

BOARD FOR CONTRACTORS BOARD MEETING

MINUTES

The Board for Contractors met on Tuesday, April 19, 2005 at the Department of Professional and Occupational Regulation (DPOR), 3600 West Broad Street, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 13 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

Mark D Kinsler, Chair
Ann Rackas Pate
Robert O Burch
Charles W. Falwell
James Hollar
Michael D. Redifer
Dorothy Wood
Troy Smith, Jr.
Kenneth W. Hart

Board members, Anthony Orange, William A. Paulette Wyatt Walton, III and Robert M. Kirby were not present at the meeting.

Staff present for all or part of the meeting were:

Sandra Ryals, Chief Deputy Director
Karen O'Neal, Deputy Director of Regulatory Programs
Eric L. Olson, Executive Director
Kevin Hoefl, Regulatory Boards Administrator
Victoria Traylor, Legal Assistant
Sheila Watkins, Administrative Assistant
Jennifer Kazzie, Assistant Director, Adjudication
Joe Haughwout, Legal Assistant
Jeffrey Buckley, Legal Assistant
Nick A. Christner, Deputy Director of Compliance and Investigations
Karen Kenney, Administrative Assistant

Chairman Mark Kinser called the meeting to order at 9:20 a.m. and declared a
of board members was in attendance.

Call
To Order

A motion was made by **Mr. Redifer** and seconded by **Mr. Hart** to approve
the agenda. The motion passed unanimously. Members voting "Yes" were:
**Hart, Falwell, Rackas Pate, Hollar, Smith, Burch, Redifer, Wood and
Kinser.**

Approval of
the Agenda

Mr. Redifer moved to approve the following minutes as submitted :

Approval of
Minutes

March 1, 2005, Contractor Board Meeting
February 23, 2005, Informal Fact Finding Conference
February 24, 2005, Informal Fact Finding Conference
March 03, 2005, Informal Fact Finding Conference
March 08, 2005, Informal Fact Finding Conference
March 10, 2005, Informal Fact Finding Conference
March 15, 2005, Informal Fact Finding Conference
March 16, 2005, Informal Fact Finding Conference
March 17, 2005, Informal Fact Finding Conference
February 8, 2005, Informal Fact Finding Conference
February 9, 2005, Informal Fact Finding Conference
February 10, 2005, Informal Fact Finding Conference

Mr. Falwell seconded the motion and it was unanimously approved by
members: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer,
Walton, Paulette and Harris.**

There were no public comments.

Public
Comment
Period

Mr. Eric Olson introduced the new Board member, Mr. Troy Smith, Jr. He is
replacing Mr. David O Harris. The Board welcomed Mr. Smith.

Introduction
of New
Board
Member

**In the matter of Disciplinary File Number 2003-02576, Christopher
Patete t/a Sturdy Built MFG, the Board members reviewed the record,**

File Number
2003-02576

which consisted of the file, transcript, exhibits and Summary of the Informal Fact-Finding Conference.

**Sturdy Built
MFG**

Mr. Patete, t/a Sturdy Built MFG appeared at the IFF and the Board meeting. Mr. Patete addressed the Board on behalf of Sturdy Built MFG. **Ms. Baker, complainant** appeared at the Board meeting. She addressed the Board. The presiding Board Representatives, **Mr. Burch and Mr. Franko**, were not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Hart** to reconvene this case to an IFF after completion of the court ordered arbitration. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Smith, Redifer, Wood, Kinser and Hollar.**

In the matter of Disciplinary File Number 2004-03193, John A Brewer t/a John A Brewer, the Board members reviewed the record, which consisted of the file, transcript, exhibits and Summary of the Informal Fact-Finding Conference.

**File Number
2004-03193
John A
Brewer**

Mr. Brewer, appeared at the IFF and the Board meeting. He addressed the Board. He shared with the Board that he has already completed its Basic Contractor Licensing Class and that he submitted his completion certificate to the Board for Contractors. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Falwell** and seconded by **Mr. Burch** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference. The Board found clear and convincing evidence that John A. Brewer violated the following sections of its 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.8

Count 2: 18 VAC 50-22-260.B.6 No Violation

The motion was approved by "majority" vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Kinser, Wood and Burch.** **Mr. Redifer** voted "no".

Mrs. Traylor brought to the Board's attention that the sanction numbers needed to be listed in the summary for the official record.

After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Burch** to approve the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$400.00 for violation of Count 1 and a finding of no violation with respect to Count 2. A total of \$400. The motion passed unanimously. Members voting "yes" were: **Burch, Falwell, Smith, Hart, Hollar, Kinser, Rackas Pate, Redifer**

and Wood.

In the matter of License Application File Number 2005-02165, Matthew Broderick Harbour, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02165
Matthew
Broderick
Harbour

Mr. Harbour appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Redifer** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Smith, Redifer, Wood, Rackas Pate, Kinser and Burch.**

In the matter of License Application File Number 2005-02167, Gregory William Hebler t/a Construction Services, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02167
Gregory
William
Hebler

Mr. Hebler appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mrs. Wood** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion failed with a no vote by four members and a yes vote by five. Members voting "no" were: **Rackas Pate, Hart Redifer and Hollar.** Members voting "yes" were: **Hart, Falwell, Kinser, Smith and Burch.** After discussion a motion was offered by **Mr. Redifer** and seconded by **Mr. Falwell** to amend the Summary and grant a four year conditional license requiring Mr. Hebler to make a semi annual report to the Board. The motion was approved by majority vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Kinser, Smith, Redifer, Wood and Burch.** **Mr. Hollar** voted "no".

In the matter of License Application File Number 2005-02234, Vernon A King, III t/a Eye For The Detail Tile, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2005-02234
Vernon A
King, III**

Mr. King appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Falwell** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood and Burch.**

In the matter of License Application File Number 2005-02311, Victor Adkins t/a Adkins Drywall, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2005-02311
Victor
Adkins**

Mr. Adkins, appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Falwell** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood and Burch.**

In the matter of License Application File Number 2005-02312, Kenneth Snow t/a Snow's Lawn & Handyman Service, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2005-02312
Kenneth
Snow**

Mr. Snow appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present

did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Hart** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "yes" were: **Hart, Falwell, Kinser, Smith, Redifer, Wood and Burch**. Members voting "no" were: **Hollar and Rackas Pate**.

In the matter of License Application File Number 2005-02313, Neal Wolfe t/a Wolfe Construction, Inc., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02313
Wolfe
Construction
Inc.

Mr. Wolfe appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Wood** and seconded by **Mr. Falwell** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood and Burch**.

In the matter of License Application File Number 2005-02563, Jeff Knapp t/a Fine Homes, Inc. the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02563
Jeff Knapp

Mr. Knapp appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Burch** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "yes" were: **Hart, Falwell, Hollar, Kinser, Smith, Redifer and Burch**. Members voting "no" were: **Rackas Pate and Wood**.

In the matter of License Application File Number 2005-02565, Eric Robinette t/a The Vinyl Touch, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02565
Eric
Robinette

Mr. Robinette appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Hart** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood and Burch.**

In the matter of License Application File Number 2005-02568, Everett Laws, III t/a Details Home Services, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02568
Everett
Laws, III

Mr. Laws appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mrs. Rackas Pate** and seconded by **Mr. Smith** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood and Burch.**

In the matter of License Application File Number 2005-02612, Samuel Robinson t/a R & R Maintenance Service LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02612
Samuel
Robinson

Mr. Robinson appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mrs. Rackas Pate** and seconded by **Mr. Hollar** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood and Burch.**

In the matter of License Application File Number 2005-02614, Grant Smith, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02614
Grant Smith

Mr. Smith appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Hollar** and seconded by **Mr. Burch** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood and Burch.**

In the matter of Disciplinary File Number 2005-02677, Mark Crossley t/a Deck Masters Plus, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2005-02677
Mark
Crossley

Mr. Mark Crossley, respondent, attended the Board meeting on behalf of Deck Masters Plus. He addressed the Board. The presiding Board Representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Burch** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 1999 and 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.18 (May 1, 1999)

Count 2: 18 VAC 50-22-260.B.23 (January 1, 2003)

The motion passed with a majority vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood and Burch.** **Mr. Hollar** voted "no".

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Burch** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a \$350.00 monetary penalty for violation of (Count 1) and a \$350.00 monetary penalty for violation of (Count 2). A total monetary penalty of **\$700.00** was imposed. The motion passed

with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood, Redifer and Burch.**

In the matter of License Application File Number 2005-02692, Gregory Michael, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2004-02692
Gregory
Michaels

Mr. Michaels appeared at the IFF but not the Board meeting. He was unable to attend the Board meeting and requested the case be reconvened to June 7, 2005. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Hollar** and seconded by **Mr. Smith** to grant the continuance.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Kinser, Smith, Redifer, Rackas Pate, Wood and Burch.**

In the matter of License Application File Number 2005-02693, Michael Bowens t/a Sweep It Clean LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2004-02693
Sweep It
Clean LLC

Mr. Bowens appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Hollar** and seconded by **Mr. Smith** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "yes" were: **Hart, Falwell, Hollar, Kinser, Smith, Redifer, Wood and Burch.** **Mrs. Rackas Pate** voted "no".

In the matter of License Application File Number 2005-02694, John Buni t/a Firebird Construction, LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02694
Firebird
Construction
, LLC

Mr. Buni appeared at the IFF and the Board meeting. He addressed the

Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. **Mr. Redifer** recused himself from discussion and voting on this case. After discussion, a motion was made by **Mr. Hollar** and seconded by **Mr. Burch** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Wood and Burch.**

In the matter of License Application File Number 2005-02736, Reggie Bowman t/a Carolina Roofing, Co., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02736
Frost
Foundations

Mr. Bowman appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Hollar** and seconded by **Mrs. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood and Burch.**

In the matter of License Application File Number 2005-02737, Charles Windsor II t/a Bay Roofing, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02737
Charles
Windsor II

Mr. Windsor appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Falwell** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Kinser, Smith, Redifer and Burch. Mr. Hollar and Mrs. Wood** voted "no".

In the matter of License Application File Number 2005-02825, Todd

File Number

Heise, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**2005-02825
Todd Heise**

Mr. Heise appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Hollar** and seconded by **Mrs. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood and Burch.**

In the matter of License Application File Number 2005-02826, Melissa Deal t/a C.J. M. Fast and Final Painting, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
**2005-02826
Melissa Deal**

Ms. Deal appeared at the IFF and the Board meeting. She addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Falwell** and seconded by **Mr. Redifer** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Kinser, Smith, Redifer, Wood and Burch. Mr. Hollar and Mrs. Rackas Pate** voted "no".

In the matter of License Application File Number 2005-02827, Jacob Cooley t/a Five Star Painting the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
**2005-02827
Jacob
Cooley**

Mr. Cooley appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Burch** and seconded by **Mrs. Wood** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were:

Hart, Falwell, Rackas Pate, Kinser, Smith, Redifer, Wood and Burch.
Mr. Hollar voted "no".

In the matter of License Application File Number 2005-02828, Nathan Rowe, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02828
Nathan
Rowe

Mr. Smith appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mrs. Wood** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "yes" were:
Hart, Falwell, Rackas Pate, Kinser, Smith, Redifer, Wood and Burch.
Mr. Hollar voted "no".

In the matter of License Application File Number 2005-02832, Harry Keeling, Jr. the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02832
Harry
Keeling, Jr.

Mr. Keeling appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Hart** and seconded by **Mr. Burch** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "yes" were:
Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood and Burch. **Mrs. Wood and Mrs. Rackas Pate** voted "no".

In the matter of License Application File Number 2005-02833, Curtis Cooper t/a The Concrete Man, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02833
Curtis
Cooper

Mr. Cooper appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a

motion was made by **Mr. Hollar** and seconded by **Mrs. Wood** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood and Burch.**

In the matter of License Application File Number 2005-02834, Lewis Thompson t/a Melvin Thompson Construction, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02834
Lewis
Thompson

Mr. Thompson appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Falwell** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood and Burch.**

In the matter of License Application File Number 2005-02835, Christopher Wagerman, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-02835
Christopher
Wagerman

Mr. Wagerman appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. **Mr. Hart** recused himself. After discussion, a motion was made by **Mrs. Rackas Pate** and seconded by **Mrs. Wood** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "yes" were: **Falwell, Rackas Pate, Kinser, Smith, Redifer, Wood and Burch.** **Mr. Hollar** voted "no".

In the matter of License Application File Number 2005-03098, Anthony-Drake Builders LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-03098
Anthony-
Drake
Builders
LLC

Mr. Drake appeared at the IFF and the Board meeting. He addressed the

Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mrs. Wood** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood and Burch.**

In the matter of License Application File Number 2005-03121, Barry Settles, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-03121
Barry Settles

Mr. Settles appeared at the IFF but not the Board meeting. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mrs. Rackas Pate** and seconded by **Mr. Hollar** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Redifer, Wood and Burch.**

In the matter of License Application File Number 2005-03122, Shane Everett Woodson t/a Shane's Maintenance Service, Inc., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-03122
Shane's
Maintenance
Service, Inc.

