

**BOARD FOR CONTRACTORS
BOARD MEETING
Draft MINUTES**

The Board for Contractors met on Tuesday, **October 1st, 2013** at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the members present was qualified to vote, except where a specific reason for disqualification is stated. There are 15 members on this board, in which eight constitutes a quorum pursuant to §54.1-1102.

E .G. Middleton, III, Chairman
Goutam Chowdhuri
Herbert "Jack" Dyer, Jr.
Michael Gelardi
Bailey Dowdy.
Doug Murrow
James Oliver
E.C. "Chick" Pace
Troy Smith
Deborah Tomlin
Dwight Todd Vander Pol
Chancey Walker
Wyatt H. Walton, III
A. Bruce Williams

Mr. David Giesen and Doug Murrow 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

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Rhonda Holmes, Legal Analyst
Samantha Vrscak, Legal Analyst
Mark Courtney, Senior Director of Regulatory &
Public Affairs
Steven Jack, Assistant Attorney General

Chairman E. G. Middleton called the meeting to order at **9:09 a.m.** and declared a quorum of board members was in attendance.

**Call
To Order**

A motion was made by **Mr. Oliver** and seconded by **Mr. Gelardi** to approve the agenda. The motion passed unanimously. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent were: **Giesen and Murrow.**

Approval of the Agenda

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

Approval of Minutes

July 30th, 2013 Board for Contractors Meeting Minutes
April 25th, 2013 Informal Fact Finding Conference
April 26th, 2013 Informal Fact Finding Conference
April 30th, 2013 Informal Fact Finding Conference
May 30th, 2013 Informal Fact Finding Conference
June 3rd, 2013 Informal Fact Finding Conference

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

There was no public comment.

Public Comment Period

In the matter of Recovery Fund File Number 2014-00331, Cynthia and James Schrier, (Claimant) and J & J Custom Builders LLC, (Regulant); the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **J & J Custom Builders LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Cynthia Schrier (Claimant)** did attend the Board meeting. She addressed the Board and shared her agreement with the recommendation.

File Number
2014-00331
James and Cynthia Schrier (Claimant) and J & J Custom Builders LLC (Regulant)

This is a Prima Facie case.

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

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **J & J Custom Builders LLC** involved improper and dishonest conduct.

Upon payment of the claim, the license of **J & J Custom Builders 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 2013-03508, Tony & Sandra Parker, (Claimant) and J. E. Elliott Inc., (Regulant); the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **J. E. Elliott Inc., (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **The Parker's (Claimant)** did not attend the Board meeting.

File Number
2013-03508
Tony & Sandra Parker
(Claimant) and
J. E. Elliott 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 **\$9,711.10**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams**.

Members absent were: Giesen and Murrow.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **J. E. Elliott Inc.**, involved improper and dishonest conduct.

Upon payment of the claim, the license of **J. E. Elliott 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 2014-00160, Kristina Pirollo-Ketchum, (Claimant) and RTR Contractors, Inc, (Regulant); the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **RTR Contractors, Inc, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Kristina Pirollo-Ketchum (Claimant) was represented by counsel, Vernon Keefe Jr.** at the Board meeting.

File Number
2014-00160
Kristina Pirollo-Ketchum
(Claimants) and
RTR Contractors, 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 **\$10,388.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams.**
Members absent were: Giesen and Murrow.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **RTR Contractors, Inc.** involved improper and dishonest conduct.

Upon payment of the claim, the license **RTR Contractors, 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 2013-00071, John & Deanne McGranahan, (Claimant) and Bison Building Company LLC, (Regulant); the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **Bison Building Company LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **John & Deanne McGranahan, (Claimant)** did not attend the Board meeting.

File Number
2013-00071
John & Deanne
McGranahan
(Claimant) and
Bison Building
Company, LLC
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to adopt the claim review 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: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent were: **Giesen and Murrow**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Bison Building Company LLC**, involved improper or dishonest conduct.

Upon payment of the claim, the license of **Bison Building Company 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 2014-00161, Richard & Marianne Quinn (Claimant) and AIT Renovations (Regulant); the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **AIT Renovations (Regulant)**

File Number
2014-00161
Louisa Visconti
(Claimant)

did not appear at the Board meeting in person or by counsel or by any other qualified representative. **John Hawthorne attorney for Richard & Marianne Quinn (Claimants)** did attend the Board meeting. He addressed the Board and shared his clients' agreement.

**and AIT Renovations
(Regulant)**

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Walton** to adopt the claim review 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: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent were: **Giesen and Murrow**.

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

Upon payment of the claim, the license of **AIT Renovations** 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 2013-03174, Adam & Victoria Lipinski, (Claimant) and Denis Richardson, t/a Home Specialists, (Regulant) the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **Denis Richardson, t/a Home Specialists, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Adam & Victoria Lipinski, (Claimants)** did not attend the Board meeting.

**File Number
2013-03174
Adam & Victoria
Lipinski (Claimant)
and
Denis Richardson,
t/a Home Specialists
(Regulant)**

This is a Prima Facie case.

Rhonda Holmes Legal Analyst addressed the Board and shared a correction for the records that the claim was received on May 30th, 2013 within the required time period.

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 along with the information provided by Ms. Holmes for the record, and adopts the Recommendation and pays the claim in the amount of **\$9,104.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams.** **Members absent were: Giesen and Murrow.**

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Denis Richardson, t/a Home Specialists** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Denis Richardson, t/a Home Specialists** 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 2013-03344, Stephen and Alice Muller, (Claimant) and The Fence Lady LLC, (Regulant); the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **The Fence Lady LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Stephen and Alice Muller (Claimant)** did not attend the Board meeting.

File Number
2013-03344
Stephen and Alice
Muller
(Claimant) and
The Fence Lady
LLC
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Walker** 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 **\$14,500.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer,**

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

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

Upon payment of the claim, the license of **The Fence Lady 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 2013-03094, Michael & Connie Whitley, (Claimant) and Michael Yingling Jr, t/a Virginia Finest Home Improvements, (Regulant); the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **Michael Yingling Jr, t/a Virginia Finest Home Improvements, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Michael & Connie Whitley (Claimant)** did attend the Board meeting. They addressed the Board and shared their agreement with the recommendation.

**File Number
2013-03094
Michael & Connie
Whitley (Claimant)
Michael Yingling Jr,
t/a Virginia Finest
Home Improvements,
(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 **\$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: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams. Members absent were: Giesen and Murrow.**

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Michael Yingling Jr, t/a Virginia Finest Home Improvements I** involved improper or dishonest conduct.

Upon payment of the claim, the license of **Michael Yingling Jr, t/a Virginia Finest Home Improvements**, 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 2012-03150, Deborah Kasilke (Claimant) and Berkline Builders, Inc., (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Berkline Builders, Inc (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Deborah Kasilke (Claimant) and her attorney, Justin Hawkins** did attend the Board meeting. They addressed the Board.

File Number
2012-03150
Deborah Kasilke
(Claimant)
Berkline Builders,
Inc (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**.

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

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Berkline Builders, Inc** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Berkline Builders, 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 2013-03286, Frank & Linda Britton, (Claimant) and Rising Trout Holdings, Inc. (Regulant); the board adopts the claim file, exhibits and recommendation which contains the facts

File Number
2013-03286
Frank & Linda Britton

regarding the recovery fund claim in this matter. **Rising Trout Holdings, Inc. (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Frank & Linda Britton (Claimant)** did not attend the Board meeting.

**(Claimant)
and Rising Trout
Holdings, Inc.
(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 pays the claim in the amount of **\$20,000.00**. Mr. Oliver 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: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent were: **Giesen and Murrow**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Rising Trout Holdings, Inc.** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Rising Trout Holdings, 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 2013-03259, Candace Segna, (Claimant) and 1 Element, LLLC, (Regulant); the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **1 Element, LLLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Candace Segna (Claimant)** did not attend the Board meeting.

