenneth W Stocks t/a**  
**Premier Remodeling**  
**Design**

**Kenneth W Stocks t/a Premier Remodeling Design;** 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	\$ 0.00
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Count 2:	18 VAC 50-22-260 B 19	\$ 0.00
Board Costs		\$ 0.00
Total		\$ 0.00
In addition, for violation of Counts 1-2, <b>Kenneth W Stocks</b> ; agrees to license revocation. It is noted that on September 1, 2011, <b>Kenneth W Stocks</b> filed a petition for Chapter 13 Bankruptcy protection in the US Bankruptcy Court for the Eastern District of Virginia		

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

**In the matter of Consent Order File Number 2013-01032 Board v. Home Pro of VA LLC**; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2013-01032  
 Home Pro of VA LLC**

**Home Pro of VA LLC** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$ 650.00
Count 2:	18 VAC 50-22-260 B 9	\$ 1,850.00
Board Costs		\$ 150.00
Total		\$ 2,650.00
In addition, for violation of Count 2, <b>Home Pro of VA LLC</b> agrees to revocation of its license. Further, the board shall waive imposition of the \$1,850.00 monetary penalty and license revocation for Count 2 provided <b>Home Pro of VA</b>		

**LLC** satisfies the judgment and provides the Board with proof of the satisfaction within ninety days of the Order. If **Home Pro of VA LLC** fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

In addition, for violation of Count1, **Home Pro of VA LLC** agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the effective date of the Order.

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

**In the matter of Consent Order File Number 2013-01034 Board v. Kevin Stroud, t/a Pro Seal;** 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**  
**2013-01034**  
**Kevin Stroud, t/a**  
**Pro Seal**

**Kevin Stroud, t/a Pro Seal** 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 B8	\$ 350.00
Board Costs		\$ 150.00
Total		\$ 500.00

In addition, for violation of Count 1-2, **Kevin Stroud, t/a Pro Seal** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

**In the matter of Consent Order File Number 2013-01249 Board v. Peace 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  
2013-01249  
Peace Construction LLC**

**Peace 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 27	\$ 100.00
Count 2:	18 VAC 50-22-260.B.31	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 650.00

For violation of Count 1 and 2, **peace Construction LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety days of the effective date of the Order.

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

**In the matter of Consent Order File Number 2013-01307 Board v. Howard L Anderson, t/a H L Anderson Company;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-01307  
Howard L Anderson,  
t/a H L Anderson  
Company**

**Howard L Anderson, t/a H L Anderson Company** 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

For violation of Count 1, **Howard L Anderson, t/a H L Anderson Company** agrees to revocation of its license.

Further, the Board shall waive imposition of the license revocation for Count 1 on condition that **Howard L Anderson, t/a H L Anderson Company** satisfies the judgment owed and provides the Board with the proof of satisfaction within 90 days of the Order. If **Howard L Anderson, t/a H L Anderson Company** fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

Further, for violation of Count 1, **Howard L Anderson, t/a H L Anderson Company** agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the effective date of the Order.

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

In the matter of Consent Order File Number 2013-01345 Board v. **Tim Shirley Pools 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**  
**2013-01345**  
**Tim Shirley Pools Inc**

**Tim Shirley Pools Inc** acknowledges an understanding of the charges and

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

Count 1:	18 VAC 50-22-260 B 9	\$ 350.00
Count 2:	18 VAC 50-22-260 B 31	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 900.00

In addition, for violation of Counts 1 and 2, **Tim Shirley Pools** agrees to have a member of Responsible Management successfully complete a Board approved remedial education class within ninety days of the effective date of the Order.

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

**In the matter of Consent Order File Number 2013-01414 Board v. Richard Rosser II, t/a Richard S General Services;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2013-01414  
 Richard Rosser II, t/a  
 Richard S General  
 Services**

**Richard Rosser II, t/a Richard S General Services** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 350.00
Board Costs		\$ 150.00
Total		\$ 500.00

In addition, for violation of Count 1, **Richard Rosser II, t/a Richard S General Services** agrees to have a member of Responsible Management successfully complete a Board approved remedial education class within ninety days of the effective date of the Order.

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

In the matter of Consent Order File Number 2013-01476 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**  
**2013-01476**  
**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	\$ 500.00
Board Costs		\$ 150.00
Total		\$ 650.00

It is noted that a member of Responsible Management for **Premier roofing & Siding Contractors Inc.** was required to complete Remedial Education pursuant to the terms of the Consent Order entered into on January 29, 2013.