Mr. Woodson appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mrs. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Kinser, Smith, Redifer, Wood and Burch.** **Mr. Hollar** voted "no".

In the matter of License Application File Number 2005-03019, C & D

File Number

Investors Inc. t/a Top Notch Construction, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**2005-03019
Top Notch
Construction**

Mr. Mesinna appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Hollar** and seconded by **Mr. Falwell** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "yes" were: **Hart, Falwell, Hollar, Kinser, Smith, Redifer, Wood and Burch.** **Mrs. Rackas Pate** voted "no".

In the matter of Disciplinary File Number 2004-03470, Thomas Powers t/a Powers Construction, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2004-03470
Thomas
Powers
NEED TO
COMPLETE THIS
ONE**

Mr. Powers t/a Powers Construction, did not attend the IFF or the Board meeting. The presiding Board Representative, **Mr. Falwell**, recused himself and did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Thomas E. Powers. in violation of the Board's 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.8
Count 2: 18 VAC 50-22-260.B.27
Count 3: 18 VAC 50-22-260.B.6
Count 4: 18 VAC 50-22-260.B.14
Count 5: 18 VAC 50-22-260.B.16
Count 6: 18 VAC 50-22-260.B.28
START HERE**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Hollar and Burch.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$400.00 monetary penalty for the violation of (Count 1); and, \$500.00 monetary penalty for violation of (Count 2); \$750.00 for violation of (Count 3);

\$1,000.00 for violation of (Count 4); \$1,500.00 for violation of (Count 5); \$\$2,000.00 for violation of (Count 6). A total monetary penalty of **\$6,150.00** was imposed. The Board also imposed the sanction of license revocation for the violation of Counts 4, 5 and 6. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-03561, Marvin R Nelson, t/a Quality Home Improvements, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2004-03561
Marvin R
Nelson**

Mr. Nelson did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Falwell** rescued himself. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Quality Home Improvements violated the following sections of its 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.27

Count 2: 18 VAC 50-22-260.B.17

Count 3: 18 VAC 50-22-260.B.28

The motion passed with a majority vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Hollar and Burch.**

After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Hart** to impose the following sanctions: \$500.00 monetary penalty and completion of the Board's Basic Contractor Licensing Class for the violation of (Count 1); and, \$1,000.00 monetary penalty and revocation of Quality Home Improvement's license for the violation of (Count 2); and \$1,500.00 monetary penalty and revocation of Quality Home Improvement's license for the violation of (Count3). A total monetary penalty of \$3,000.00 was imposed. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Burch and Hollar.**

Closed Session

Motion for Closed Meeting: Mrs. Rackas Pate offered a motion at 1:15 PM ; Mr. Chairman, I move that this meeting be recessed and that the Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and/or briefings by staff members pertaining to actual and /or potential litigation as permitted by § 2.2-3711-A.28 of the Code of Virginia. The following non-members will be in attendance to reasonably aid the consideration of the topic; Eric Gregory, Eric Olson and Karen O’Neal. This motion is made with respect to the matters identified as agenda item 8, Matthew Posey DBA Loudoun Valley Roofing Case Number 2003-00567 and Agenda Item number 6-105 Sonekeep LLC Case Number 2005-00143. **Mr. Falwell** seconded the motion. The motion passed unanimously. Members voting "yes" were: Falwell, Smith, Hart, Hollar, Kinser, Burch, Rackas Pate, Wood and Redifer. Members absent were: Walton, Kirby, Orange and Paulette.

Closed
Session

Certification of Closed Meeting

Whereas, the Board for Contractors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and Whereas, §2.2-3712 of the Code of Virginia requires a certification by this Board for Contractors that such closed meeting was conducted in conformity with Virginia law;

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

Ms. Rackas Pate offered a motion at 1:45 PM that the Board open the Board meeting. **Mr. Falwell seconded that motion which was unanimously approved by members voting “yes”. They were: Smith, Hollar, Kinser, Rackas Pate, Falwell, Burch, Wood, Redifer, and Hart.** Members absent and not voting were: Kirby, Walton, Paulette and Orange.

Reconvene
From Closed
Session

In the matter of Disciplinary File Number 2004-03873, Rodney Barnes, Jr., t/a RGB Remodeling, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-03873
Rodney
Barnes, Jr

Mr. Barnes did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Falwell** rescued himself. He did not participate in the discussion and did not

vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found Rodney G Barnes, Jr. violated the following sections of its 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.27

Count 2: 18 VAC 50-22-260.B.8

Count 3: 18 VAC 50-22-260.B.9

Count 4: 18 VAC 50-22-260.B.31

Count 5: 18 VAC 50-22-210.3

The motion passed with a majority vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Hollar and Burch**. The Board reversed the "no" violation to "violations for Counts 1, 2, 3 and 4 because they agreed that RGB was involved with the contract and therefore founded violations for counts 1 through 5.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Burch** to impose the following sanctions: \$750.00 monetary penalty for the violation of (Count 1); and, \$350.00 monetary penalty for the violation of (Count 2); and \$350.00 monetary penalty for the violation of (Count3); and, \$350.00 monetary penalty for the violation of (Count 4); and \$350.00 for the violation of (Count 5). The Board increased the amount from \$250.00 for this violation to be more consistent with other Board rulings. A total monetary penalty of \$2,150.00 was imposed. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Burch and Hollar**.

In the matter of Disciplinary File Number 2004-03910, D Jack Construction t/a Tidewater Deck & Fence, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2004-03910
D Jack
Construction**

D Jack Construction did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Falwell** rescued himself. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Hollar** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference Recommendations. The Board found D Jack Construction violated the following sections of its 2001 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.6

The motion passed with a majority vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Hollar and Burch.** The Board adopted the finding of "no" violation for Count 3.

After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Hart** to impose the following sanctions: \$250.00 monetary penalty for the violation of (Count 1); and, \$250.00 monetary penalty for the violation of (Count 2). A total monetary penalty of \$500.00 was imposed. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Burch and Hollar.**

In the matter of Disciplinary File Number 2004-04073, Rodney Antonio Shelton, t/a Next Renovation, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-04073
Rodney
Antonio
Shelton

Mr. Shelton did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Falwell** rescued himself. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found Rodney Antonio Shelton violated the following sections of its 2003 Regulations:

Count 2: 18 VAC 50-22-260.B.27

Count 3: 18 VAC 50-22-260.B.9 (two violations)

Count 4: 18 VAC 50-22-260.B.6

Count 5: 18 VAC 50-22-260.15

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Hollar and Burch.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Hollar** to impose the following sanctions: \$750.00 monetary penalty and completion of the Board's Basic Contractor Licensing Class for the violation of (Count 2); and, \$400.00 (@ \$200.00 per count) monetary penalty and completion of the Board's Basic Contractor Licensing Class for the violation of (Count 3); and, \$500.00 monetary penalty for the violation of (Count 4); and, \$750.00 monetary penalty for the violation of (Count 5). The Board

closed Count 1 with a finding of “no” violation. A total monetary penalty of \$2,400.00 was imposed. The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Burch and Hollar.**

In the matter of Disciplinary File Number 2004-04937, Theresa Hayes Thornton, t/a A-1 Concrete, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-04937
Theresa
Hayes
Thornton

Ms. Hayes did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Falwell** rescued himself. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found Theresa Hayes Thornton violated the following sections of its 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.14

Count 3: 18 VAC 50-22-260.B.28

The motion passed with a unanimous vote. Members voting “yes” were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Hollar and Burch.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Hollar** to impose the following sanctions: \$400.00 monetary penalty and completion of the Board’s Basic Contractor Licensing Class for the violation of (Count 1); and, \$1,000.00 monetary penalty and license revocation for the violation of (Count 2); and \$1,000.00 monetary penalty and license revocation for the violation of (Count3). A total monetary penalty of \$2,400.00 was imposed. The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Burch and Hollar.**

In the matter of Disciplinary File Number 2004-04978, GFW Enterprises, t/a GFW Enterprises, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-04978
GFW
Enterprises

GFW Enterprises did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Falwell** rescued himself. He did not participate in the

discussion and did not vote. After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found GFW Enterprises. violated the following sections of its 2003 Regulations:

Count 1: 18 VAC 50-22-200.A

Count 2: 18 VAC 50-22-260.B.14

Count 3: 18 VAC 50-22-260.B.13

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Hollar and Burch.**

After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Redifer** to impose the following sanctions: \$400.00 monetary penalty for the violation of (Count 1); and, \$2,000.00 monetary penalty and license revocation for the violation of (Count 2); and, \$1,000.00 monetary penalty for the violation of (Count3). A total monetary penalty of \$3,400.00 was imposed. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Burch and Hollar.**

In the matter of Disciplinary File Number 2004-05034, Atlantic Concrete Inc, t/a Atlantic Concrete Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-05034
Atlantic
Concrete
Inc.

Atlantic Concrete Inc. did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Falwell** rescued himself. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found Atlantic Concrete, Inc., violated the following sections of its 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.14

Count 3: 18 VAC 50-22-260.B.16

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Hollar and Burch.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Burch** to impose the following sanctions: \$250.00 monetary penalty for the violation of (Count 1); and, \$1,00.00 monetary penalty and license revocation for the violation of (Count 2); and \$2,000.00 monetary penalty and license revocation for the violation of (Count3). A total monetary penalty of \$3, 250.00 was imposed. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Burch and Hollar.**

In the matter of Disciplinary File Number 2005-01272, Atlantic Concrete Inc, t/a Atlantic Concrete Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2005-01272
Atlantic
Concrete
Inc.**

Atlantic Concrete Inc. did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Falwell** rescued himself. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found Atlantic Concrete, Inc., violated the following sections of its 2003 Regulations:

- 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.5**
- Count 4: 18 VAC 50-22-260.B.6**
- Count 5: 18 VAC 50-22-260.B.15**
- Count 6: 18 VAC 50-22-260.B.16**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Hollar and Burch.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs. Rackas Pate** to impose the following sanctions: \$250.00 monetary penalty for the violation of (Count 1); and, \$500.00 monetary penalty and completion of the Board's Basic Contractor Licensing Class for the violation of (Count 2); and \$1,000.00 monetary penalty for the violation of (Count3); and \$1,000.00 monetary penalty for the violation of (Count 4); and \$1,000.00 monetary penalty for the violation of (Count 5); and \$1,000.00 monetary penalty and license revocation for the violation of (Count 6). A total monetary penalty of \$5,750.00 was imposed. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Burch and Hollar.**

In the matter of Disciplinary File Number 2004-01817, Thomas and Dorothy Compton, t/a T & D Associates the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2004-01817
Thomas &
Dorothy
Compton**

Thomas P & Dorothy A Compton did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Falwell** rescued himself. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Thomas P & Dorothy A Compton violated the following sections of its 2001 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.14

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Hollar and Burch.**

After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Burch** to impose the following sanctions: \$200.00 monetary penalty for the violation of (Count 1); and, \$2,500.00 monetary penalty for the violation of (Count 2). A total monetary penalty of \$2, 700.00 was imposed. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Burch and Hollar.**

In the matter of Disciplinary File Number 2004-02595, Marvin Dillingham, t/a Dillingham Heating & A/C, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2004-02595
Marvin
Dillingham**

Mr. Dillingham attended the Board meeting and he addressed the Board. The presiding Board Representative, **Mr. Franko** was not present. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Burch** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference and reject the Recommendations. The Board found Marvin Dillingham did not violate any of its Regulations and closed to matter with no

sanctions.

The motion passed with a majority vote. Members voting “yes” were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Falwell and Burch.** Mr. **Hollar** voted “no”.

In the matter of Disciplinary File Number 2005-00929, Atlantic Concrete Inc, t/a Atlantic Concrete Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2005-00929
Atlantic
Concrete
Inc.

Atlantic Concrete Inc. did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Elizabeth Gerber**, the complainant was present and she addressed the Board. The presiding Board Representative, **Mr. Falwell** rescued himself. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Atlantic Concrete, Inc., violated the following sections of its 2003 Regulations:

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.5

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.28

The motion passed with a unanimous vote. Members voting “yes” were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Hollar and Burch.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs. Rackas Pate** to impose the following sanctions: \$250.00 monetary penalty for the violation of (Count 1); and, \$500.00 monetary penalty and completion of the Board’s Basic Contracting Licensing Class for the violation of (Count 2); and \$1,000.00 monetary penalty for the violation of (Count3); and, \$500.00 for the violation of (Count 4); and \$2,000.00 monetary penalty and license revocation for violation of (Count 5); and, \$1,000.00 monetary penalty and license revocation for violation of (Count 6). A total monetary penalty of \$5, 250.00 was imposed. The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Burch and Hollar.**

In the matter of Disciplinary File Number 2004-01184, Russell T Hohmann, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

Mr. Russell T Hohman, (respondent) and his attorney **Mr. William Rittiger** were present. They addressed the Board. After discussion **Mr. Hart** offered a motion to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The motion failed. **Mr. and Mrs. Leo and Judy Farris, (complainant(s))** made it known they were present and wished to address the Board. **Mr. Hart** made a motion to reopen for discussion and allow the Farris' a chance to speak. **Mr. Redifer** seconded the motion. The motion passed unanimously. Members voting "yes" were: Falwell, Kinser, Burch, Hollar, Hart, Redifer.