**File Number
2013-03259
Candace Segna
(Claimants)
and 1 Element, LLLC
(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 **\$10,855.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent were: **Giesen and Murrow**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **1 Element, LLLC** involved improper and dishonest conduct.

Upon payment of the claim, the license of **1 Element, LLLC** 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 2014-00001, David E Byrd (Claimant) and Commonwealth HVAC & Generators, (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Commonwealth HVAC & Generators (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **David E Byrd (Claimant)** did not attend the Board meeting.

File Number
2014-00001
David E Byrd (Claimants)
and Commonwealth
HVAC & Generators
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$5,856.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams**. **Members absent were: Giesen and Murrow.**

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Commonwealth HVAC & Generators** involved improper or dishonest conduct.

Upon payment of the claim, the license of **Commonwealth HVAC & Generators** 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 2013-03363, Joyce Douglas (Claimant) and LVG Construction LLC, (Regulant the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **LVG Construction LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Joyce Douglas (Claimant)** did not attend the Board meeting.

File Number
2013-03363
Joyce Douglas
(Claimant) and
LVG Construction 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 **\$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: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams.** **Members absent were: Giesen and Murrow.**

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

Upon payment of the claim, the license of **LVG Construction 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 2013-02920, John S Johns (Claimant) and H Simons, t/a H Simons & Sons Construction, (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 **H Simons & Sons Construction (Regulant)** did not appear at the Board meeting in person by any qualified representative or by counsel. **Elizabeth Johns wife of John S Johns (Claimant)** did attend the Board meeting. She addressed the Board and shared their disagreement with the recommendation.

File Number
2013-02920
John S Johns
(Claimant)
and H Simons & Sons
Construction
(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. 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.

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

In the matter of Recovery Fund File Number 2013-01662, Warren and Beverly Wharton (Claimant) and Muse Construction Group Inc t/a Muse Construction Group Inc, (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. **Muse Construction Group Inc t/a Muse Construction Group Inc, (Regulant)** did not appear at the Board meeting in person, by counsel or by any other qualified representative. **The Wharton's and their counsel, Roderick Slayton (Claimants)** did attend the Board meeting. They each addressed the Board.

**File Number
2013-01662
Warren and Beverly
Wharton
(Claimants)
and
Muse Construction
Group Inc t/a Muse
Construction Group Inc
(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 reject the Summary and approve payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. During discussion there were questions from Mr. Dyer, Gelardi, Williams, Oliver, Vander Pol and Walker. Attorney Jack answered and shared that this case falls under the old statue and that the court found John Muse liable and not Muse Construction Group Inc. The Board finds there is language that supports the conclusion that the court found that the conduct of Muse Construction Group Inc involved improper or dishonest conduct. The Board orders that this claim be approved for payment in the amount of **\$20,000.00.**

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

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 2013-02066, Warren and Beverly Whartons (Claimant) and Areopagus Construction 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. **Areopagus Construction LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Warren and Beverly Wharton (Claimant)** did not attend the Board meeting in person with counsel **Roderick Slayton** and they addressed the Board and shared their agreement with the recommendation.

File Number
2013-02066
Warren and Beverly
Wharton (Claimant)
and
Areopagus
Construction LLC
(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 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 **Areopagus Construction LLC**.

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

In the matter of Recovery Fund File Number 2013-02632, Carmen Orellana (Claimant) and Ralph D Zammit, t/a Plumber Time Co, (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. **Ralph D Zammit, t/a Plumber Time Co (Regulant)** did not appear at the Board meeting in person, by counsel or by any other qualified representative. **Carmen Orellana (Claimant)** did not attend the Board meeting in person, by counsel or by any other qualified representative.

File Number
2013-02632
Carmen Orellana
(Claimant)
and
Ralph D Zammit, t/a
Plumber Time Co
(Regulant)

After discussion, a motion was made by **Mr. Gelardi** 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 Recommendation and denies payment of the claim. The Claim Review and Summary are

incorporated as a part of this Order. The Board finds that at the time of the transaction the claimants did not have a contract with an individual or entity who was a Regulant of the Board. The Board orders that this claim be denied. See order for additional information.

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

In the matter of Recovery Fund File Number 2013-02929, Lien Huynh & Tuan Pham (Claimant) and JMB Contracting, 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. **JMB Contracting, LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Lien Huynh & Tuan Pham (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

File Number
2013-02929
Lien Huynh & Tuan Pham (Claimant)
JMB Contracting, LLC (Regulant)

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 Summary and denies payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. The Board finds that there is no language in the order that supports the conclusion that the court found the conduct of JMB Contracting, LLC falls within the statutory definition of improper or dishonest conduct.

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

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.

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

In the matter of Recovery Fund File Number 2013-03012, Kenneth & Allison Shealy (Claimant) and Maclej Szpak, t/a Rimax Construction, (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. **Maclej Szpak, t/a Rimax Construction, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Allison Shealy (Claimant)** did attend the Board meeting in person. She addressed the Board and shared their disagreement with the Recommendation.

File Number
2013-03012
Kenneth & Allison
Shealy (Claimant)
And
Maclej Szpak, t/a
Rimax Construction
(Regulant)

After discussion, a motion was made by Mr. Vander Pol and seconded by Mr. Oliver to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and rejects the Summary and approves payment of the claim. The motion failed due to a vote of 7 “no” and 6 “yes”. Members voting “no” were: **Dyer, Smith, Tomlin, Williams, Pace, Walton and Walker.** Members voting “yes” were: **Chowdhuri, Oliver, Vander Pol, Dowdy, Gelardi and Middleton. Murrow and Giesen were absent.**

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. There were questions and discussion by **Oliver, Middleton and Vander Pol.** The Board finds there is not language in the order that supports the conclusion that the court found the conduct of **Maclej Szpak, t/a Rimax Construction** involved improper or dishonest conduct.

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

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.

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

In the matter of Recovery Fund File Number 2013-02895, Michael and Elodia Howard (Claimant) and Royal Decorating & Design, Inc., (Regulant); the board reviewed the record, which consists of the claim file, the transcript and

File Number
2013-02895
Michael and

exhibits from the Informal Fact-Finding Conference and the Summary. **Royal Decorating & Design, Inc., (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Michael and Elodia Howard (Claimant)** did not attend the Board meeting in person by counsel or by any other qualified individual.

**Elodia Howard
(Claimant)
And
Royal Decorating
& Design, Inc.,
(Regulant)**

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 Summary and approves payment of the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of the Order. Upon payment of the claim, the license of **Royal Decorating & Design, Inc.**, will be revoked pursuant to 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.

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

In the matter of License Application File Number 2013-03082 Joey Lee Sauls 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
2013-03082
Joey Lee Sauls**

Applicant **Joey Lee Sauls** appeared at the IFF via telephone. **Joey Lee Sauls** did appear at the Board meeting in person. He addressed the Board and shared his agreement with the Recommendation.

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

In the matter of License Application File Number 2013-02317 Strategic Consulting Alliances, 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
2013-02317
Strategic Consulting
Alliances, LLC**

Applicant **Branden Bowen and James Galligan** appeared at the IFF. **Branden Bowen and James Galligan for Strategic Consulting Alliances, LLC** appeared at the Board meeting. They addressed the Board and shared their agreement with the Recommendation.

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

In the matter of License Application File Number 2013-02864 Steven Westrick 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
2013-02864
Steven Westrick**

Applicant **Steven Westrick** appeared at the IFF. **Steven Westrick** did appear at the Board meeting. He addressed the Board. He shared his agreement with the Recommendation.

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

In the matter of License Application File Number 2013-02865 Simply Remodeling LLC. Staff shared with members of the Board for Contractors that this case will be reconvened to our December 17th, 2013 Board meeting at the request of the applicant.