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

**Vander Pol, Middleton and Williams. Members absent were: Chowdhuri, Smith and Walton.**

**In the matter of Consent Order File Number 2013-01480 Board v. Josue J Rivera Perez;** 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  
2013-01480  
Josue J Rivera Perez**

**Josue J Rivera Perez** 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	\$ 350.00
Count 2:	18 VAC 50-22-260 B 6	\$ 750.00
Count 3:	18 VAC 50-22-260 B 27 two violations at \$650. each	\$1,300.00
Count 4:	18 VAC 50-22-260 B 26	\$ 650.00
Board Costs		\$ 150.00
Total		\$ 3,200.00

Further, the Board shall waive imposition of the \$350.00 monetary penalty for Count 1 provided **Josue J Rivera Perez** reports his current business and /or trade name to the board, in writing, within ninety days of the order. If **Josue J Rivera Perez** fails to comply with this condition, then the full monetary penalty will be automatically imposed.

In addition, for violation of Counts 1 through 4, **Josue J Rivera Perez** agrees to have a member of Responsible Management successfully complete a Board approved remedial education class within ninety days of the effective date of the Order.

Lastly, the Board agrees to waive \$650.00 of the monetary penalty for Count 3 provided **Josue J Rivera Perez** obtains a Class A or Class B license within ninety days of the effective date of this Order. If **Josue J Rivera Perez** fails to comply with this condition, then the full monetary penalty will

be imposed.

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

In the matter of Consent Order File Number 2013-01792 Board v. **Guillermo Roviralta t/a Build A Custom Homes**; 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**  
**2013-01792**  
**Guillermo Roviralta**  
**t/a Build A Custom**  
**Homes**

**Guillermo Roviralta t/a Build A Custom Homes** 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
Count 2:	18 VAC 50-22-260 B 7	\$ 750.00
Board Costs		\$ 150.00
Total		\$ 2,750.00

In addition, for violation of Counts 1 and 2, **Guillermo Roviralta t/a Build A Custom Homes** agrees to revocation of the license.

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

**In the matter of Consent Order File Number 2013-01813 Board v. Mark Delmore Brogan;** 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  
2013-01813  
Mark Delmore  
Brogan**

**Mark Delmore Brogan;** 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	\$ 350.00
Count 2:	18 VAC 50-22-260 B 27	\$ 650.00
Board Costs		\$ 150.00
Total		\$ 1,150.00

In addition, for violation of Counts 1 and 2, **Mark Delmore Brogan** agrees to have a member of Responsible Management successfully complete a Board approved remedial education class within ninety days of the effective date of the Order.

In addition, the board shall waive imposition of the \$350.00 monetary penalty for Count 1, and shall waive imposition of the \$650.00 monetary penalty for Count 2 provided a member of Responsible Management of **Mark Delmore Brogan** successfully complete remedial education within ninety days of the Order. If a member of Responsible Management of **Mark Delmore Brogan** does not comply with the condition, then the full monetary penalties 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: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.**

**In the matter of Consent Order File Number 2013-01930 Board v. Bill's Construction 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**  
**2013-01930**  
**Bill's Construction**  
**Company Inc**

**Bill's Construction 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 9	\$ 350.00
Count 2:	18 VAC 50-22-260 B 31	\$ 500.00
Board Costs		\$ 150.00
Total		\$ 1,000.00

In addition, for violation of Counts 1 and 2, **Bill's Construction Company Inc** agrees to have a member of Responsible Management successfully complete a Board approved remedial education class within ninety days of the effective date of the Order.

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

**In the matter of Consent Order File Number 2013-01742 Board v. C B Smith Construction Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-01742**  
**C B Smith**  
**Construction Inc**

**C B Smith Construction Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	§54.1-1110	\$ 0.00
Board Costs		\$ 150.00
Total		\$ 150.00

In addition, **C B Smith Construction Inc** agrees to provide the Board with satisfactory evidence of good financial standing in the form of a Review performed by a CPA within 90 days of the effective date of the Order. If the results of the CPA Review demonstrate that **CB Smith Construction, Inc.** is not in compliance with the Board's regulation, **CB Smith Construction Inc** agrees to suspension of its license until such time as proof of compliance is provided to the Board.