The presiding Board Representative(s) **Mr. Franko, Mrs. Wood and Mrs. Rackas Pate** were not present did not participate in the discussion and did not vote. **Mr. Smith** recused himself. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Hart** to reconvene this case to the June 7th, 2005 Board for Contractors Meeting due to a lack of quorum for voting purposes. All parties present agreed. The respondent granted permission to the Board to waive the "90 day rule" and have the case reconvened on June 7, 2005.

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kinser, Burch and Redifer.**

In the matter of Disciplinary File Number 2004-02773, Smith/Robertson Building & Contracting Incorporated, t/a Smith/ Robertson Building & Contracting Incorporated, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

Smith/Robertson Building & Contracting Incorporated, did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Franko** was not present. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Hart** and seconded by **Mr. Burch** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Smith/Robertson Building & Contracting Incorporated.**, violated the following sections of its 2001 Regulations:

File Number
2004-01184
Russell
Hohmann
Reconvened
to June 7,
2005

File Number
2004-02773
Smith/Rober
tsen
Building
Incorporated

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.6

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Falwell, Redifer, Wood, Kinser, Hollar and Burch.**

After discussion a motion was made by **Mr. Hart** and seconded by **Mr. Burch** to impose the following sanctions: \$500.00 monetary penalty for the violation of (Count 1); and, \$1,00.00 monetary penalty and completion of the Board's Basic Contracting Licensing Class for the violation of (Count 2). A total monetary penalty of \$1, 500.00 was imposed. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Falwell, Burch and Hollar.**

In the matter of Disciplinary File Number 2004-03176, Larry Drummond, t/a Drummond Heating & Cooling the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-03176
Larry
Drummond

Larry Drummond did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Franko** was not present. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mrs. Rackas Pate** and seconded by **Mr. Burch** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Larry Drummond violated the following sections of its 2001 and 2003 Regulations:

2001 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 3: 18 VAC 50-22-260.B.31

Count 4: 18 VAC 50-22-260.B.15

Count 5: 18 VAC 50-22-260.B.16

2003 Regulations:

Count 2: 18 VAC 50-22-260.B.6

Count 6: 18 VAC 50-22-260.B.28

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Falwell, Kinser, Hollar and Burch.**

After discussion a motion was made by **Mrs. Rackas Pate** and seconded by **Mr. Burch** to impose the following sanctions: \$500.00 monetary penalty for the violation of (Count 1); and, \$500.00 monetary penalty for the violation of (Count 2); and \$500.00 monetary penalty for the violation of (Count 3); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 4); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 5); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 6). A total monetary penalty of \$9,000.00 was imposed. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Falwell, Kinser, Burch and Hollar.**

In the matter of Disciplinary File Number 2004-04853, Fred D Moore, Jr., t/a Fred D Moore, Jr.'s Carpentry the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-04853
Fred D
Moore Jr

Fred D Moore, Jr. did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Falwell** rescued himself. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Fred D Moore, Jr., violated the following sections of its 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.27

Count 2: 18 VAC 50-22-260.B.9

Count 3: 18 VAC 50-22-260.B.14

Count 4: 18 VAC 50-22-260.B.16

Count 5: 18 VAC 50-22-260.B.13

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Falwell, Wood, Kinser, Hollar and Burch.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Burch** to impose the following sanctions: \$1,000.00 monetary penalty and license revocation for the violation of (Count 1); and, \$500.00 monetary penalty for the violation of (Count 2); and \$2,500.00 monetary penalty and license revocation for the violation of (Count3); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 4); and, \$2,500.00

monetary penalty and license revocation for violation of (Count 5). A total monetary penalty of \$9, 000.00 was imposed. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Falwell, Burch and Hollar.**

In the matter of Disciplinary File Number 2004-05033, David L Dobbins, t/a Dobbins Const, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2004-05033
David L
Dobbins**

David L Dobbins did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Franko** was not present. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Burch** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found David L Dobbins, violated the following sections of its 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.6

Count 3: 18 VAC 50-22-260.B.28

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Falwell, Wood, Kinser, Hollar and Burch.**

After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Falwell** to impose the following sanctions: \$500.00 monetary penalty for the violation of (Count 1); and, \$2,500.00 monetary penalty for the violation of (Count 2); and \$2,500.00 monetary penalty and license revocation for the violation of (Count3). A total monetary penalty of \$4, 000.00 was imposed. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Falwell, Wood, Kinser, Burch and Hollar.**

In the matter of Disciplinary File Number 2004-05069, National Restoration Specialists Inc., t/a National Restoration Specialists Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2004-05069
National
Restoration
Specialists
Inc.**

National Restoration Specialists Inc., did not appear at the Board meeting in

person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Franko** was not present. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Burch** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found National Restoration Specialists Inc., violated the following sections of its 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.15

Count 3: 18 VAC 50-22-260.B.16

Count 4: 18 VAC 50-22-260.B.12

Count 5: 18 VAC 50-22-260.B.13

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Falwell, Hollar and Burch.**

Mrs. Traylor shared with the Board that priors exist for National Restoration Specialists, Inc. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Burch** to amend the Recommendations and impose the following sanctions: \$500.00 monetary penalty instead of \$2,500.00 for the violation of (Count 1) with the removal of revocation for this count; and, \$500.00 monetary penalty instead of \$2,500.00 and removal of license revocation for the violation of (Count 2); and \$ 1,000.00 monetary penalty instead of \$2,500.00and removal of license revocation for the violation of (Count3); and, \$1,000.00 monetary penalty instead of \$2,500.00 and removal of license revocation for (Count 4); and, \$1,000.00 monetary penalty and license revocation instead of \$2,500.00 for (Count 5). A total monetary penalty of \$4, 000.00 was imposed. The Board voted to decrease the monetary penalties to be consistent with previous Board action. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Falwell, Wood, Kinser, Burch and Hollar.**

In the matter of Disciplinary File Number 2005-00076, National Restoration Specialists Inc., t/a National Restoration Specialists Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2005-00076
National
Restoration
Specialists
Inc.

National Restoration Specialists Inc., did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Franko** was not present. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr.**

Burch and seconded by **Mrs. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found National Restoration Specialists Inc., violated the following sections of its 2003 Regulations:

- Count 1: 18 VAC 50-22-260.B.9**
- Count 2: 18 VAC 50-22-260.B.14**
- Count 3: 18 VAC 50-22-260.B.15**
- Count 4: 18 VAC 50-22-260.B.16**
- Count 5: 18 VAC 50-22-260.B.5**
- Count 6: 18 VAC 50-22-260.B.12**
- Count 7: 18 VAC 50-22-260.B.28**
- Count 8: 18 VAC 50-22-200.B**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Falwell, Hollar and Burch.**

After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hart** to amend the Recommendations and impose the following sanctions: \$500.00 monetary penalty instead of \$2,500.00 for the violation of (Count 1) with the removal of revocation for this count; and, \$500.00 monetary penalty instead of \$2,500.00 and removal of license revocation for the violation of (Count 2); and \$ 1,000.00 monetary penalty instead of \$2,500.00 and removal of license revocation for the violation of (Count3); and, \$1,000.00 monetary penalty instead of \$2,500.00 and removal of license revocation for (Count 4); and, \$1,000.00 monetary penalty and removal of license revocation instead of \$2,500.00 for violation of (Count 5); and, \$500.00 monetary penalty instead of \$2,500.00 and removal of license revocation for (Count 6); and, \$ 1,000.00 monetary penalty instead of \$2,500.00 and removal of license revocation for violation of (Count 6); and, \$1,000.00 monetary penalty with license revocation instead of \$2,500.00 for violation of (Count 7); and, \$1,000.00 monetary penalty instead of \$2,500.00 for violation of (Count 8). A total monetary penalty of \$6,500.00 was imposed. The Board voted to decrease the monetary penalties to be consistent with previous Board action. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Falwell, Wood, Kinser, Burch and Hollar.**

In the matter of Disciplinary File Number 2005-01679, National Restoration Specialists Inc., t/a National Restoration Specialists Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2005-01679
National
Restoration
Specialists
Inc.

National Restoration Specialists Inc., did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Franko** was not present. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Burch** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found National Restoration Specialists Inc., violated the following sections of its 2003 Regulations:

- 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.14**
- 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.12**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Falwell, Hollar and Burch.**

Mrs. Traylor shared with the Board that priors exist for National Restoration Specialists, Inc. After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Burch** to amend the Recommendations and impose the following sanctions: \$500.00 monetary penalty instead of \$2,500.00 for the violation of (Count 1) with the removal of revocation for this count; and, \$500.00 monetary penalty instead of \$2,500.00 and removal of license revocation for the violation of (Count 2); and \$ 750.00 monetary penalty instead of \$2,500.00 and removal of license revocation for the violation of (Count3); and, \$1,000.00 monetary penalty instead of \$2,500.00 and license revocation for (Count 4); and, \$1,000.00 monetary penalty and license revocation instead of \$2,500.00 for (Count 5); and, \$750.00 monetary penalty for violation of (Count 6) . A total monetary penalty of \$4, 500.00 was imposed. The Board voted to decrease the monetary penalties to be consistent with previous Board action. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Falwell, Wood, Kinser, Burch and Hollar.**

In the matter of Disciplinary File Number 2005-02642, National Restoration Specialists Inc., t/a National Restoration Specialists Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2005-02642
National
Restoration
Specialists
Inc.**

National Restoration Specialists Inc., did not appear at the Board meeting in

person or by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Franko** was not present. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found National Restoration Specialists Inc., violated the following sections of its 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.6

Count 2: 18 VAC 50-22-260.B.14

Count 3: 18 VAC 50-22-260.B.15

Count 4: 18 VAC 50-22-260.B.16

Count 5: 18 VAC 50-22-260.B.13

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Wood, Kinser, Falwell, Hollar and Burch.**

After discussion a motion was made by **Mr. Falwell** and seconded by **Mrs. Rackas Pate** to amend the Recommendations and impose the following sanctions: \$500.00 monetary penalty instead of \$2,500.00 for the violation of (Count 1) with the removal of revocation for this count; and, \$500.00 monetary penalty instead of \$2,500.00 and removal of license revocation for the violation of (Count 2); and \$ 1,000.00 monetary penalty instead of \$2,500.00and removal of license revocation for the violation of (Count3); and, \$1,000.00 monetary penalty and license revocation instead of \$2,500.00 for violation of (Count 4); and, \$750.00 monetary penalty instead of \$2,500.00 for violation of (Count 5). A total monetary penalty of \$3,750.00 was imposed. The Board voted to decrease the monetary penalties to be consistent with previous Board action. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Rackas Pate, Smith, Redifer, Falwell, Wood, Kinser, Burch and Hollar.**

In the matter of Disciplinary File Number 2004-01047, T M Daniels Construction LLC, t/a T M Daniels Construction LLC, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2004-01047
T M Daniels
Construction
LLC**

T M Daniels Construction LLC, was represented by Tina and Thomas Daniels at the Board meeting. They addressed the Board. The presiding Board Representative, **Mr. Harris** was not present. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Hart** to accept the summary and recommendations with respect to violations.

It failed due to lack of a second. After more discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Falwell** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found T M Daniels Construction LLC, violated the following sections of its 2001 Regulations:

Count 1: 18 VAC 50-22-260.B.17 No Violation

Count 2: 18 VAC 50-22-260.B.9

Count 3: 18 VAC 50-22-260.B.31

Count 4: 18 VAC 50-22-260.B.5 No Violation

The motion passed with a majority vote. Members voting "yes" were: **Rackas Pate, Smith, Redifer, Wood, Kinser, Falwell, Hollar and Burch.** **Mr. Hart** voted "no".

After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Falwell** to amend the Recommendations and impose the following sanctions: The Board found no violation for (Count 1). \$100.00 monetary penalty instead of \$350.00 and completion of the Board's Basic Contractor Licensing Class for the violation of (Count 2); and completion of the Board's Basic Contractor Licensing Class and no monetary penalty instead of \$500.00 for the violation of (Count3); and, no monetary penalty instead of \$1,000.00 for violation of (Count 4). A total monetary penalty of \$100.00 was imposed. The Board voted to decrease the monetary penalties to be consistent with previous Board action. The motion passed with a majority "yes" vote. Members voting "yes" were: **Rackas Pate, Smith, Redifer, Falwell, Wood, Kinser, Burch and Hollar.** **Mr. Hart** voted "no".