**File Number
2013-02865
Simply Remodeling
LLC**

In the matter of License Application File Number 2013-03045 Luke Ethridge 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
2013-03045
Luke Ethridge**

Applicant **Luke Ethridge** appeared at the IFF. **Luke Ethridge** appeared at the Board meeting. He addressed the Board and shared his agreement with the recommendation.

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

In the matter of License Application File Number 2013-03046 Thomas B Blanton, II 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
2013-03046
Thomas B Blanton, II**

Applicant **Thomas B Blanton, II** appeared at the IFF. **Thomas B Blanton, II** did appear at the Board meeting in person. He addressed the Board and shared his agreement with the recommendation.

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

In the matter of License Application File Number 2013-03057 Andre M Mack 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
2013-03057
Andre M Mack**

Applicant **Andre M Mack** appeared at the IFF. **Andre M Mack** did appear at the Board meeting. He addressed the Board and shared his agreement.

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

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

In the matter of License Application File Number 2013-03059 Patricia Lynch t/a CTM Designs 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
2012-03059
Patricia Lynch t/a
CTM Designs**

Applicant **Patricia Lynch t/a CTM Designs** appeared at the IFF. **Patricia Lynch t/a CTM Designs** did not attend 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. Gelardi** to grant a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams. Members absent were: Giesen and Murrow.**

In the matter of License Application File Number 2013-03060 Andrew Lewis, 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
2013-03060
Andrew Lewis**

Applicant **Andrew Lewis** appeared at the IFF. **Andrew Lewis** did attend the Board meeting. He addressed the Board and shared his agreement with the recommendation.

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

In the matter of license Application File number 2013-03061 Brad T Cartwright, 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
2013-03061
Brad T Cartwright

Applicant **Brad T Cartwright** appeared at the IFF. **Brad T Cartwright** did attend the Board meeting. He addressed the Board and shared his agreement with the recommendation.

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

In the matter of license Application file number 2013-03062 Red Door Properties 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
2013-03062
Red Door Properties LLC

Applicant **Joe Frye for Red Door Properties LLC** appeared at the IFF. **Joe Frye for Red Door Properties LLC** did attend the Board meeting. He addressed the Board and shared his agreement with the recommendation.

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

In the matter of license Application file number 2013-03258 Demel **Dominic Wilkerson**, 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
2013-03258
Demel Dominic
Wilkerson

Applicant **Demel Dominic Wilkerson** appeared at the IFF. **Demel Dominic Wilkerson** 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. Walton** to issue a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent were: **Giesen and Murrow.**

In the matter of license Application number 2013-03446 Ernest L Tharpe **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
2013-03446
Ernest L Tharpe III

Applicant **Ernest L Tharpe III** appeared at the IFF. **Ernest L Tharpe III** 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. Walton** to grant a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent were: **Giesen and Murrow.**

In the matter of license Application number 2013-03470 Steven W Hysell, 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
2013-03470
Steven W Hysell, Jr**

Applicant **Steven W Hysell, Jr** appeared at the IFF. **Steven W Hysell, Jr** did attend the Board meeting. He addressed the Board and shared his agreement with the recommendation.

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

In the matter of license Application 2014-00119 Oscar O Hernandez, 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
2014-00119
Oscar O Hernandez**

Applicant **Oscar O Hernandez** appeared at the IFF. **Oscar O Hernandez** 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. Walton** to grant a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent were: **Giesen and Murrow.**

In the matter of license Application 2014-00121 Arthur Henderson, 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
2014-00121
Arthur Henderson**

Applicant **Arthur Henderson** appeared at the IFF. **Arthur Henderson** 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. Dyer** to grant a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent were: **Giesen and Murrow.**

In the matter of License File Number 2014-00122 At Your Service Construction, Inc., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2014-00122
Richard Gatton t/a RG
Quality Remodeling
LLC

Applicant **Adam and Kristi Zirkle for At Your Service Construction, Inc.,** appeared at the IFF. **Adam and Kristi Zirkle for At Your Service Construction, Inc.,** did attend the Board meeting. They addressed the Board and shared their agreement with the recommendation.

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

In the matter of Application File Number 2014-00123, Hidden Lane Landscaping & Design 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
2013-02432
Hidden Lane
Landscaping &
Design Inc.

Applicant Jonathan O'Neil for **Hidden Lane Landscaping & Design Inc.,** attended the IFF. Jonathan O'Neil for **Hidden Lane Landscaping & Design Inc.,** attended the Board meeting. He addressed the Board and shared his agreement with the recommendation.

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

In the matter of Application File Number 2014-00124 Preston Richardson 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
2014-00124
Preston Richardson**

Applicant **Preston Richardson** appeared at the IFF. **Preston Richardson** appeared at the Board meeting. He addressed the Board and shared his agreement with the recommendation.

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

In the matter of Application File Number 2014-00125 Sahng Gun Shim t/a Rock Enterprise 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
2014-00125
Sahng Gun Shim t/a
Rock Enterprise**

Applicant **Sahng Gun Shim t/a Rock Enterprise** appeared at the IFF. **Sahng Gun Shim t/a Rock Enterprise** appeared at the Board meeting. He addressed the Board and shared his disagreement with the Recommendation.

After discussion Mr. Dyer offered a motion seconded by Mr. Pace to deny a license after considering its Regulations: 18 VAC 50-22-40 C and other applicable law §54.1-1108.2 of the Code of Virginia. Mr. Vander Pol, Williams and Oliver had questions for discussion. After further discussion and after reviewing the record and after hearing from Sahng Gun Shim, the Board is of the opinion that Sahng Gun Shim has not demonstrated that he possesses the character and minimum skills to properly engage in the occupation of contracting in such a way as to safeguard the health, safety and welfare of the public.

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

In the matter of Application File Number 2014-00127 Bradley’s Plumbing, 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
2014-00127
Bradley’s Plumbing,
Heating, & Cooling,
LLC**

Applicant **Bradley’s Plumbing, Heating, & Cooling, LLC** appeared at the IFF. **Bradley’s Plumbing, Heating, & Cooling, LLC** appeared at the Board meeting. He addressed the Board and shared his agreement with the Recommendation.

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

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

In the matter of Application File Number 2014-00275 Duck Build Construction, 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
2014-00275
Duck Build
Construction,
LLC**

Applicant **Duck Build Construction, LLC** appeared at the IFF. Garland and Michael Duck for **Duck Build Construction, LLC** attended the Board meeting. They addressed the Board and shared their agreement with the Recommendation.

After discussion **Mr. Gelardi** offered a motion seconded by **Mr. Pace** to grant a license with conditions.

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

and Murrow. Mr. Dyer voted “no”.

In the matter of Application File Number 2014-00309 Beach Homeworks LLC the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Findings Conference (IFF).

**File Number
2014-00309
Beach Homeworks
LLC**

Applicant **Beach Homeworks LLC** did attend the IFF. **Beach Homeworks 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 seconded by **Mr. Dyer** to grant a license with conditions.

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

In the matter of Application File Number 2014-00310 Brian L Falls the board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal fact-Findings Conference (IFF).

**File Number
2014-00310
Brian L Falls**

Applicant **Brian L Falls** attended the Informal fact-Finding Conference. **Brian L Falls** attended the Board meeting and he addressed the Board. He shared his agreement with the recommendation.

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

In the matter of Application file Number 2014-00312 21st Century Windows & Siding LLC the Board members review the record, which consisted of the application file, transcript, exhibits, and Summary of the

**File Number
2014-00312
21st Century Windows**

Informal Fact-Findings Conference.

& Siding LLC

Applicant David Caines and Gerald Massengill for **21st Century Windows & Siding LLC** attended the IFF. David Caines and Gerald Massengill for **21st Century Windows & Siding LLC** attended the Board meeting. They addressed the board and shared their agreement with the recommendation.