Further, **C B Smith Construction Inc** agrees to provide an affidavit attesting to the fact that **C B Smith Construction Inc** has not had a judgment awarded against it, in any jurisdiction, since initial licensure on September `9, 2002. Should the Board be made aware of any judgment entered against **C B Smith Construction Inc** agrees to suspension of its license until such time as it provides satisfactory proof to the Board that the judgment has been satisfied.

It is noted that a member of **C B Smith Construction Inc** Responsible Management successfully completed a Board approved remedial education class on June 12, 2013.

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

In the matter of Consent Order File Number 2013-01481 Board v. Timothy Orebaugh, t/a Climate Control; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the

**File Number**  
**2013-01481**  
**Timothy Orebaugh,**

facts regarding the regulatory and/or statutory issues in this matter.

**t/a Climate Control**

**Timothy Orebaugh, t/a Climate Control** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 18	\$ 800.00
Count 2:	18 VAC 50-22-260 B 18	\$ 350.00
Count 3:	18 VAC 50-22-260.B.18	\$ 350.00
Count 4:	18 VAC 50-22-260.B.18	\$ 750.00
Count 5:	18 VAC 50-22-260.B.18	\$ 650.00
Board Costs		\$ 150.00
Total		\$ 3,050.00

Further, the Board agrees to waive the \$800.00 monetary penalty for Count 1 provided Climate Control of Harrisonburg, Inc. ("CCH") obtains a Virginia contractor license within ninety days of the Order. If CCH fails to comply with this condition, then the full monetary penalty will be automatically imposed.

In addition, the Board shall waive the \$350.00 monetary penalty for Count 3 on the condition that CCH provides a copy of its current contract, which must be in compliance with the Board's regulations, within ninety days of the order. If CCH fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Lastly, for violation of Counts 1 through 5, **Timothy Orebaugh** agrees to have a member of Responsible Management successfully complete a Board approved remedial education class within ninety days of the effective date 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: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri,**

**Smith and Walton.**

**Eric Olson** shared with the board members a Committee Report. He shared that the following Education Provider Applications were recommended for Board approval by the Committee on July 29<sup>th</sup>, 2013. He also shared that two visitors were present: Mr. Raj Casper and Mr. Phil Hull of CHP Energy Solutions of Christiansburg, Virginia.

**Other Board Business**  
**Committee Report**

Mr. Raj Casper and Mr. Phil Hull were present at the Board meeting and they addressed the Board. After discussion, and a motion by **Mr. Oliver**, seconded by **Mr. Williams**, the Board unanimously voted to adopt the Committee recommendation and approve Community House Partners dba Energy Solutions-Energy Auditor Certification classroom course. Members voting "yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams**. Members absent were: **Chowdhuri, Smith and Walton**.

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Dyer**, the Board voted to unanimously adopt the Committee recommendation and approve Southern Air Vocational for (PLB, ELE, & HVAC) classroom course. Members voting "yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams**. Members absent were: **Chowdhuri, Smith and Walton**.

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Dyer**, the Board voted to unanimously adopt the Committee's recommendation and approve The College of Engineering, The University of Georgia Continuing Education (ELE) continuing education. Members voting "yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams**. Members absent were: **Chowdhuri, Smith and Walton**.

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Dyer**, the Board unanimously voted to adopt the Committee's recommendation and approve 360Training.com Inc Continuing Education. Members voting "yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams**. Members absent were: **Chowdhuri, Smith and Walton**.

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Dyer**, the Board unanimously voted to adopt the Committee recommendation and approve Virginia Western Community College-backflow classroom course. Members voting "yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams**. Members absent were: **Chowdhuri, Smith and Walton**.

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Dyer**, the Board unanimously voted to adopt the Committee recommendation and approve National Technology Transfer Inc- continuing education for ELE. Members voting "yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams**. Members absent were: **Chowdhuri, Smith and Walton**.

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Walker**, the Board unanimously voted to adopt the Committee recommendation and approve Dana Smith-continuing education for ELE, PLB, HVAC, and GFC. Members voting "yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams**. Members absent were: **Chowdhuri, Smith and Walton**.

After discussion, and a motion by **Mr. Dyer**, seconded by **Mr. Gelardi**, the Board unanimously voted to adopt the Committee recommendation and approve Kenny Clamp for classroom course. Members voting "yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams**. Members absent were: **Chowdhuri, Smith and Walton**.