In the matter of Recovery Fund File Number 2004-03117, Alden Bean (Claimant) and George H Ross t/a A & G Custom Home Ltd (Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither George H Ross t/a A & G Custom Home Ltd (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Mr. and Mrs. Bean (Claimant)** appeared at the IFF and the Board meeting. **They addressed the Board.** The Board representative, **Mr. Hollar** was not present and did not participate in the discussion nor vote in this matter. After discussion, **Mr. Redifer** offered a motion seconded by **Mrs. Wood**, to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$10,000.00.** Upon payment of the claim the license will be revoked. **Members voted "yes" unanimously to pay the claim: Falwell, Smith, Hart, Kinser, Burch, Hart, Redifer, Rackas Pate and Wood.** The motion was approved.

File Number
2004-03117
A & G
Custom
Home Ltd

In the matter of Recovery Fund File Number 2004-03118, William R. Werling (Claimant) and Edward S Pultz Jr t/a Scott Construction (Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Edward S Pultz t/a Scott Construction (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Mr. Werling (Claimant)** appeared at the IFF and the Board meeting. **He addressed the Board.** The Board representative, **Mr. Hollar** was not present and did not participate in the discussion nor vote in this matter. After discussion, **Mr. Falwell** offered a motion seconded by **Mrs. Rackas Pate**, to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$6,877.50. Upon payment of the claim the license will be revoked. **Members voted "yes" unanimously to pay the claim: Falwell, Smith, Hart, Kinser, Burch, Hart, Redifer, Rackas Pate and Wood.** The motion was approved.

File Number
2004-03118
Scott
Construction

In the matter of Recovery Fund File Number 2004-03220, Lennie Gamage (Claimant) and Mid Atlantic Building Corp. t/a Forest Hill Associates (Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Mid Atlantic Building Corp. t/a Hill Associates (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Mr. Gamage (Claimant)** appeared at the IFF but did not attend the Board meeting. The Board representative, **Mr. Hollar** was not present and did not participate in the discussion nor vote in this matter. After discussion, **Mr. Redifer** offered a motion seconded by **Mrs. Wood**, to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$10,000.00. Upon payment of the claim the license will be revoked. **Members voted "yes" unanimously to pay the claim: Falwell, Smith, Hart, Kinser, Burch, Hart, Redifer, Rackas Pate and Wood.** The motion was approved.

File Number
2004-03220
Forest Hill
Associates

In the matter of Recovery Fund File Number 2004-03250, Mark Johnson (Claimant) and Karlins Construction Corporation t/a Karlins Construction Corporation (Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Karlins Construction Corporation t/a Karlins Corporation (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Mr. Mark Johnson (Claimant)** appeared at the IFF and the Board meeting. **He addressed the Board.** Julie Evasco, attorney attended the Board meeting. The Board representative, **Mr. Hollar** was not present and did not participate in the discussion nor vote in this matter. After discussion, **Mr. Redifer** offered a

File Number
2004-03250
Karlins
Construction
Corporation

motion seconded by **Mrs. Wood**, to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$10,000.00**. Upon payment of the claim the license will be revoked. **Members voted "yes" unanimously to pay the claim: Falwell, Smith, Hart, Kinser, Burch, Hart, Redifer, Rackas Pate and Wood.** The motion was approved.

In the matter of Recovery Fund File Number 2004-03314, Winifred Christrom Nichols (Claimant) and Dwayne Callaway t/a DC Details (Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Dwayne Callaway t/a DC Details (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Mr. Daniel Nichols (Claimant)** appeared at the IFF and the Board meeting. **He addressed the Board.** The Board representative, **Mr. Hollar** was not present and did not participate in the discussion nor vote in this matter. After discussion, **Mrs. Wood** offered a motion seconded by **Mr. Falwell**, to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$10,000.00**. **Members voted "yes" unanimously to pay the claim: Falwell, Smith, Hart, Kinser, Burch, Hart, Redifer, Rackas Pate and Wood.** The motion was approved.

File Number
2004-03314
DC Details

In the matter of Recovery Fund File Number 2004-03287, Sharon E. Gray (Claimant) and Brain R Lasley t/a A 1 Fence (Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Brian R Lashley t/a A 1 Fence (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Ms. Gray (Claimant)** appeared at the IFF but not the Board meeting. The Board representative, **Mr. Hollar** was not present and did not participate in the discussion nor vote in this matter. After discussion, **Mr. Falwell** offered a motion seconded by **Mr. Hart**, to adopt the claim review and the hearing officer's recommendations and summary for violations and approve denial of payment of the claim. **Members voted "yes" unanimously to deny payment of the claim: Falwell, Smith, Hart, Kinser, Burch, Hart, Redifer, Rackas Pate and Wood.** The motion was approved.

File Number
2004-03287
A 1 Fence

In the matter of Disciplinary File Number 2004-033197, Ricky A Johnson t/a Ricky A Johnson, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-03319
Ricky A
Johnson

Ricky A Johnson, did not attend the Board meeting. He was not represented

by counsel or by any other qualified representative. The presiding Board Representative, **Mr. Orange** was not present. He did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mrs. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Ricky A Johnson, violated the following sections of the Code of Virginia:

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

The motion passed with a unanimous vote. Members voting "yes" were: **Rackas Pate, Smith, Hart, Redifer, Wood, Kinser, Falwell, Hollar and Burch.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs. Rackas Pate** to adopt the Recommendations and impose the following sanctions: The Board imposed license revocation (2705-060943) for violation of (Count 1). No monetary penalty was imposed. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Rackas Pate, Hart, Smith, Redifer, Falwell, Wood, Kinser, Burch and Hollar.**

In the matter of Disciplinary File Number 2004-03393, Energy Saving Exteriors Inc. t/a National Remodeling Company, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-03393
Energy
Saving
Exteriors,
Inc.

Mr. Robert Foreman, respondent, President of Energy Saving Exteriors Inc. t/a National Remodeling Company attended the IFF and the Board meeting. He addressed the Board on behalf of Energy Saving Exteriors Inc. **Ms. Richards, complainant**, appeared at the Board meeting. She addressed the Board. The presiding Board Representative **Mr. Orange**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found Energy Saving Exteriors, Inc. in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.5

Count 2: 18 VAC 50-22-260.B.6

The motion passed with a majority vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch. Mr.**

Hollar voted “no”.

Mrs. Traylor shared with the Board that the regulant has prior violations. After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Falwell** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$2,000.00 monetary penalty and completion of the Board’s Basic Contractor Licensing Class for the violation of (Count 1); and, increased the monetary penalty from \$1,000.00 to \$2,000.00 along with a six month suspension of Energy Saving Exteriors Inc.’s license for violation of (Count 2) due to the severity of the violations and the past disciplinary record of the licensee. A total monetary penalty of \$4,000.00. The motion passed with a majority vote. Members voting “yes” were: **Hart, Falwell, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch**. **Mr. Hollar** voted “no”.

In the matter of Disciplinary File Number 2004-05145, Total Design Concepts, Inc. t/a Total Design Concepts, Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-05145
Total Design
Concepts,
Inc.

Total Design Concepts Inc., respondent, t/a Total Design Concepts, Inc., did not attend the IFF or the Board meeting. They were not represented by counsel or any other qualified representative. The presiding Board Representative **Mr. Orange**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Burch** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found Total Design Concepts, Inc., in violation of the Board’s 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.14

The motion passed with a unanimous vote. Members voting “yes” were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch**.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Burch** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$250.00 monetary penalty for the violation of (Count 1); and, \$2,500.00 monetary penalty and revocation of Total Design Concepts, Inc.’s license for violation of (Count 2). A total monetary penalty of \$2,750.00. The motion passed with

a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Smith, Redifer, Wood, Hollar, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-01664, Billy L Magnuson t/a Mag.Net Construction & Properties, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-01664
Billy L
Magnuson

Mr. Billy L Magnuson, respondent, t/a Mag.Net Construction & Properties attended the IFF and the Board meeting. He addressed the Board on behalf of Mag.Net Construction & Properties. The presiding Board Representative **Mr. Paulette**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hollar** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found Billy L Magnuson in violation of the Board's 2001 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.31

Count 3: 18 VAC 50-22-260.B.15

Count 4: 18 VAC 50-22-260.B.16

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hart** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$200.00 monetary penalty for the violation of (Count 1); and, \$500.00 monetary penalty for violation of (Count 2); and, removed license revocation and decreased the monetary penalty from \$2,500.00 to \$1,000.00 and added completion of the Board's Basic Contractor Licensing Class for violation of (Count 3); and, decreased the monetary penalty from \$1,000.00 to \$500.00 for violation of (Count 4) to be more consistent with previous Board action. A total monetary penalty of \$2,200.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Hollar Falwell, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-01677, Randy Wayne Pulley t/a PWP, the Board members reviewed the record, which consisted of

File Number
2004-01677

the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**Randy
Wanye
Pulley**

Mr. Randy Wanye Pulley, respondent, t/a PWP did not attend the IFF or the Board meeting. **Ms. Reeds, complainant**, appeared at the IFF but did not attend the Board meeting. The presiding Board Representative **Mr. Paulette**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Mrs. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Randy Wanye Pulley in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.8 No Violation

Count 3: 18 VAC 50-22-260.B.6

Count 4: 18 VAC 50-22-260.B.15

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Burch** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$200.00 monetary penalty for the violation of (Count 1); and, \$500.00 for violation of (Count 3); and, \$1,000.00 monetary penalty along with license revocation for the violation of (Count 4); and, a finding of no violation for (Count 2). A total monetary penalty of \$1,700.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-01775, Millennium Quests Inc. t/a American Dream Consultants (Norfolk CI), the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2004-01775
Millennium
Quests, Inc.**

Millennium Quests, Inc., respondent, t/a American Dream Consultants (Norfolk CI) did not attend the Board meeting. The presiding Board Representative **Mr. Paulette**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with

Recommendations. The Board found Millennium Quests, Inc. in violation of the Board's 2003 Regulations:

- Count 1: 18 VAC 50-22-260.B.9**
- Count 2: 18 VAC 50-22-260.B.31**
- Count 3: 18 VAC 50-22-260.B.6**
- Count 4: 18 VAC 50-22-260.B.15**
- Count 5: 18 VAC 50-22-260.B.16**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Falwell** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$200.00 monetary penalty for the violation of (Count 1); and, \$300.00 for violation of (Count 2); and, \$500.00 monetary penalty for violation of (Count 3); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 4); and, \$2,500.00 monetary penalty and license revocation for the violation of (Count 5). A total monetary penalty of \$6,000.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-02724, Millennium Quests Inc. t/a American Dream Consultants (Norfolk CI), the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-02724
Millennium
Quests, Inc.

Millennium Quests, Inc., respondent, t/a American Dream Consultants (Norfolk CI) did not attend the Board meeting. The presiding Board Representative **Mr. Paulette**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mrs. Rackas Pate** and seconded by **Mr. Falwell** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Millennium Quests, Inc. in violation of the Board's 2003 Regulations:

- Count 2: 18 VAC 50-22-260.B.9**
- Count 3: 18 VAC 50-22-260.B.31**
- Count 4: 18 VAC 50-22-260.B.5**
- Count 5: 18 VAC 50-22-260.B.14**
- Count 6: 18 VAC 50-22-260.B.6**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mrs. Rackas Pate** and seconded by **Mr. Burch** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$200.00 for violation of (Count 2); and, \$300.00 monetary penalty for violation of (Count 3); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 4); and, \$2,500.00 monetary penalty and license revocation for the violation of (Count 5); and, \$2,500.00 monetary penalty and license revocation for the violation of (Count 6). A total monetary penalty of \$8,000.00. (Count 1) was closed with a finding of no violation. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-01908, Brian K Barnett t/a B & T Ent, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-01908
Brian K
Barnett

Brian K Barnett, respondent, t/a B & T Ent, did not attend the Board meeting. The presiding Board Representative **Mr. Paulette**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Brian K Barnett, in violation of the Board's 2003 Regulations:

- Count 1: 18 VAC 50-22-230.A**
- Count 2: 18 VAC 50-22-260.B.9**
- Count 3: 18 VAC 50-22-260.B.31**
- Count 4: 18 VAC 50-22-260.B.6**
- Count 5: 18 VAC 50-22-260.B.15**
- Count 6: 18 VAC 50-22-260.B.16**
- Count 7: 18 VAC 50-22-260.B.28**
- Count 8: 18 VAC 50-22-260.B.28**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Burch** and seconded by **Mrs.**

Rackas Pate to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$200.00 for violation of (Count 1); and, \$300.00 monetary penalty for violation of (Count 2); and, \$300.00 monetary penalty for violation of (Count 3); and, \$500.00 monetary penalty for violation of (Count 4); and, \$2,500.00 monetary penalty and license revocation for the violation of (Count 5); and, \$500.00 monetary penalty for the violation of (Count 6); and, \$2,500.00 monetary and license revocation for the violation of (Count 7); and, \$2,500.00 monetary penalty and license revocation for the violation of (Count 8). A total monetary penalty of \$9,300.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-03300, Remodel USA Inc. t/a Remodel USA, Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-03300
Remodel
USA, Inc.