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

The Board took a 15 minute recess.

Recess

The Chairman called the meeting back to order at 10:40 am.

Reconvene

In the matter of Disciplinary File Number 2013-00042, Belcher Joe Stanley III, t/a BJ's and Sons Paving and Seal Coating (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
2013-00042
Belcher Joe Stanley III,
t/a BJ's and Sons
Paving and Seal Coating

Belcher Joe Stanley III, t/a BJ's and Sons Paving and Seal Coating (Respondent) appeared at the IFF. **Belcher Joe Stanley III, t/a BJ's and Sons Paving and Seal Coating** 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. 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 **Belcher Joe Stanley III, t/a BJ's and Sons Paving and Seal Coating** 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
Count 3:	18 VAC 50-20-260 B 14
Count 4:	18 VAC 50-22-260 B 16
Count 5:	18 VAC 50-20-260 B 13
Count 7:	18 VAC 50-22-260 B 28
Eff: 12 1 2012	
Count 6:	18 VAC 50-22-230 B

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams. Members absent were: Giesen and Murrow. Dyer, the Board's hearing officer was 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:	\$350.00
Count 3:	\$2,500.00
Count 5:	\$1,850.00
Count 6:	\$ 350.00
Count 7:	\$1,850.00
Total	\$9,750.00
In addition, for violation of Count 1, and 2, the Board voted to require Belcher Joe Stanley III, t/a BJ's and Sons Paving and Seal Coating 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 3, 4 5 and 7 is imposed by the Board.	

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

In the matter of Disciplinary File Number 2013-00419, Solar Sense, Inc. t/a Geosolice Heating & Cooling (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
2013-00419
Solar Sense, Inc. t/a
Geosolice Heating &
Cooling**

Solar Sense, Inc. t/a Geosolice Heating & Cooling (Respondent) appeared at the IFF. **Solar Sense, Inc. t/a Geosolice Heating & Cooling** did not attend the Board meeting in person, by counsel or by any qualified representative.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Pace** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Solar Sense, Inc. t/a Geosolice Heating & Cooling** 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 6	
Count 3:	18 VAC 50-22-260 B 30	

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

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

the following sanctions:

Sanctions	
Count 1:	\$1,000.00
Count 2:	\$1,500.00
Count 3:	\$1,500.00
Total	\$4,000.00
In addition, for violation of Count 1 the Board voted to require Solar Sense, Inc. t/a Geosolice Heating & Cooling 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 Board also imposes the sanction of Revocation of the license for violation of Count 2 and Count 3.	

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

In the matter of Disciplinary File Number 2013-01279, Rocky Acres Construction Ltd (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number
2013-01279
Rocky Acres
Construction Ltd

Rocky Acres Construction Ltd (Respondent) did not appear at the IFF in person, by counsel nor by any other qualified representative. Lance Hayes for **Rocky Acres Construction Ltd** did attend the Board meeting in person and he addressed the Board. He shared his disagreement.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Williams** to adopt the Report of Findings, which contains the facts regarding the

regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Rocky Acres Construction Ltd** violated the following sections of its Regulations:

Violations		Effective: February 1, 2006
Count 1:	18 VAC 50-22-260 B 28	
Count 2:	18 VAC 50-22-220 A	
Eff: 9-1-2001		
Count 3:	18 VAC 50-22-220 A	

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

After discussion **Mr. Oliver** offered a motion seconded by **Mr. Vander Pol** to remove revocation from count 1 and to impose 1 year probation to pay off judgments and incur no other judgments and no other debts. The motion failed due to a majority vote. Members voting “yes” were: **Vander Pol, Oliver, Williams and Walker.** Members voting “no” were: **Middleton, Dyer, Chowdhuri, Tomlin, Dowdy, Pace, Smith, Walton.** Members absent were: **Giesen and Murrow.**

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

Sanctions	
Count 1:	\$00.00
Count 2:	\$450.00
Total	\$1,600.00
The Board also imposes the following sanction: Revocation of the license for violation of Count 1. See order for additional information. The Board voted to stay the revocation of the license pursuant to the following terms:	

Rocky Acres license will be placed on probation for a period of 18 months upon the entering of the order

While on probation, Rock Acres shall provide quarterly reporting to the Board which must include documentation of payments towards the outstanding judgments and agreement for payments with the judgment creditor

Rocky Acres shall provide proof satisfactory to the Board, of having satisfied all judgments referenced herein within the probation timeframe.

As to 18 VAC 50-22-210, the Board closes this aspect of the file with a finding of no violation.

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

In the matter of Disciplinary File Number 2013-00679, Stone Images 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
2013-00679
Stone Images Co

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

Mr. Oliver chaired this case.

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

Violations Effective: February 1, 2006		
Count 1:	18 VAC 50-22-260 B 9	
Count 3:	18 VAC 50-22-260 B 27	
Count 4:	18 VAC 50-22-260 B 15	
Count 5:	18 VAC 50-22-260 B 16	
Count 6:	18 VAC 50-22-260 B 31	
Count 7:	18 VAC 50—22-260 B 2	
Eff: Sep. 1, 2001		
Count 2:	18 VAC 50-22-230 A	
Eff: Dec 1, 2012		
Count 8:	18 VAC 50-22-230 B	
Count 9:	18 VAC 50-22-22-210	
In addition, Count 10 the Board finds substantial evidence that there is a substantial identity of interest as outlined in the Revised Report of Findings and Summary.		

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

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

Sanctions	
Count 1:	\$400.00
Count 2:	\$450.00
Count 3:	\$1,000.00
Count 4:	\$2,000.00
Count 5:	\$2,000.00

Count 6:	\$400.00
Count 7:	\$1,500.00
Count 8:	\$550.00
Total	\$8,300.00
<p>In addition, for violation of Count 1, 2, 6, and 8, the Board voted to require Stone Images Co 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 Board also imposes Revocation of the license for violation of count 3, 4, 5, 9 and 10.</p>	

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

In the matter of Disciplinary File Number 2011-02723, Areopagus 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
2011-02723
Areopagus
Construction LLC**

John Muse on behalf of Areopagus Construction LLC (Respondent) and **George H Dygert**, Attorney for Respondent did appear at the IFF in person. **John Muse on behalf of for Areopagus Construction LLC and George Dygert** , Attorney for Respondent did attend the Board meeting in person. They both addressed the Board and shared their agreement with the substantial identity and disagreement with the revocation of the license.

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

Violations		
§54.1-1110 of the Code of Virginia.		

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

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

Sanctions: The Board imposes Revocation of the license.

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

In the matter **Disciplinary File Number 2013-01028, Jason L Wirt t/a JLW Creations (Respondent)**; the Board reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation. The board adopts the Report of Findings, including exhibits and the recommendation which contains the facts regarding the disciplinary case in this matter. **Jason L Wirt t/a JLW Creations (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

File Number
2013-01028
Jason L Wirt t/a
JLW Creations

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** 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 Recommendation. The Report of Findings and Recommendation are incorporated as part of the Order. The Board finds substantial evidence that **Jason L Wirt** violated the following sections of its Regulations:

Violations	Effective: February 1, 2006	
Count 1:	18 VAC 50-22-260 B 28	
Count 3:	18 VAC 50-22-260 B 2	
Count 4:	18 VAC 50-22-260 B 22	
Eff:	9-1-2001	
Count 2:	18 VAC 50-22-230 B	

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

After further discussion **Mr. Gelardi** offered a motion seconded by **Mr. Walker** to revoke the license for violation of Count 1, 2, 3, and 4. The motion passed by unanimous vote. Members voting “yes” were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent were: **Giesen and Murrow.**

In the matter of Disciplinary File Number 2013-02825, **Hyon Kim t/a H K Construction (Respondent)**; the board reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits and the Recommendation. **Hyon Kim t/a H K Construction (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

File Number
2013-02825
Hyon Kim t/a H K
Construction

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** 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 Recommendation. The Report of Findings and Recommendation are incorporated as part of the Order. The Board finds substantial evidence that **Hyon Kim t/a H K Construction** violated the following sections of its Regulations:

Violations	Effective: February 1, 2006	
Count 2:	18 VAC 50-22-260 B 2	
Eff: Dec 1, 2012		
Count 1:	18 VAC 50-22-260 B 13	
Count 3:	18 VAC 50-22-260 B 7	

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

Kristin Clay shared with the Board that **Hyon Kim t/a H K Construction** had priors. File number 2012-01854 indicates that the Regulant has not satisfied the order which requires successful completion of Remedial Education and payment of \$650.00 in fines.