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Dyer**, the Board unanimously voted to adopt the Committee recommendation and approve Kruger's Training Academy classroom course. Members voting "yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams**. Members absent were: **Chowdhuri, Smith and Walton**.

### Regulatory Update

Executive Director, Eric Olson shared a Regulatory update with the members

of the Board: Certified Accessibility Mechanics final regulations are on the Governor's desk awaiting his signature.

There are temporary regulations with contractor provisions for the Transaction Recovery Fund on the Governor's desk awaiting his signature and once he signs them public hearings will be held.

Proposed Energy Analysts Regulations will be presented to the Board at the next meeting.

Contractors Regulations will extend the reinstatement period to two years.

Tradesman Regulations will extend the reinstatement period to two years and continuing education requirements will be eliminated.

There will be a public comment period from August 25<sup>th</sup> through October 25<sup>th</sup>. Four public hearings are scheduled and they will be held in: Richmond, Fairfax, Bristol and Chesapeake.

**Criminal History Matrix** was shared with the Board members. A hand out was discussed by Board members after reviewing the hand out. After discussion Mr. Gelardi offered a motion seconded by Mr. Williams to adopt the recommendation of the Committee and adopt the Criminal History Matrix without revision. Members voting "yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.**

**Criminal History Matrix**

**Financial History Matrix** was shared with the Board's Members. A hand out was discussed by Board members.

**Financial History Matrix**

After Board member discussion a motion was offered by **Mr. Walker** and seconded by **Mr. Pace** to accept the recommendation of the Committee and adopt the Financial History without revision. The motion passed with a unanimous vote. Members voting "yes" were: **Dyer, Gelardi, Giesen,**

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

### **DOT Codes**

Regulatory Board Administrator, Mindy Spruill gave handouts to the members of the Board. They reviewed the handout and discussed it. The Committee recommended that the Board adopt the DOT codes and authorize staff to use them when processing Tradesman applications. The Committee recommends that the Board for Contractors recognize the addition of the following programs to meet the educational and experience requirements to sit for the journeyman tradesman exam if the apprenticeship program is complete for; 824.261.010\* (these D.O.T. codes are on the DOLI exam exemption list) (Electrician); 829.261.018 (Electrician, Maintenance); 862.381.030\* (these D.O.T. codes are on the DOLI exam exemption list) (Plumber); 862.281.022\* (these D.O.T. codes are on the DOLI exam exemption list) (Pipe Fitter); 637.261.014\* (these D.O.T. codes are on the DOLI exam exemption list) (HVA); 637.261.026\* (these D.O.T. codes are on the DOLI exam exemption list) (HVA). After discussion and consideration of the Committee's recommendation, a motion was made by **Mr. Gelardi**, seconded by **Mr. Williams**, that the Board adopt the Committee's recommendation and allow staff to use the DOT codes when processing Tradesman applications.

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

**Sanction Chart and Guidelines.** The Board discussed the handout given to them by staff. They reviewed the proposed modified sanction chart. Nick Christner addressed the Board. After further discussion a motion was offered by **Mrs. Tomlin** and seconded by **Mr. Dyer** to accept the Committee's recommendation and adopt the updated Sanction Chart and Guidelines effective August 1, 2013. The motion passed with a unanimous vote. **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams. Members absent were: Chowdhuri, Smith and Walton.**

### **New Business**

### **Sanction Chart and Guidelines**

### **Meeting Schedule**

The Board reviewed their 2013-.2014 Board for Contractor's Meeting schedule.

After Board member discussion **Mr. Vander Pol** offered a motion seconded by **Mr. Gelardi** to adopt the schedule as presented.

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

The next Board meeting will be October 1<sup>st</sup>, 2013.

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.

There being no further business to come before the Board, the meeting was adjourned at **11:31 p.m.** upon a motion by **Mr. Vander Pol** and seconded by **Mr. Pace.**

The motion was unanimously approved. Members voting "yes" were: **Dyer, Gelardi, Giesen, Dowdy, Walker, Pace, Murrow, Oliver, Tomlin, Vander Pol, Middleton and Williams.** Members absent were: **Chowdhuri, Smith and Walton.**

### **Meeting Schedule**

### **Next Board meeting**

### **Paperwork**

### **Adjournment**

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E.G. Middleton, III, Chairman

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Gordon N. Dixon, Secretary

DRAFT