Chris Mallard, counsel for John Cherubin, President of Remodel USA, Inc., respondent, t/a Remodel USA, Inc., attended the Board meeting. He addressed the Board. **Mr. Phil Antoun, complainant,** notified the Board that Remodel USA, Inc. has made all its required payments to him with the last payment of \$2,500.00 being due on May 5, 2005. A handout confirming this was distributed to the Board members and the respondent. The presiding Board Representative **Mr. Paulette,** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The motion failed with a vote of 5 "yes" and 4 "no". Members voting "yes" were: Smith, Hart, Falwell, Kinser and Redifer. Members voting "no" were: Hollar, Rackas Pate, Wood and Burch. After further discussion a motion was offered by Falwell and seconded by Hart that The Board recommend this case be reconvened.

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-04238, Fox Construction Group Inc. t/a Fox Construction Group Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and

File Number
2004-04238
Fox

Summary of the Informal Fact-Finding Conference of the presiding Board member.

**Construction
Group Inc.**

Fox Construction Group, Inc., respondent, t/a Fox Construction Group Inc. did not attend the Board meeting. **Rebecca Gerber, complainant,** was present. She addressed the Board. The presiding Board Representative **Mr. Paulette,** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference. The Board acknowledged that **Exhibit C 5;** is an invoice dated January 12, 2004, provided by Fox Construction Group Inc. and references that the contract was revised on December 31, 2003, as indicated in the Report of Findings. The Board also acknowledged that according to the transcript of the Informal Fact-Finding Conference and Ms. Walton's statements during the Board meeting, Ms. Walton claimed that the contract was not revised on December 31, 2003 and she protests the inclusion of that statement in the Report of Finds. The Board found Fox Construction Group, Inc. in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.25

Count 3: 18 VAC 50-22-260.B.13

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Hollar** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$500.00 for violation of (Count 1); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 2); and, \$2,500.00 monetary penalty for violation of (Count 3). A total monetary penalty of \$5,500.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-03388, Billy L Magnuson t/a Mag.Net Construction & Properties, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2004-03388
Billy L
Magnuson**

Mr. Billy L Magnuson, respondent, t/a Mag.Net Construction & Properties attended the IFF and the Board meeting. He addressed the Board

on behalf of Mag.Net Construction & Properties. **Dr. Gaskins, complainant**, attended the Board meeting. He addressed the Board. The presiding Board Representative **Mr. Paulette**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Hart** and seconded by **Mr. Falwell** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found Billy L Magnuson in violation of the Board's 2001 Regulations:

Count 1: 18 VAC 50-22-260.B.31

Count 2: 18 VAC 50-22-260.B.15

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hart** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$100.00 monetary penalty for the violation of (Count 1); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 2). A total monetary penalty of \$2,600.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Hollar Falwell, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2005-00178, Brian K Barnett t/a B & T Ent, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2005-00178
Brian K
Barnett

Brian K Barnett, respondent, t/a B & T Ent, did not attend the Board meeting. The presiding Board Representative **Mr. Paulette**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Brian K Barnett, in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B

Count 2: 18 VAC 50-22-260.B.28

Count 3: 18 VAC 50-22-260.B.13

The motion passed with a unanimous vote. Members voting "yes" were:

Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.

After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Redifer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$300.00 for violation of (Count 1); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 2); and, \$1,000.00 monetary penalty for violation of (Count 3). A total monetary penalty of \$3,800.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-02383, Carl B Weston t/a Westons Home Improvement, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-02383
Carl B
Weston

Carl B Weston, respondent, t/a Westons Home Improvement, did not attend the Board meeting. The presiding Board Representative **Mr. Redifer**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Carl B Weston, in violation of the Board's 2003 Regulations:

- Count 1: 18 VAC 50-22-260.B.8**
- Count 2: 18 VAC 50-22-230.A**
- Count 3: 18 VAC 50-22-260.B.5**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Hart** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$100.00 monetary penalty and completion of the Boards Basic Contracting Licensing Class for violation of (Count 1); and, \$250.00 monetary penalty and completion of the Boards Basic Contracting Licensing Class for violation of (Count 2); and, \$500.00 monetary penalty and successful completion of the Boards Basic Contracting Licensing Class for violation of (Count 3). A total monetary penalty of \$850.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-02955, Shore Electrical Construction Co t/a Shore Electrical Construction Co, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-02955
Shore
Electrical
Construction
Co

Shore Electrical Construction Co, respondent, t/a Shore Electrical Construction Co, did not attend the Board meeting. The presiding Board Representative **Mr. Redifer**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Hart** and seconded by **Mr. Burch** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Shore Electrical Construction Co, in violation of the Board's 2003 Regulations:

- Count 1: 18 VAC 50-22-260.B.8**
- Count 2: 18 VAC 50-22-260.B.9**
- Count 3: 18 VAC 50-22-260.B.6**
- Count 4: 18 VAC 50-22-260.B.5**
- Count 5: 18 VAC 50-22-260.B.11**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Hart** and seconded by **Mr. Falwell** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$350.00 monetary penalty and completion of the Boards Basic Contracting Licensing Class for violation of (Count 1); and, \$350.00 monetary penalty and completion of the Boards Basic Contracting Licensing Class for violation of (Count 2); and, \$1,000.00 monetary penalty for violation of (Count 4). The Board did not impose a monetary to (Counts 3 and 5). A total monetary penalty of \$1,700.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-03921, CW & Son Paving & Hauling Inc., t/a CW & Son Paving & Hauling, Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-03921
CW & Son
Paving &
Hauling Inc.

CW & Son Paving & Hauling, Inc., respondent, t/a CW & Son Paving &

Hauling, Inc., did not attend the Board meeting. The presiding Board Representative **Mr. Redifer**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found CW & Son Paving & Hauling Inc., in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.8

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Hart** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: successful completion of the Board's Basic Contracting Licensing Class for violation of (Count 1). No monetary penalty was imposed. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-04426, Lifetime Homes of Virginia, Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-04426
Lifetime
Homes of
Virginia,
Inc.

Lifetime Homes of Virginia, Inc., respondent, did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding Board Representative **Mr. Redifer** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Falwell** to adopt the Summary of the Informal Fact-Finding Conference finding no violations of the Boards Regulations.

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Wood and Burch.**

In the matter of Disciplinary File Number 2004-04576, Don Cooper t/a Superior Home Remodeling, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-04576
Don Cooper

Don D cooper, respondent, t/a Superior Home Remodeling, did not attend the Board meeting. The presiding Board Representative **Mr. Redifer**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mrs. Rackas Pate** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Don D Cooper, in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.27

Count 3: 18 VAC 50-22-260.B.14

Count 4: 18 VAC 50-22-260.B.13

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Wood, Kinser and Burch.**

After discussion a motion was made by **Mrs. Rackas Pate** and seconded by **Mr. Hart** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$350.00 monetary penalty and completion of the Board's Basic Contracting Licensing Class for violation of (Count 1); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 2); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 3); and, \$1,000.00 monetary penalty and successful completion of the Board's Basic Contracting Licensing Class. A total monetary penalty of \$6,250.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-01872, Tananlor LLC t/a Newport Construction Services, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-01872
Tananlor
LLC

Tananlor LLC, respondent, t/a Newport Construction Services, did not attend the Board meeting. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Tananlor LLC, in violation of the Board's 2001 Regulations:

Count 1: 18 VAC 50-22-260.B.9 – 2 violations

Count 2: 18 VAC 50-22-260.B.14

Count 3: 18 VAC 50-22-260.B.16

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Redifer** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$1,000.00 monetary penalty (@\$500.00 x 2) for the two violations of (Count 1); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 2); and, \$2,500.00 monetary penalty for violation of (Count 3). A total monetary penalty of \$6,000.00. The Board agreed the violations of (Count 1) did not rise to the severity of license revocation and they decreased the monetary penalty of Count 1 from \$2,500.00 per violation to \$500.00 per violation to be consistent with previous Board action. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-02005, Thomas Herbert t/a MJB Enterprises, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2004-02005
Thomas
Herbert**

Thomas Herbert, respondent, t/a MJB Enterprises, appeared at the Board meeting and he addressed the Board. The presiding Board Representative **Mrs. Wall** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Hart** to amend the Summary of the Informal Fact-Finding Conference finding no violations of the Boards Regulations.

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kinser, Smith, Wood and Burch.**

In the matter of Disciplinary File Number 2004-02193, Shannon Construction Company Inc. t/a Shannon Construction Company, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2004-02193
Shannon
Construction
Company
Inc.**

Shannon Construction Company Inc, respondent, t/a Shannon Construction Company, did not attend the Board meeting. **Mr. Herbert**

Goodman, complainant, was present at the Board meeting. He addressed the Board. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Shannon Construction Company Inc., in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.14

Count 2: 18 VAC 50-22-260.B.16

Count 3: 18 VAC 50-22-260.B.28

Count 4: 18 VAC 50-22-260.B.28

Count 5: 18 VAC 50-22-260.B.28

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs. Rackas Pate** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$2,500.00 monetary penalty and license revocation for violation of (Count 1); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 2); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 3); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 4); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 5). A total monetary penalty of \$12,500.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-02306, Loredana L Henderson t/a All Around Home Improvements, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-02306
Loredana L
Henderson

Lorendana L Henderson, respondent, t/a All Around Home Improvements, did not attend the Board meeting. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Burch** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with

Recommendations. The Board found Lorendana L Henderson, in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.27

Count 3: 18 VAC 50-22-260.B.6

Count 4: 18 VAC 50-22-260.B.15

Count 5: 18 VAC 50-22-260.B.16

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Burch** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$2,500.00 monetary penalty and license revocation for violation of (Count 1); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 2); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 3); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 4); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 5). A total monetary penalty of \$12,500.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-02630, Coastal Cottages & Cabinets Inc., t/a Coastal Cottages & Cabinets Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
20054-00178
Brian K
Barnett

Coastal Cottages & Cabinets Inc, respondent, t/a Coastal Cottages & Cabinets Inc., did not attend the Board meeting. The presiding Board Representative **Mrs. Wall,** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Falwell** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Coastal Cottages & Cabinets Inc., in violation of the Board's 2003 Regulations:

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.14

- Count 4: 18 VAC 50-22-260.B.15**
- Count 5: 18 VAC 50-22-260.B.16**
- Count 6: 18 VAC 50-22-210.3**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

Mrs. Traylor shared with the Board there were prior violations. After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hart** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$500.00 and license revocation for violation of (Count 1) instead of \$2,500.00 to be more consistent with previous Board actions; and, \$900.00 monetary penalty and license revocation for violation of (Count 2); and, \$2,000.00 monetary penalty and license revocation for violation of (Count 3); and, \$1,500.00 monetary penalty and license revocation for violation of (Count 4); and; \$2,000.00 monetary penalty and license revocation for violation of (Count 5); and, \$2,000.00 monetary penalty and license revocation for violation of (Count 6).. A total monetary penalty of \$9,400.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-02647, Arnold Ford Sr., t/a Ford & Ford Construction Carpentry Interior & Exterior, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-02647
Arnold Ford
Sr.

Arnold Ford, Sr., respondent, t/a Ford & Ford Construction Carpentry Interior & Exterior, did not attend the Board meeting. **Bernadette Coleman, complainant**, attended the Board meeting. She addressed the Board. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Mrs. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Arnold Ford, Sr., in violation of the Board's 2003 Regulations:

- Count 1: 18 VAC 50-22-260.B.9 (two violations)**
- Count 2: 18 VAC 50-22-260.B.27**
- Count 3: 18 VAC 50-22-260.B.6**

The motion passed with a unanimous vote. Members voting "yes" were:

Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.

After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hart** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: A finding of no violation for (Count 1); and, Two violations but no monetary penalty for violation of (Count 2); and, successful completion of the Board's Basic Contracting Licensing Class and no monetary penalty for violation of (Count 3); and, \$400.00 monetary penalty and successful completion of the Board's Basic Contracting Licensing Class. A total monetary penalty of \$800.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-02654, VM Renovators LLC, t/a VM Renovators LLC, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-02654
VM
Renovators
LLC

VM Renovators LLC., respondent, t/a VM Renovators LLC did not attend the Board meeting. **Michael & Patricia Dahlfues, complainant**, attended the Board meeting. They addressed the Board. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Falwell** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found VM Renovators LLC., in violation of the Board's 2001 Regulations:

- Count 1: 18 VAC 50-22-260.B.9**
- Count 2: 18 VAC 50-22-260.B.15**
- Count 3: 18 VAC 50-22-260.B.16**
- Count 4: 18 VAC 50-22-260.B.6**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Falwell** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$300.00 monetary penalty and license revocation for violation of (Count 1); and, \$1,500.00 monetary penalty and license revocation for violation of (Count 2); and, \$2,000.00 monetary penalty and license revocation for violation of

(Count 3); and, \$750.00 monetary penalty and license revocation for violation of (Count 4). A total monetary penalty of \$4,550.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-02659, Coopco Inc t/a Coopco Inc, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-02659
Coopco Inc.