After discussion **Mr. Dyer** offered a motion seconded by **Mr. Gelardi** to impose the sanction of license revocation for violation of Count 1, 2, and 3.

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

In the matter of Disciplinary File Number 2013-02942, Old River Cabinets, 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
2013-02942
Old River Cabinets, Inc.

Old River Cabinets, Inc. (Respondent) did appear at the IFF. **Old River Cabinets, Inc.** the board reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits and the Recommendation. **Old River Cabinets, Inc. (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

This is a Prima Facie case.

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 Recommendation. The Report of Findings and Recommendation are incorporated as part of the Order. The Board finds substantial evidence that **Old River Cabinets, Inc.** violated the following sections of its Regulations:

Violations	Effective: December 1, 2012	
Count 1:	18 VAC 50-22-210	
Count 2:	18 VAC 50-22-260 B 13	

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

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

Sanctions:	Revocation of license for violation of Count 1 and 2.
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The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent were: **Giesen and Murrow.**

In the matter of Disciplinary File Number 2013-00101, Southern Construction & Development 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
2013-00101
Southern Construction & Development Inc

Southern Construction & Development Inc (Respondent) did not appear at the IFF in person or by counsel or by any other qualified representative. **Southern Construction & Development 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. Oliver** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Southern Construction & Development 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 29	
Count 3:	18 VAC 50-22-260 B 31	

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

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

Sanctions	
Count 1:	\$500.00
Count 2:	\$150.00

Total	\$650.00
In addition, for violation of Count 1 and 2, the Board voted to require Southern Construction & Development 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 motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams. Members absent were: Giesen and Murrow. Walker the Board’s hearing officer was not present and did not vote.**

In the matter of Disciplinary File Number 2013-00903, Gary Wayne Page Jr (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
 2013-00903
 Gary Wayne Page Jr**

Gary Wayne Page Jr (Respondent) did not appear at the IFF in person or by counsel or by any other qualified representative. **Gary Wayne Page Jr** 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. Oliver** and seconded by **Mr. Dowdy** 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 **Gary Wayne Page Jr** violated the following sections of its Regulations:

Violations	Effective: September 1, 2001
Count 1:	18 VAC 50-22-230 A
Eff:	Feb 1, 2006

Count 2:	18 VAC50-22-260 B 9	
Count 3:	18 VAC 50-22-260 B 16	
Count 4:	18 VAC 50-22-260 B 13	
Count 5:	18 VAC 50-22-260 B 2	

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

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

Sanctions	
Count 1:	\$350.00
Count 2:	\$350.00
Count 3:	\$2,500.00
Count 4:	\$1,500.00
Count 5:	\$1,000.00
Total	\$5,700.00
<p>In addition, for violation of Count 1 and 2, the Board voted to require Gary Wayne Page Jr have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension. The Board also imposed the sanction of license Revocation for violation of Count 3, 4 and 5.</p>	

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

In the matter of Disciplinary File Number 2013-01843, Prosser 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
2013-01843
Prosser LLC**

Prosser LLC (Respondent) did not appear at the IFF in person or by counsel or by any other qualified representative. **Prosser 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 **Prosser LLC** 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: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker and Williams.** Members absent were: **Giesen and Murrow.** **Walton, 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:	\$500.00
Total	\$500.00
The Board also imposed the sanction of license Revocation for	

violation of Count 1.

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

In the matter of Disciplinary File Number 2012-03643 Venning Inc (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number
2012-03643
Venning Inc

Jacqueline Venning, on behalf of Venning Inc (Respondent) did appear at the IFF in person. **Venning 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. Williams** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Venning 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 31

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

Kristin Marie Clay shared with the board that the Regulant has priors.

Venning Inc paid \$1,750. In fines and completed Board-approved Remedial Ed.

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

Sanctions	
Count 1:	\$300.00
Total	\$300.00

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

In the matter of Consent Order File Number 2012-00183 Board v. Stanley Martin Custom Homes LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
 2012-00183
 Stanley Martin
 Custom Homes LLC**

Stanley Martin Custom Homes 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 15	\$ 1,000.00
Board Costs		\$ 150.00
Total		\$ 1,150.00

In addition, for violation of Count 1, **Stanley Martin Custom Homes 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. Smith** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton and Williams. Members absent were: Giesen and Murrow. Chowdhuri, the Board's officer was not present and did not vote.**

In the matter of Consent Order File Number 2013-00792 Board v. James O Wayland, t/a O'Jennings Home Builders; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2013-00792
James O Wayland, t/a
O'Jennings Home
Builders**

James O Wayland, t/a O'Jennings Home Builders acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$ 500.00
Count 2:	18 VAC 50-22-260 B 15	\$1,550.00
Board Costs		\$ 150.00
Total		\$ 1,900.00

In addition, for violation of Count 1 and 2, **James O Wayland, t/a O'Jennings Home Builders** agrees to have a member of Responsible Management successfully complete a board-approved remedial education class.

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

In the matter of Consent Order File Number 2013-00997 Board v. R-BT Remodeling LLC the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2012-00997
R-BT Remodeling LLC

R-BT Remodeling 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	\$ 650.00
Count 2:	18 VAC 50-22-260.B.31	\$ 300.00
Board Costs		\$ 150.00
Total		\$ 1,100.00

The board agrees to waive the \$650.00 monetary penalty for Count 1 provided **R-BT Remodeling LLC** obtains the building contractors (BLD) classification within ninety days of the effective date of the Order. IF **R-BT Remodeling LLC** fails to comply with this condition, then the full monetary penalty will be imposed. For violation of Count 1, and 2, **R-BT Remodeling 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 **Mr. Smith** seconded by **Mr. Gelardi** the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker and Williams.** Members absent were: **Giesen and Murrow.**

In the matter of Consent Order File Number 2013-01198 Board v. Wendell D Dudley, t/a Knight Construction the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2013-01198
Wendell D Dudley, t/a
Knight Construction

Wendell D Dudley, t/a Knight Construction acknowledges an understanding

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

Count 1:	18 VAC 50-22-260 B 22 Two Violations	\$ 00.00
Count 2:	18 VAC 50-22-260 B 23	\$ 700.00
Board Costs		\$ 150.00
Total		\$ 850.00
Further for violation of Count 1, Wendell D Dudley, t/a Knight Construction 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: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker and Williams. Members absent were: Giesen and Murrow.**

In the matter of Consent Order File Number 2013-01337 Board v. Eagle River 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
2013-01337
Eagle River
Construction LLC**

Eagle River 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 18	\$ 800.00
Count 2:	18 VAC 50-22-260 B 18	\$ 800.00
Count 3:	18 VAC 50-22-260 B 18	\$ 800.00
Board Costs		\$ 150.00
Total		\$ 2,550.00

In addition, for violation of Counts 1 - 3, **Eagle River Construction LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

In the matter of Consent Order File Number 2013-01347 Board v. **Christopher Joseph Iannarelli, t/a All Seasons Landscaping**; 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
2013-01347
Christopher Joseph Iannarelli, t/a All Seasons Landscaping

Christopher Joseph Iannarelli, t/a All Seasons Landscaping acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

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

In addition, for violation of Count 1, **Christopher Joseph Iannarelli, t/a All Seasons Landscaping** 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. Smith** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were:

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

In the matter of Consent Order File Number 2013-01509 Board v. Joseph W Myers, t/a Joe Myers Home Imp; 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
2013-01509
Joseph W Myers, t/a
Joe Myers Home Imp**

Joseph W Myers, t/a Joe Myers Home Imp; acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 350.00
Count 2;	18 VAC 50-22-260 B 6	\$ 750.00
Board Costs		\$ 150.00
Total		\$ 1,250.00

The board agrees to waive the \$350.00 monetary penalty for Count 1 provided A member of Responsible Management of **Joseph W Myers, t/a Joe Myers Home Imp** successfully completes a Board-approved remedial education class within 90 days of the Order. If a member of Responsible Management of **Joseph W Myers, t/a Joe Myers Home Imp** does not comply with this condition, then the full monetary penalty will be automatically imposed. See order for additional information.