Coopco Inc., respondent, t/a Coopco Inc did not attend the Board meeting. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Coopco Inc., in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.14

Count 3: 18 VAC 50-22-260.B.15

Count 4: 18 VAC 50-22-260.B.22

Count 5: 18 VAC 50-22-260.B.23

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Falwell** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$200.00 monetary penalty for violation of (Count 1); and, \$1,000.00 monetary penalty and license revocation for violation of (Count 2); and, \$1,000.00 monetary penalty and license revocation for violation of (Count 3); and, \$500.00 monetary penalty and license revocation for violation of (Count 4). A total monetary penalty of \$2,700.00. the Board agreed the violation of (Count 1) did not rise to the severity of revocation. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-02923, Tananlor LLC t/a Newport Construction Services, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of

File Number
2004-02923
Newport

the Informal Fact-Finding Conference of the presiding Board member.

**Construction
Services**

Tananlor LLC, respondent, t/a Newport Construction Services, did not attend the Board meeting. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Tananlor LLC, in violation of the Board's 2001 and 2003 Regulations:

2001 Regulations

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.14

Count 3: 18 VAC 50-22-260.B.16

2003 Regulations

Count 4: 18 VAC 50-222-230.B

Count 5: 18 VAC 50-22-260.B.28

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hart** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$500.00 monetary penalty for the violation of (Count 1); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 2); and, \$2,500.00 monetary penalty for violation of (Count 3); and, \$2,500.00 monetary penalty and license revocation of (Count 4); and, \$2,500.00 monetary penalty for violation of (Count 5). A total monetary penalty of \$10,500.00. The Board agreed the violations of (Count 1) did not rise to the severity of license revocation and they decreased the monetary penalty of Count 1 from \$2,500.00 to \$500.00 to be consistent with previous Board action. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-03033, Michael P Brooker t/a Hampton Roads Siding & Trim, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2004-03033
Michael P
Brooker**

Michael P Brooker, respondent, t/a Hampton Roads Siding & Trim, did not attend the Board meeting. The presiding Board Representative **Mrs.**

Wall, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Michael P Brooker, in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.2

Count 2: 18 VAC 50-22-260.B.9- 2 violations

Count 3: 18 VAC 50-22-260.B.31

Count 4: 18 VAC 50-22-260.B.5

Count 5: 18 VAC 50-22-260.B.15

Count 6: 18 VAC 50-22-260.B.16

Count 7: 18 VAC 50-22-260.14

Count 8: 18 VAC 50-22-260.B.16

Count 9; 18 VAC 50-22-260.B.13

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Burch** and seconded by **Mrs. Rackas Pate** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$2,500.00 monetary penalty and license revocation for violation of (Count 1); and, \$5,000.00 monetary penalty (@\$2,500.00 x 2) for the two violations and license revocation for violation of (Count 2); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 3); \$2,500.00 monetary penalty and license revocation for violation of (Count 4); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 5); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 6); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 7); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 8) . A total monetary penalty of \$25,000.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-04079, Mark Joseph King t/a Laurel Mountain Builders, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-04079
Mark Joseph
King

Mark Joseph King, respondent, t/a Laurel Mountain Builders, did not attend the Board meeting. The presiding Board Representative **Mrs. Wall**,

was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Burch** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Mark Joseph King, in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.15

Count 3: 18 VAC 50-22-260.B.16

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Burch** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$500.00 monetary penalty for violation of (Count 1); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 2); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 3). A total monetary penalty of \$6,000.00. The Board agreed the violation of (Count 1) did not rise to the severity of license revocation and they removed it from that Count to be consistent with previous Board action. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-04297, Dominion Renovations Inc t/a Dominion Renovations Inc, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-04297
Dominion
Renovations
Inc

Dominion Renovations, Inc., respondent, t/a Dominion Renovations, Inc., did not attend the Board meeting. **Danny Fowler and Dennis Wade, complainants,** attended the Board meeting. They addressed the Board. The presiding Board Representative **Mrs. Wall,** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Dominion Renovations Inc., in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.14

Count 3: 18 VAC 50-22-260.B.16

Count 4: 18 VAC 50-22-260.B.12

Count 5: 18 VAC 50-22-260.B.13

Count 6: 18 VAC 50-22-220.A

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Redifer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$200.00 monetary penalty and license revocation for the violation of (Count 1); and, \$2,000.00 monetary penalty and license revocation for violation of (Count 2); and, \$2,000.00 monetary penalty and license revocation for violation of (Count 3); and, \$1,000.00 monetary penalty and license revocation for violation of (Count 4); and, \$1,500.00 monetary penalty and license revocation for violation of (Count 5); and, \$500.00 monetary penalty and license revocation for violation of (Count 5). A total monetary penalty of \$7,200.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-04451, Ramon Jeith Hazard t/a Master Sealcoating And Paving, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-04451
Ramon Jeith
Hazard

Ramon Jeith Hazard, respondent, t/a Master Sealcoating And Paving, did not attend the Board meeting. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Master Sealcoating And Paving, in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.6

Count 2: 18 VAC 50-22-260.B.13

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Hart** and seconded by **Mr. Falwell** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$500.00 monetary penalty and license revocation for the violation of (Count 1); and, \$1,000.00 monetary penalty and license revocation for violation of (Count 2). A total monetary penalty of \$1,500.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-04575, Marvin R Edwards t/a Builder Trust, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2004-04575
Marvin R
Edwards**

Marvin R Edwards, respondent, t/a Builder Trust, attended the Board meeting. He addressed the Board. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hollar** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Marvin R Edwards, in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.27

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hollar** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$100.00 monetary penalty and completion of the Board's Contracting Licensing Class for the violation of (Count 1); and, \$500.00 monetary penalty and completion of the Board's Contracting Licensing Class for violation of (Count 2). A total monetary penalty of \$600.00. The Board closed Count 3, 18 VAC 50-22-260.B.5 and Count 4, 18 VAC 50-22-260.B.14 with a finding of no violation. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-04653, Christopher M Carter t/a Carters Contracting Services, the Board members reviewed the

**File Number
2004-04653**

record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**Christopher
M Carter**

Christopher M Carter, respondent, t/a Carters Contracting Services, did not attend the Board meeting. The presiding Board Representative Mrs. Wall, was not present did not participate in the discussion and did not vote. After discussion a motion was made by Mr. Falwell and seconded by Mr. Burch to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Christopher M Carter, in violation of the Board's 2003 Regulations:

- Count 1: 18 VAC 50-22-260.B.9**
- Count 2: 18 VAC 50-22-260.B.10**
- Count 3: 18 VAC 50-22-260.B.14**
- Count 4: 18 VAC 50-22-260.B.16**
- Count 5: 18 VAC 50-22-260.B.28**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Burch** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$500.00 from \$1,500.00 monetary penalty for the violation of (Count 1) along with removal of license revocation to be consistent with previous Board actions; and, \$500.00 monetary penalty and license revocation for violation of (Count 2); and, \$2,000.00 monetary penalty and license revocation for violation of (Count 3); and, \$2,000.00 monetary penalty and license revocation for violation of (Count 4); and, \$2,000.00 monetary penalty and license revocation for the violation of (Count 5). A total monetary penalty of \$7,000.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-01872, Home Consulting Plus Inc t/a Housing Made Simple, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2004-04763
Home
Consulting
Plus Inc**

Home Consulting Plus Inc, respondent, t/a Consulting Plus Inc did not attend the Board meeting. Ken O'Brien, complainant, attended the Board meeting. He addressed the Board. The presiding Board Representative Mrs.

Wall, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Home Consulting Plus Inc, in violation of the Board's 2003 Regulations:

Count 2: 18 VAC 50-22-260.B.5

Count 3: 18 VAC 50-22-260.B.15

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mrs. Wood** and seconded by **Mr. Falwell** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$2,500.00 monetary penalty and license revocation for the violation of (Count 3). A total monetary penalty of \$5,000.00. The Board agreed to close (Count 1) 18 VAC 50-22-260.B.9 with a finding of "no" violation. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Consent Order File Number 2004-00045, Board v. Moore Paving Inc. t/a Moore Paving Inc the board reviewed the Consent Order. **Moore Paving 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: 2003: 18 VAC 50-22-210 and a monetary penalty of \$5000.00; Count 2: 18 VAC 50-22-260.B.9 and a monetary penalty of \$250.00; Count 3: 18 VAC 50-22-260.B.15 and a monetary penalty of \$1,000.00. A total monetary penalty of \$1,750.00 is hereby imposed.**

File Number
2004-00045
Moore
Paving Inc.

The Board agrees to waive the imposition of the \$500.00 monetary penalty for Count 1 provided Moore Paving Inc either applies for a new license or reinstates its corporation and provide the Board with documentation of reinstatement of the corporation and within 30 days of the order. The Board agrees to waive the imposition of the \$1,000.00 monetary penalty for Count 3 provided Moore Paving Inc seals the drive at the subject property and provides the Board with proof of completion with ninety days of the effective date of the order.

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas**

Pate, Kirby, Paulette, Redifer and Walton. The Board's hearing representatives **Falwell and Franko** were not present, did not participate and did not vote.

In the matter of Disciplinary File Number 2004-04969, Historic Roofing And Sheet Metal Inc t/a Historic Roofing And Sheet Metal Inc, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-04969
Historic
Roofing And
Sheet Metal
Inc

Historic Roofing And Sheet Metal Inc, respondent, t/a Historic Roofing And Sheet Metal Inc, did not attend the Board meeting. The presiding Board Representative **Mrs. Wall,** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Historic Roofing And Sheet Metal Inc, in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.15

Count 2: 18 VAC 50-22-260.B.13

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs. Rackas Pate** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$1,000.00 monetary penalty and completion of the Board's Basic Contracting Licensing Class for the violation of (Count 1); and, \$1,000.00 monetary penalty and completion of the Board's Basic Contracting Licensing Class for violation of (Count 2). The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-05022, Odell Caldwell t/a Caldwell Construction, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-05022
Odell
Caldwell

Odell Caldwell, respondent, t/a Caldwell Construction, attended the Board

meeting. Sandra Delp, witness, attended the meeting and addressed the Board. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Odell Caldwell, in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.31

Count 3: 18 VAC 50-22-260.B.15

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Burch** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: No monetary penalty for violation of (Count 1); and, \$400.00 monetary penalty for violation of (Count 2); and, \$1,500.00 monetary penalty for violation of (Count 3). A total monetary penalty of \$1,900.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-05064, Mark Joseph King t/a Laurel Mountain Builders, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-05064
Mark Joseph
King

Mark Joseph King, respondent, t/a Laurel Mountain Builders, did not attend the Board meeting. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mrs. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Mark Joseph King, in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-260.B.15

Count 3: 18 VAC 50-22-260.B.16

Count 4: 18 VAC 50-22-260.B.28

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Falwell** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$500.00 monetary penalty instead of \$2,500.00 and removal of license revocation to be more consistent with previous Board action for the violation of (Count 1); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 2); and, \$2,500.00 monetary penalty for violation of (Count 3); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 4). A total monetary penalty of \$8,000.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-05134, Affordable Homeimprovement Soutions Inc., t/a Affordable Homeimprovement Soutions Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-05134
Affordable
Homeim
provement
Soutions Inc

Affordable Homeimprovement Soutions, Inc., respondent, t/a Affordable Homeimprovement Soutions Inc., did not attend the Board meeting. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Burch** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Affordable Homeimprovement Soutions, Inc., in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.8

Count 2: 18 VAC 50-22-260.B.14

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Burch** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$500.00 monetary penalty for the violation of (Count 1); and, \$2,000.00 monetary

penalty and license revocation for violation of (Count 2). A total monetary penalty of \$2,500.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-05193, Leroy J Sykes t/a American International Painting, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2004-05193
Leroy J
Sykes

Leroy J Sykes, respondent, t/a American International Painting, did not attend the Board meeting. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Leroy J. Sykes, in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-230.A

Count 2: 18 VAC 50-22-230.B.9

Count 3: 18 VAC 50-22-260.B.27

Count 4: 18 VAC 50-22-260.B.14

Count 5: 18 VAC 50-22-260.B.13

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Falwell** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$500.00 monetary penalty for the violation of (Count 1); and, \$2,500.00 monetary penalty for violation of (Count 2); and, \$250.00 monetary penalty and license revocation for violation of (Count 3); and, \$500.00 monetary penalty and license revocation for violation of (Count 4). A total monetary penalty of \$2,500.00. The Board agreed the violations of (Count 1) and (Count 2) did not rise to the severity of license revocation. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2005-00102, Jimmy L Lane t/a Oceanfront Renovations, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the

File Number
2005-00102
Jimmy L

Informal Fact-Finding Conference of the presiding Board member.