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

In the matter of Consent Order File Number 2013-01592 Board v. Fire & Ice HVAC 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
2013-01592
Fire & Ice HVAC Inc**

Fire & Ice HVAC 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 Three Violations at \$500.00 each	\$ 1,50 0.00
Count 2:	18 VAC 50-22-260 B 27	\$ 450.00
Board Costs		\$ 15 0.00
Total		\$ 2,100.00
In addition, for violation of Counts 1-2, Fire & Ice HVAC Inc; agrees to have a member of Responsible Management successfully complete. See order for additional details.		

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

In the matter of Consent Order File Number 2013-01645 Board v. Richard A Devall, t/a Arrow Point Construction; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2013-01645
Richard A Devall, t/a
Arrow Point
Construction**

Richard A Devall, t/a Arrow Point Construction acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6 Three violations at \$750.00 each	\$ 2,250.00
Board Costs		\$ 150.00
Total		\$ 2,400.00

In addition, for violation of Count 1, **Richard A Devall, t/a Arrow Point Construction** 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. Smith** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker and Williams.** Members absent were: **Giesen and Murrow.**

In the matter of Consent Order File Number 2013-01762 Board v. Robert C Knick, t/a Beau Knicks Elec Plumb & Excavating; 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
 2013-01762
 Robert C Knick, t/a Beau
 Knicks Elec Plumb &
 Excavating**

Robert C Knick attended the board meeting and shared his agreement with the consent order.

Robert C Knick, t/a Beau Knicks Elec Plumb & Excavating 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	\$ 250.00
Board Costs		\$ 150.00
Total		\$ 400.00

<p>In addition, for violation of Count 1, Robert C Knick, t/a Beau Knicks Elec Plumb & Excavating agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.</p>	
<p>Robert C Knick, t/a Beau Knicks Elec Plumb & Excavating agrees to provide a copy of his current contract within ninety days of the effective date of this Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260 B 9.</p>	

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

In the matter of Consent Order File Number 2013-01765 Board v. Stephen Lyon, t/a Ace Home Improvements; 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
2013-01765
Stephen Lyon, t/a Ace
Home Improvements**

Stephen Lyon, t/a Ace Home Improvements; 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	\$ 0.00
Board Costs		\$ 150.00
Total		\$ 150.00

<p>It is noted that the judgment referenced in count 1 has been satisfied as of June 20, 2013.</p>
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Upon a motion by **Mr. Gelardi** seconded by **Mr. Smith** the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker and Williams. Members absent were: Giesen and Murrow.**

In the matter of Consent Order File Number 2013-01805 Board v. Edgewood Mobile Homes Inc; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2013-01805
Edgewood Mobile
Homes Inc**

Edgewood Mobile Homes Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$ 650.00
Count 2:	18 VAC 50-22-260 B 9	\$ 350.00
Board Costs		\$ 150.00
Total		\$ 1,150.00

For violation of Count 2, **Edgewood Mobile Homes Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

In addition, the Board shall waive imposition of the \$650.00 monetary penalty for Count 1 provided a member of Responsible Management of **Edgewood Mobile Homes Inc** successfully complete remedial education within ninety days of the effective date of this Order. If a member of Responsible Management of **Edgewood Mobile Homes Inc** fails to comply with this condition, then the full monetary penalty will be automatically imposed.

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

Vander Pol, Walton, Walker and Williams. Members absent were: Giesen and Murrow.

In the matter of Consent Order File Number 2013-01815 Board v. Gregory W Woodard, t/a Common Sense Approach To Construction & 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
2013-01815
Gregory W Woodard, t/a
Common Sense
Approach To
Construction & Design**

Gregory W Woodard, t/a Common Sense Approach To Construction & 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 8	\$ 350.00
Board Costs		\$ 150.00
Total		\$ 500.00

In addition, for violation of Count 1, **Gregory W Woodard, t/a Common Sense Approach To Construction & Design** 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. Smith** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker and Williams. Members absent were: Giesen and Murrow.**

In the matter of Consent Order File Number 2013-02110 Board v. Courtney L Blunt, t/a Blunt 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
2013-02110
Courtney L Blunt, t/a
Blunt Services**

Courtney L Blunt, t/a Blunt 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
Count 2:	18 VAC 50-22-260 B 27	\$ 650.00
Board Costs		\$ 150.00
Total		\$ 1,150.00

In addition, for violation of Count 1, **Courtney L Blunt, t/a Blunt 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: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker and Williams.** Members absent were: **Giesen and Murrow.**

In the matter of Consent Order File Number 2013-02146 Board v. Tri-County Contractors 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
 2013-02146
 Tri-County
 Contractors LLC**

Tri-County Contractors LLC acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

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

Total	\$ 950.00
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In addition, for violation of **Tri-County Contractors LLC Premier roofing & Siding Contractors Inc.** agrees to revocation of its license.

Further, the board shall waive imposition of license revocation and \$200.00 of the \$800.00 monetary penalty for Count 1, provided **Tri-County Contractors LLC** terminates its license within fifteen days of the effective date of the Order. If **Tri-County Contractors LLC** fails to comply with this condition, then license revocation and the full monetary penalty will be automatically imposed.

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

In the matter of Consent Order File Number 2013-02301 Board v. **Marlene Ilic, t/a J & M Handyman Service**; 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
2013-02301
Marlene Ilic, t/a J & M Handyman Service

Marlene Ilic, t/a J & M Handyman Service 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	\$ 200.00
Board Costs		\$ 150.00
Total		\$ 350.00

Further, for violation of Count, **Marlene Ilic, t/a J & M**

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

In the matter of Consent Order File Number 2013-01207 Board v. Marios Tile & Marble; 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
2013-01207
Marios Tile & Marble

Marios Tile & Marble 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 Three violations	\$ 750.00
Count 2:	18 VAC 50-22-260 B 29	\$ 500.00
Count 3:	18 VAC 50-22-260 B 11	\$ 250.00
Board Costs		\$ 150.00
Total		\$ 1,650.00

Further, for violation of Counts 1, 2, and 3, **Marios Tile & Marble** agrees to have a member of responsible Management successfully complete a Board-approved remedial education class.

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

In the matter of Consent Order File Number 2013-01572 Board v. Stephen Brooks, t/a Brooks Construction; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2013-01572
Stephen Brooks, t/a
Brooks Construction

Stephen Brooks, t/a Brooks Construction; acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$ 350.00
Count 2:	18 VAC 50-22-260 B 6	\$ 750.00
Count 3:	18 VAC 50-22-260 B 26	
Board Costs		\$ 150.00
Total		\$ 1,900.00

Further, for violation of Counts 1, 2, and 3, **Stephen Brooks, t/a Brooks Construction** agrees to have a member of responsible Management successfully complete a Board-approved remedial education class.