Lane

Jimmy L Lane, respondent, t/a Oceanfront Renovations, did not attend the Board meeting. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Jimmy L Lane, in violation of the Board's 2003 Regulations:

- Count 1: 18 VAC 50-22-260.B.9**
- Count 2: 18 VAC 50-22-230.B.14**
- Count 3: 18 VAC 50-22-260.B.15**
- Count 4: 18 VAC 50-22-260.B.16**
- Count 5: 18 VAC 50-22-260.B.13**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Falwell** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$500.00 instead of \$2,500.00 monetary penalty for the violation of (Count 1); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 2); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 3); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 4); and, \$2,500.00 monetary penalty and license revocation for violation of (Count 5). A total monetary penalty of \$10,500.00. The Board agreed the violation of (Count 1) did not rise to the severity of license revocation. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2005-00653, Ramon Jeith Hazard t/a Master Sealcoating and Paving, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2005-00653
Ramon Jeith
Hazard

Ramon Jeith Hazard, respondent, t/a Master Sealcoating and Paving, did not attend the Board meeting. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Mr.**

Hart to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Ramon Jeith Hazard, in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.8

Count 2: 18 VAC 50-22-230.B.15

Count 3: 18 VAC 50-22-260.B.16

Count 4: 18 VAC 50-22-260.B.13

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood; Kinser and Burch.**

After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Burch** to amend the recommendations contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$400.00 monetary penalty for the violation of (Count 1); and, \$1,000.00 monetary penalty and license revocation for violation of (Count 2); and, \$1,000.00 monetary penalty and license revocation for violation of (Count 3); and, \$1,000.00 monetary penalty and license revocation for violation of (Count 4). A total monetary penalty of \$3,400.00. The Board agreed the violation of (Count 1) did not rise to the severity of license revocation. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2004-01342, Geoffrey O Dean t/a Gateway Fence Company, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2005-01342
Geoffrey O
Dean**

Geoffrey O Dean, respondent, t/a Gateway Fence Company, did not attend the Board meeting. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Geoffrey O Dean , in violation of the Board's 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9

Count 2: 18 VAC 50-22-230.B.15

Count 3: 18 VAC 50-22-260.B.16

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

Mrs. Traylor shared with the Board that priors exist. After discussion a motion was made by **Mr. Burch** and seconded by **Mr. Falwell** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$500.00 monetary penalty instead of \$2,500.00 for the violation of (Count 1) to be more consistent with previous Board action; and, \$1,500.00 monetary penalty and license revocation for violation of (Count 2); and, \$2,000.00 monetary penalty and license revocation for violation of (Count 3). A total monetary penalty of \$4,000.00. The Board agreed the violation for (Count 1) did not rise to the severity of license revocation. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of Disciplinary File Number 2005-01151, Fred W Munford t/a Shore Cut & Care, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2005-01151
Fred
Munford

Fred W Munford and Hallie Munford, respondent, t/a Shore Cut & Care, attended the Board meeting. They addressed the Board. The presiding Board Representative **Mrs. Wall**, was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Hart** and seconded by **Mr. Falwell** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Fred W Munford, in violation of the Board's 2003 Regulations:

- Count 1: 18 VAC 50-22-260.B.9**
- Count 2: 18 VAC 50-22-230.B.27**
- Count 3: 18 VAC 50-22-260.B.5**
- Count 4: 18 VAC 50-22-260.B.5**
- Count 5: 18 VAC 50-22-260.B.14**
- Count 6: 18 VAC 50-22-260.B.16**
- Count 7: 18 VAC 50-22-260.B.28**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Smith, Redifer, Wood, Kinser and Burch.**

After discussion a motion was made by **Mr. Hart** and seconded by **Mr. Falwell** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing sanctions as follows: \$1,000.00 monetary penalty instead of \$2,500.00 for the violation of (Count 1); and, \$100.00 monetary penalty instead of \$500.00 for violation of (Count 2); and, \$500.00 monetary penalty instead of \$1,000.00 for violation of (Count 3); and, \$500.00 monetary penalty instead of \$1,000.00 for violation of (Count 4); and, \$1,000.00 monetary penalty and removal of license revocation for violation of (Count 5); and, \$1,000.00 monetary penalty instead of \$2,000.00 and removal of license revocation for violation of (Count 6); and, \$500.00 monetary penalty instead of \$2,000.00 and removal of license revocation for violation of (Count 7). The Board requires successful completion of it's Basic Contracting Licensing Class for violation of (Count 7). A total monetary penalty of \$4,600.00. The Board agreed the violations of (Count 1 through 7) did not rise to the severity of license revocation and the Board voted to decrease monetary penalty for (Counts 1-7) to be consistent with previous Board actions. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Hollar, Rackas Pate, Smith, Redifer, Wood, Kinser and Burch.**

In the matter of License Application File Number 2005-001438, Stonekeep LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2005-00143
Stonekeep
LLC**

Mr. Erich Molina appeared at the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Bruch** to vacate the previous order. The motion was approved with a "majority" vote. Members voting "yes" were: **Burch, Falwell, Smith, Hart, Kinser, Rackas Pate, Redifer and Wood.** **Mr. Hollar** voted "no".

After further discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Falwell** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Kinser, Smith, Redifer, Wood and Burch.** **Mr. Hollar** voted "no".

In the matter of Consent Order File Number 2004-04215, Board v. House Pros Inc t/a House Pros Inc the board reviewed the Consent Order. **House Pros Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the

**File Number
2004-04215
House Pros
Inc**

following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.9 and a monetary penalty of \$100.00. House Pros Inc. also agrees to pay \$50.00 investigative costs. A total monetary penalty of \$150.00 is hereby imposed.**

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the matter of Consent Order File Number 2004-04089, Board v. House Pros Inc t/a House Pros Inc the board reviewed the Consent Order. **House Pros 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: 2003: 18 VAC 50-22-260.B.9 and a monetary penalty of \$100.00. House Pros Inc. also agrees to pay \$50.00 investigative costs. A total monetary penalty of \$150.00 is hereby imposed.**

File Number
2004-04089
House Pros
Inc

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the matter of Consent Order File Number 2004-04556, Board v. House Pros Inc t/a House Pros Inc the board reviewed the Consent Order. **House Pros 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: 2003: 18 VAC 50-22-260.B.9 and a monetary penalty of \$100.00. House Pros Inc. also agrees to pay \$50.00 investigative costs. A total monetary penalty of \$150.00 is hereby imposed.**

File Number
2004-04556
House Pros
Inc

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the matter of Consent Order File Number 2004-04135, Board v. GMG Services Corporation t/a GMG Services Corporation the board reviewed the Consent Order. **GMG Services Corporation** 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: 2003: 18 VAC 50-22-260.B.6 and a monetary penalty of \$500.00; Count 2: 18 VAC 50-22-260.B.13 and a monetary penalty of \$750.00; Count 3: 18 VAC 50-22-230.B and a monetary penalty of \$250.00; Count 4: 18 VAC 50-22-210 and a monetary penalty of \$250.00.** **GMG Services Corporation** also agrees to successfully complete the Board's Basic Contractor Licensing Class within six months of the entry of the Order. A total monetary penalty of \$1,750.00 is hereby imposed.

File Number
2004-04135
GMG
Services
Corporation

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the matter of Consent Order File Number 2004-04782, Board v. Quality Builders Of No Va Inc., t/a Quality Builders Of No Va Inc. the board reviewed the Consent Order. **Quality Builders Of No Va 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: 2003: 18 VAC 50-22-260.B.29 and a monetary penalty of \$250.00.** A total monetary penalty of \$250.00 is hereby imposed.

File Number
2004-04782
Quality
Builders of
No. Va. Inc.

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the matter of Consent Order File Number 2004-04909, Board v. Roger D Bush t/a Bush Construction Company the board reviewed the Consent Order. **Roger D Bush** 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: 2003: 18 VAC 50-22-260.B.9 and a monetary penalty of \$125.00** **Roger D Bush** agrees to successfully complete the Board's Basic Contractor Licensing Class within six months of the entry of the Order for the violation of Count 1. A total monetary penalty of \$125.00 is hereby imposed.

File Number
2004-04909
Roger D
Bush

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the matter of Consent Order File Number 2004-04646 Board v. Mark D Crockett t/a Crockett Builders the board reviewed the Consent Order. **Mark D Crockett** 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: 2003: 18 VAC 50-22-260.B.9 and a monetary penalty of \$50.00; Count 2: 2003 18 VAC 50-22-260.31 and a monetary penalty of \$50.00. In addition, Mark D Crockett agrees to reimburse the Board \$50.00 for investigative costs. A total monetary penalty of \$150.00 is hereby imposed.**

File Number
2004-04646
Mark D
Crockett

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch**

In the matter of Consent Order File Number 2004-04032, Board v. Paul Davis Systems Of Greater Richmond Inc, t/a Paul Davis Systems Of Greater Richmond Inc the board reviewed the Consent Order. **Paul Davis Systems Of Greater Richmond 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: 2003: 18 VAC 50-22-230.A and a monetary penalty of \$150.00; and, Count 2: 18 VAC 50-22-260.B.9 and a monetary penalty of \$250.00. A total monetary penalty of \$400.00 is hereby imposed.**

File Number
2004-04032
Paul Davis
Systems Of
Greater
Richmond
Inc

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the matter of Consent Order File Number 2004-02237, Board v. Jacqueline E Shaw t/a P M Installers the board reviewed the Consent Order. **Jacqueline E Shaw** 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: 2003: 18 VAC 50-22-**

File Number
2004-02237
Jacqueline E
Shaw

260.B.9 and a monetary penalty of \$00.00; and, Count 2: 18 VAC 50-22-260.B.6 and a monetary penalty of \$250.00. Jacqueline E Shaw also agrees to pay \$50.00 investigative costs and to successfully complete the Board's basic Contractor Licensing Class. A total monetary penalty of \$300.00 is hereby imposed.

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the Matter of Consent Order File Number 2004-04861, Board v. R S Woodson Excavating Inc., t/a R S Woodson Excavating Inc., the board reviewed the Consent Order. R S Woodson Excavating 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: 2003: 18 VAC 50-22-260.B.5 and a monetary penalty of \$1,000.00 to be waive if R S Woodson Excavating Inc. refunds the homeowner \$530.00 and provides the Board with proof of payment within thirty (30) days of the date of the order. A total monetary penalty of \$100.00 is hereby imposed.

File Number
2004-04861
R S
Woodson
Excavating
Inc.

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the Matter of Consent Order File Number 2004-05043, Board v. Rodney Heiston t/a Heiston Construction the board reviewed the Consent Order. Rodney Heiston 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: 2003: 18 VAC 50-22-260.B.31 and a monetary penalty of \$100.00. Rodney Heiston also agrees to pay \$100.00 investigative costs. A total monetary penalty of \$200.00 is hereby imposed.

File Number
2004-05043
Rodney
Heiston

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the Matter of Consent Order File Number 2004-05198, Board v.

File Number

Demarco Services Inc t/a Demarco Services Inc the board reviewed the Consent Order. **Demarco Services 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 , \$200.00; Count 2: 18 VAC 50-22-260.B.9.A, C, D, E, F, H and I \$200.00.** **Demarco Services Inc.** agrees to successfully complete the Board's Basic contractor Licensing Class. A total monetary penalty of \$400.00 is hereby imposed.

**2004-05198
Demarco
Services Inc**

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the matter of Consent Order File Number 2004-01633, Board v. Premier Electric Company Inc t/a Premier Electric Company Inc the board reviewed the Consent Order. Mr. Kirby, the Board Hearing Representative was not present and did not vote. **Premier Electric Company Inc.** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.8 and a monetary penalty of \$000.00. Premier Electric Company Inc. also agrees to successfully complete the Board's Basic Contractor Licensing Class within six months of the entry of the Order. A total monetary penalty of \$000.00 is hereby imposed.**

File Number
**2004-01633
Premier
Electric
Company
Inc**

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the Matter of Consent Order File Number 2004-01699, Board v. Richard G Williams t/a R Williams Paving the board reviewed the Consent Order. **Richard G Williams** 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 and a monetary penalty of \$150.00; and, Count 2: 18 VAC 50-22-260.B.27 and a monetary penalty of \$300.00.** **Richard G Williams** also agrees to pay \$50.00 investigative costs and to successfully complete the Board's Basic Contractor Licensing Class within six months of the entry of the Order. A total monetary penalty of \$550.00 is hereby imposed.