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

In the matter of Consent Order File Number 2013-01768 Board v. The

File Number

Building Team 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.

**2013-01768
The Building Team Inc**

The Building Team Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$ 750.00
Count 2:	18 VAC 50-22-260 B 27	\$ 650.00
Board Costs		\$ 150.00
Total		\$ 1,550.00

In addition, for violation of Counts 1 and 2, **The Building Team Inc** agrees to revocation of its license and further, the Board shall waive imposition of the \$750.00 monetary penalty for Count 1 and shall waive the imposition of the \$650.00 monetary penalty for Count 2..

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

In the matter of Consent Order File Number 2013-01793 Board v. Metrotec 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
2013-01793
Metrotec Inc**

Metrotec 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	\$ 2,250.00
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	Three violations at \$750.00 each	
Count 2:	18 VAC 50-22-260 B 27	\$ 650.00
Board Costs		\$ 150.00
Total		\$ 3,050.00

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

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

In the matter of Consent Order File Number 2013-01102 Board v. Charles F Simmons, t/a Simmons 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
2013-01102
Charles F Simmons, t/a
Simmons Construction
Company**

Charles F Simmons, t/a Simmons 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 8	\$ 350.00
Count 2:	18 VAC 50-22-260 B 31	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 900.00

Further, for violation of counts 1 and 2, **Charles F Simmons, t/a Simmons Construction Company** 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: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker and Williams. Members absent were: Giesen and Murrow.**

In the matter of Consent Order File Number 2012-03146 Board v. Home Service Contracting Consultant LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2012-03146
Home Service
Contracting
Consultant LLC**

Home Service Contracting Consultant 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 15	\$ 1,000.00
Board Costs		\$ 150.00
Total		\$ 1,150.00

In addition, for violation of count 1, **Home Service Contracting Consultant 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: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Oliver, Smith, Tomlin,**

Vander Pol, Walton, Walker and Williams. Members absent were: Giesen and Murrow. Mr. Pace was not present and did not vote.

In the matter of Consent Order file number 2013-01102 Board v. Taratex Development Corp; 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
2013-00585
Taratex Development
Corp**

Taratex Development Corp 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 Two Violations at \$250 each	\$ 500.00
Count 2:	18 VAC 50-22-260 B 15	\$ 500.00
Board Costs		\$ 150.00
Total		\$ 1,150.00

Further, for violation of counts 1 and 2, **Taratex Development Corp** 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. Dowdy** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Tomlin, Vander Pol, Walton, Walker and Williams. Members absent were: Giesen and Murrow. Smith was not present and did not vote.**

In the matter of Consent Order File number 2013-01102 Board v. Roger N McDaniel, t/a Hammer Heads Home Improvements; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings,

**File Number
2013-02372
Roger N McDaniel,**

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

**t/a Hammer Heads
Home Improvements**

Roger N McDaniel, t/a Hammer Heads Home Improvements 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	\$ 400.00
Count 2:	18 VAC 50-22-260 B 27	\$ 600.00
Count 3:	18 VAC 50-22-260 B 14	\$ 1,700.00
Count 4:	18 VAC 50-22-260 B 16	\$1,800.00
Count 5:	18 VAC 50-22-230 B	\$ 600.00
Board Costs		\$ 150.00
Total		\$ 5,250.00

In addition, for violation of Counts 3 and 4, **Roger N McDaniel, t/a Hammer Heads Home Improvements** agrees to revocation of his license.

Further, the Board shall waive imposition of the \$5,100.00 in monetary penalties for counts 1 through 5.

Lastly, for violation of counts 1, 2 and 5, **Roger N McDaniel, t/a Hammer Heads Home Improvements** 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: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Tomlin, Vander Pol, Walton, Walker and Williams.** Members absent were: **Giesen and Murrow.** **Mr. Smith was not present and did not vote.**

In the matter of Consent Order File number 2012-02664 Board v. Hall Investments Corp; the Board reviewed the Consent Order. Incorporated in the

**File Number
2012-02664**

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

Hall Investments Corp

Hall Investments Corp 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	\$ 0.00
Count 2:	18 VAC 50-22-260 B 29	\$ 0.00
Count 3:	18 VAC 50-22-260 B 22	\$ 0.00
Board Costs		\$ 0.00
Total		\$ 0.00

In addition, for violation of counts 1, 2 and 3, **Hall Investments Corp** agrees to revocation of its license.

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

In the matter of Consent Order File number 2013-00912 Board v. **Kingdom Komfort Heating & Cooling 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
2013-00912
Kingdom Komfort
Heating & Cooling Inc

Kingdom Komfort Heating & Cooling 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	\$ 0.00
Count 2:	18 VAC 50-22-260 B 6	\$ 0.00
Count 3:	18 VAC 50-22-260 B 32	\$ 0.00

Board Costs		\$ 150.00
Total		\$ 150.00

In addition, for violation of counts 2 and 3, **Kingdom Komfort Heating & Cooling Inc** agrees to revocation of its license.

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

In the matter of Consent Order File number 2012-02664 Board v. Quinn's Home Solutions, 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
2013-02115
Quinn's Home
Solutions, LLC

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

Count 1:	18 VAC 50-22-260 B 9	\$ 350.00
Count 2:	18 VAC 50-22-260 B 8	\$ 350.00
Count 3:	18 VAC 50-22-260 B 27	\$ 650.00
Count 4:	18 VAC 50-22-260 B 2	\$ 900.00
Board Costs		\$ 150.00
Total		\$ 2,400.00

In addition, for violation of count 4, **Quinn's Home Solutions, LLC** agrees to suspension of its license until the judgment referenced in Count 4 is satisfied, including court costs, interest, and attorney fees, and **Quinn's Home Solutions LLC** provides the Board with proof of the satisfaction. Further, **Quinn's Home Solutions, LLC**

agrees to revocation of its license if proof of such satisfaction is not provided to the Board within nine months of the effective date of this Order.

For violation of Count 3, **Quinn's Home Solutions, LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

Board Members were asked if they have completed their COIA training. Members Pace, Smith, Dyer and Walker have. The rest of the Board members were reminded they need to complete the training.

Other Board Business Committee Report

Education Provider Applications

Adrienne Mayo and Marcie Hyman shared with the Board Applications for proposed education providers and courses and the Committee's recommendations as follows:

IEC Chesapeake

After discussion **Mr. Gelardi** offered a motion seconded by **Mr. Walton**, to unanimously adopt the Committee's recommended to approve IEC Chesapeake's (ELE) continuing education classroom course.

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

Lee Rigby Elevator Safety & Technical Services

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Dowdy**, the Committee unanimously recommended the Board approve Lee Rigby Elevator Safety & Technical Services (ELE) continuing education classroom course.

The motion was approved by a unanimous vote. Members voting “yes” were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker Gary Wayne Page Jr and Williams. Members absent were: Giesen and Murrow.**

Big Step Training

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Dowdy**, the Committee unanimously recommended the Board approve Big Step Training Pre-license online course.

The motion was approved by a unanimous vote. Members voting “yes” were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker Gary Wayne Page Jr and Williams. Members absent were: Giesen and Murrow.**

Viega LLC

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Dyer**, the Committee unanimously recommended the Board approve Viega LLC (HVAC and PLB) continuing education classroom course.

The motion was approved by a unanimous vote. Members voting “yes” were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker Gary Wayne Page Jr and Williams. Members absent were: Giesen and Murrow.**

NAESA International

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Dowdy**, the Committee unanimously recommended the Board approve NAESA International (ELE) continuing education classroom and online course.

The motion was approved by a unanimous vote. Members voting “yes” were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker Gary Wayne Page Jr and Williams. Members absent were: Giesen and Murrow.**

Elevator World

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Middleton**, the Committee unanimously recommended the Board approve Elevator World (ELE) continuing education classroom course.