File Number
**2004-01699
Richard G
Williams**

Upon a motion by **Redifer** seconded by **Flawell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the Matter of Consent Order File Number 2004-02765, Board v. Bernard A Spain t/a Spain Construction the board reviewed the Consent Order. Mrs. Wall, the Board Hearing Representative was not present and did not vote. **Clifton R Taylor Jr.** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.9 and a monetary penalty of \$500.00; and, Count 2: 18 VAC 50-22-260.B.6 and a monetary penalty of 500.00. A total monetary penalty of \$1,000.00 is hereby imposed. In addition, the Board agrees to waive the \$500.00 monetary penalty for Count 1 provided Bernard A Spain produces a copy of a revised contract within thirty days of entry of this order.**

File Number
2004-02765
Bernard A
Spain

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the Matter of Consent Order File Number, Board v. Shenandoah Development & Investment Co t/a Shenandoah Development & Investment Co the board reviewed the Consent Order. Mr. Orange, the Board's Hearing Representative was not present and did not vote. **Shenandoah Development & Investment Co** 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 and a monetary penalty of \$300.00. Shenandoah Development & Investment Co also agrees to satisfy the judgment and provide the Board with proof of satisfaction within sixty (60) days of the Order for the violation of Count 1. A total monetary penalty of \$300.00 is hereby imposed.**

File Number
2004-03518
Shenandoah
Development
&
Investment
Co

Upon a motion by **Redifer** seconded by **Flawell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the Matter of Consent Order File Number 2004-03926, Board v. Rickie Evans t/a R E Construction the board reviewed the Consent Order.

File Number
2004-03926

Mr. Redifer, the Board's Hearing Representative was not present and did not vote. **Rickie Evans** 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 50-22-260.9 and a monetary penalty of \$250.00; Count 2: 18 VAC 50-22-260.B.8 and a monetary penalty of \$250.00; and , Count 3: 18 VAC 50-22-260.B.31 and a monetary penalty of \$250.00. Rickie Evans also agrees to successfully complete remedial education by attending the Board's Basic Contracting License class. A total monetary penalty of \$500.00 is hereby imposed.**

Rickie Evans

Upon a motion by **Hart** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell and Burch.**

In the Matter of Consent Order File Number 2004-04374, Board v. Transnational Corp t/a Transnational Corp the board reviewed the Consent Order. **Transnational 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.a and a monetary penalty of \$100.00; Count 2: 18 VAC 50-22-260.B.9 and a monetary penalty of \$100.00. Transnational Corp agrees to reimburse the Board for investigative costs in the amount of \$200.00. A total monetary penalty of \$400.00 is hereby imposed.**

File Number
2004-04374
Transnation
al Corp

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the Matter of Consent Order File Number 2004-04216, Board v. Wedge Construction Inc. t/a Wedge Construction Inc. the board reviewed the Consent Order. Mr. Redifer the Board's Hearing Representative was not present and did not vote. **Wedge Construction Inc.** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.9 and a monetary penalty of \$350.00; and, Count 2: 18 VAC 50-22-260.B.29 and a monetary penalty of \$350.00. A total monetary penalty of \$700.00 is hereby imposed.**

File Number
2004-04216
Wedge
Construction
Inc.

Upon a motion by **Burch** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell and Burch.**

In the Matter of Consent Order File Number 2004-03932, Board v. Varney Inc., t/a Varney Inc. the board reviewed the Consent Order. Mr. Franko, the Board's Hearing Representative was not present and did not vote. **Varney Inc.** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.8; and a monetary penalty of \$000.00. Varney Inc. A total monetary penalty of \$000.00 is hereby imposed.**

File Number
2004-03932
Varney Inc.

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the Matter of Consent Order File Number 2004-00402, Board v. John T Edwards t/a J T Edward Environmental Services, the board reviewed the Consent Order. **J T Edward Environmental 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.27 \$000.00 and successful completion of the Board's Basic Contracting Licensing Class. A total monetary penalty of \$000.00 is hereby imposed.**

File Number
2004-00402
John T
Edwards

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the Matter of Consent Order File Number 2005-00100, Board v. T M Daniels Construction LLC t/a T M Daniels Construction LLC, the board reviewed the Consent Order. **TM Daniels Construction LLC** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.9(a, d, e, f, h and i) \$350.00 monetary penalty; and, Count 2: 18 VAC 50-22-260.B.31, \$500.00 monetary penalty and successful completion of the Board's Basic Contracting Licensing Class. A total monetary penalty of \$850.00 is hereby imposed.**

File Number
2005-00100
T M Daniels
Construction
LLC

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the Matter of Consent Order File Number 2005-00295, Board v. Albert Danny Hargis t/a Albert Danny Hargis, the board reviewed the

File Number
2005-00295

Consent Order. **Albert Danny Hargis** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.27; \$100.00 monetary penalty. A total monetary penalty of \$100.00 is hereby imposed.**

**Albert
Danny
Hargis**

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the Matter of Consent Order File Number 2005-00884, Board v. Kenneth Joseph Stephens t/a K J Stephens & Associates Construction Co, the board reviewed the Consent Order. **Kenneth Joseph Stephens** 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 license revocation for 2705-070672. A total monetary penalty of \$000.00 and license revocation is hereby imposed.**

File Number
2005-00884
**Kenneth
Joseph
Stephens**

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the Matter of Consent Order File Number 2005-019652, Board v. Frederick V Johnson t/a Johnson's Well And Pump Service, the board reviewed the Consent Order. **Johnson's Well And Pump 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.6 \$1,500.00 and \$150.00 investigative costs. A total monetary penalty of \$1,650.00 is hereby imposed.**

File Number
2005-019652
**Frederick V
Johnson**

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a unanimous vote from: **Hollar, Smith, Hart, Rackas Pate, Kinser, Wood, Falwell, Redifer and Burch.**

In the matter of Disciplinary File Number 2005-01317, Classic Touch Unlimited, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number
2005-01317
**Classic
Touch
Unlimited**

Classic Touch Unlimited, respondent, t/a Classic Touch Unlimited, did not attend the Board meeting. The presiding Board Representative **Mrs. Wall,**

was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Burch** to reject the Recommendations of the Summary of the Informal Fact-Finding Conference and to reconvene this case to an IFF because the Regulant attended an IFF associated with his Real Estate license and thought that took care of the IFF for the Contractors license case.

The motion passed with a majority vote. Members voting “yes” were: **Hart, Falwell, Smith, Redifer, Wood, Kinser and Burch. Rackas Pate and Hollar** voted “no”.

Eric Olson, Executive Director of the Board for Contractors at the Department of Professional and Occupational Regulations spoke to the Board and asked them to review the Recovery Fund Statements. He shared that effective July 1, 2005 that the new payout amount will be \$20 T. Senate Bill # 916 addresses this issue in more detail.

Recovery
Fund
Statements

Eric Olson provided the Board with an update of legislation that had been passed by the General Assembly and is currently awaiting signature by the Governor, that would have a direct affect on the Board and its programs. Mr. Olson shared that the Elevator Regulations are currently downtown.

Regulatory
Update

The Board discussed the increased caseload and a possible resolution to help decrease the case backlog. The Board discussed the new revised meeting schedule and a copy was given to each Board member. The meeting dates are already posted on the Town hall website. The Board is hoping the frequency of the meetings will decrease the caseload.

Caseloads
and Meeting
Schedules

Mr. Adebola O. Ajayi, Deputy Executive Director for Bayview Citizens For Social Justice, Inc. addressed the Board. He shared information about the organization and showed the Board a 10 minute video. Bayview wants to be like Habitat for Humanity and provide housing fro low income person and wants an exemption from licensure requirement. After discussion a motion was made by **Mrs. Wood** and seconded by **Mr Falwell** to approve the exemption providing Bayview Citizens for Social Justice be responsible for pulling permits and responsible for getting inspections. The motion was approved by “majority” vote. Members voting “yes” were: **Hollar, Burch, Redifer, Wood, Rackas Pate, Falwell, Hart, Smith and Kinser.**

Bayview
Citizens For
Social
Justice Inc.

The Board discussed preparing resolutions for Mr. James Guffy, Mrs. Jennifer Parrish and Mr. Robert McDowell. After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs. Wood** to approve the preparation of Board Resolutions for **Mr Guffy, Mrs. Parrish and Mr. McDowell.** The motion was approved with a unanimous vote. Members

New
Business

Contractor Board Meeting Minutes

April 19, 2005

Page 80 of 80

voting "yes" were: **Hollar, Burch, Redifer, Wood, Rackas Pate, Falwell, Hart, Smith and Kinser.**

Mr. Hollar shared with the Board his desire to have the Board make the display of License number on company trucks a Board requirement. That was discussed and noted. No decision was made on this suggestion.

Mr. Hollar wanted to know if the Board could request a Summary and a Report of findings be attached to each Consent Order that is presented to the Board for ruling. This was discussed and no decision was made on this suggestion.

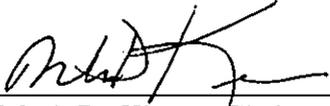
Mr. Hollar informed the Board he'd like to apply to set up Basic Contractor Licensing Class training. After discussion the Board shared with Mr. Hollar this could present a potential Conflict of Interest and would not be advisable while he sits on the Board for Contractors as a member.

Olson reminded the board members to complete their travel vouchers and Conflict of Interest forms and to give them to Sheila Watkins at the end of the meeting for processing.

**Completion
of
Paperwork**

There being no further business to come before the board, the meeting was adjourned upon a motion by Redifer and seconded by Hartl. The vote was unanimous. Members voting yes were, **Hart, Falwell, Rackas Pate, Smith, Redifer, Kinser, Hollar, Kinser and Wood** at 4:45 P M. There were no negative votes.

**Adjourn-
ment**



Mark D. Kinser, Chairman



Louise Fontaine Ware, Secretary

Copy teste:

Custodian of the Record

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

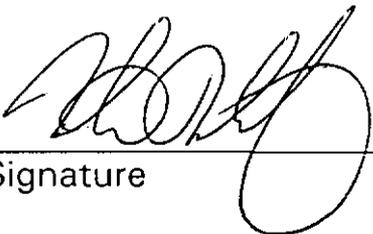
1. Name: Michael D. Redifer
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: **CONTRACTORS BOARD MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

UBCA UPMIA ICC NFPA IAET

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

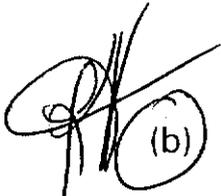
April 19th, 2005
Date

STATE AND LOCAL GOVERNMENT

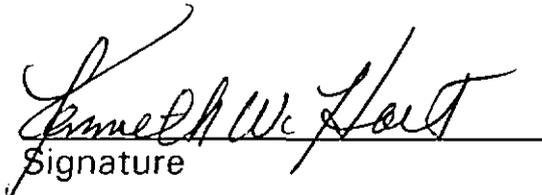
CONFLICT OF INTEREST ACT

1. Name: Kenneth W. Hart
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:
 - (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:



- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

April 19th, 2005
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

- 1. Name: Charles W. Falwell
- 2. Title: Member - Board for Contractors
- 3. Agency: Department of Professional & Occupational Regulation
- 4. Transaction: CONTRACTORS BOARD MEETING
- 5. Nature of Personal Interest Affected by Transaction:

N/A

- 6. I declare that:
 - (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

April 19th, 2005
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Troy Smith, Jr.
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

Smith Bros. Enterprises, Inc

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Board Director - Pen. housing + Bldg. Assoc.

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Troy Smith, Jr.
Signature

April 19th, 2005
Date

STATE AND LOCAL GOVERNMENT

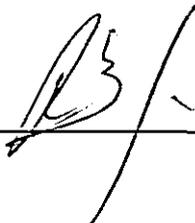
CONFLICT OF INTEREST ACT

- 1. Name: Robert O. Burch, Jr.
- 2. Title: Member - Board for Contractors
- 3. Agency: Department of Professional & Occupational Regulation
- 4. Transaction: CONTRACTORS BOARD MEETING
- 5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Signature  _____

April 19th, 2005
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: James A. Hollar
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING

5. Nature of Personal Interest Affected by Transaction:

C.M.H INC. HVAC, PLB, ELECT.,
GAS FITTING

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

ACCA, PHCC, PMPV.

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

James A. Hollar
Signature

April 19th, 2005
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Ann Rackas Pate
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

April 19, 2005
Date

STATE AND LOCAL GOVERNMENT

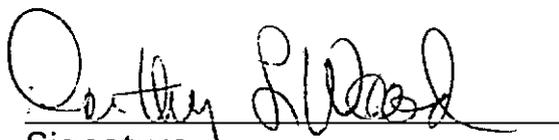
CONFLICT OF INTEREST ACT

1. Name: Dorothy Wood
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

April 19th, 2005
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

1. Name: Mark D. Kinser
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: **CONTRACTORS BOARD MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b)

I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

April 19th, 2005
Date