The motion was approved by a unanimous vote. Members voting “yes” were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker Gary Wayne Page Jr and Williams. Members absent were: Giesen and Murrow.**

Sustainable Technology Institute

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Dowdy**, the Committee unanimously recommended the Board approve Sustainable Technology Institute Energy Auditor Certification classroom course.

The motion was approved by a unanimous vote. Members voting “yes” were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker Gary Wayne Page Jr and Williams. Members absent were: Giesen and Murrow.**

Wooden Sun

Staff presented a letter from Wooden Sun to review. Wooden Sun requested an informal finding of fact to discuss a waiver of the requirement for installers of wood and gas fireplace systems not be required to hold a HVAC license. There was no pending application from Wooden Sun and the question was reviewed from a standpoint of current Board policy.

After review and discussion a motion was made by Mr. Gelardi and seconded by Mr. Dowdy to deny the request of Wooden Sun for the informal fact finding conference and keep the current policy with regards to restricting the installation of wood and gas fireplace systems to contractors holding the HVAC specialty.

The motion was approved by a unanimous vote. Members voting “yes” were: Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker Gary Wayne Page Jr and Williams. Members absent were: Giesen and Murrow.

New Business

Non Routine Application Review Matrix

The Board reviewed the Board for Contractors Application Review Matrix for Financial History guidance document. Board Staff has updated this document based on the Board's suggestions and requests from the July 30th, 2013 meeting.

After review and discussion Mr. Oliver offered a motion seconded by Mr. Gelardi to have staff add the following to the matrix: "not review judgments against Designated Employee who is not a Responsible Manager for the license" to item number 2.

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

After further discussion Mr. Gelardi offered a motion seconded by Mr. Dowdy to adopt the Board For Contractors Application Review Matrix financial History document with the requested insertion to become effective October 2nd, 2013 or as soon as staff completes the insertion.

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

Application Review Matrix Criminal History

The Board reviewed the Board for Contractors Application Review Matrix for Criminal History guidance document. Board staff has updated this document based on the board's suggestions and requests from the July 30th, 2013 meeting.

After review and discussion Mr. Gelardi offered a motion seconded by Mr. Dowdy to adopt the Criminal History matrix as presented and to make it available for use.

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

Project 3648 Proposed Regs
Addition of Commercial Building Classification

The Board reviewed the board for Contractors addition of Commercial Building Classification proposed regulations.

After review and discussion Mr. Gelardi offered a motion seconded by Mr. Dowdy to request Committee review the definition of Plumbing Specialty in current Regulations at the December 2013 Committee meeting.

The motion was approved by a unanimous vote. Members voting “yes” were: Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker Gary Wayne Page Jr and Williams. Members absent were: Giesen and Murrow.

After review and discussion Mr. Gelardi offered a motion seconded by Mr. Dowdy to approve the proposed Regulations for Addition of Commercial Building Classification as presented.

The motion was approved by a unanimous vote. Members voting “yes” were: Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker Gary Wayne Page Jr and Williams. Members absent were: Giesen and Murrow.

Public Comment Information for:
Residential Building Energy Analysts- Individuals

The Board reviewed and discussed public comments from Lee O’Neal and Caleb Simon pertaining to the Board for Contractors Residential Building Energy Analysts proposed regulations for Individuals.

After review and discussion Mr. Oliver offered a motion seconded by Mr. Gelardi to allow all RESNET accredited training providers be approved by the Board as a training provider.

The motion was approved by a unanimous vote. Members voting “yes” were: Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker Gary Wayne Page Jr and Williams. Members absent were: Giesen and Murrow.

Public Comment Information for:
Residential Building Energy Analysts- Firms

The Board reviewed and discussed public comments from Lee O’Neal and Dale Smith pertaining to the Board for Contractors Residential Building Energy

Analysts proposed regulations for Firms.

After review and discussion Mr. Oliver offered a motion seconded by Mr. Gelardi to approve recommended responses to the public comment for both Individual and Firm for Residential Building Energy Analysts.

The motion was approved by a unanimous vote. Members voting “yes” were: Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker Gary Wayne Page Jr and Williams. Members absent were: Giesen and Murrow.

Project 2849 Proposed Regs
Residential Building Energy Analysts – Firms

The Board reviewed the Board for Contractors Residential Building Energy Analysts proposed regulations for Firms and the public comments from Lee O’Neal and Dale Smith.

After review and discussion Mr. Oliver offered a motion seconded by Mr. Gelardi to adopt the proposed Regulations for Residential Building Energy Analysts Firms.

The motion was approved by a unanimous vote. Members voting “yes” were: Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker Gary Wayne Page Jr and Williams. Members absent were: Giesen and Murrow.

Project 2739 Proposed Regulations
Residential Building energy analysts – Individuals

The Board reviewed the Board for Contractors Residential Building Energy Analysts proposed regulations for Individuals and the public comments from Lee O’Neal and Caleb Simon.

After review and discussion Mr. Gelardi offered a motion seconded by Mr. Dowdy to adopt the proposed Regulations for Residential Building Energy Analysts for Individuals.

The motion was approved by a unanimous vote. Members voting “yes” were: Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker Gary Wayne Page Jr and Williams. Members absent were: Giesen and Murrow.

HB 1645

Staff updated Board members on legislative report as required by the due date of November 1, 2013. Mr. Walker suggested adding the following recommendation to the report. If continuing Education is no longer required for renewal then put the check box back on the renewal card.

Remedial Education Proposal

There was discussion concerning bringing Remedial education from outside providers, approved by the Board, to directly under the board for Contractors.

After additional discussion, a motion was offered by Mr. Williams and seconded by Ms. Tomlin effective January 2014; the Board for Contractors will be holding one remedial education course, per month, at its offices located at 9960 Mayland Drive, Richmond, Virginia. There will be no charge for the class and those individuals assigned to remedial education will be required to attend the class in person.

The motion was approved by a unanimous vote. Members voting “yes” were: Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Vander Pol, Walton, Walker Gary Wayne Page Jr and Williams. Members absent were: Giesen and Murrow.

DOT Approval

Dictionary of Occupational Titles was reviewed by the Board members. After discussion Mr. Gelardi offered a motion seconded by Mr. Smith to adopt the recommendation of the Committee and include the addition of the following codes to be added to the Board’s current list of approved codes. They are: Elevator Installers and Repairers – 47-4021.00, 825.361.010, Elevator Mechanic and Pipe Fitters and Steamfitters-47-2152.01, 862.281.026 Pipe Fitter Apprentice; Backflow Certificate- (Not exam exempt) as the two new codes to be included on the D.O.T Codes list approved by the Board.

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

Administrator Adrienne Mayo attempted to conduct an anonymous audit of several code update courses. However, upon Ms. Mayo's arrival the courses scheduled for that day were not in session and there was no information within the database. Finding no other classes in session, Ms. Mayo conducted and audit of a pre-licensed contractor course. The classroom appeared to be adequate and the course content appeared to be in accordance with the information contained in the Board-approved application. The report for this class was submitted within the required timeframe and contained all attendees on the sign-in sheet. However the report, when loaded contained the wrong provider number. After the provider number was corrected, the report loaded with the correct provider number. Board staff recommends the provider take steps to ensure the person who is registered for the course is the same individual in attendance on course day.

The next Board meeting will be December 17th, 2013.

Next Board meeting

The Board Chair asked all members to be certain to complete their Conflict of Interest Forms and Travel Vouchers and turn them in to Sheila Watkins prior to leaving the meeting. Also any members who have not completed their Financial Disclosure Statement please see Sheila Watkins today.

Paperwork

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

Adjournment

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.**

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E.G. Middleton, III, Chairman

Gordon N. Dixon, Secretary