

BOARD FOR CONTRACTORS BOARD MEETING

MINUTES

The Board for Contractors met on Tuesday, June 27th, 2006 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 Kinser, Chair
Anthony Orange, Co Chair
Charles W. Falwell
Kenneth Hart
James Hollar
Robert M Kirby
Michael D. Redifer
Wyatt Walton
Ann Rackas Pate
Jeffrey Modisett
Deborah Lynn Tomlin
Dorothy Wood

Mr. Smith did not attend the meeting.

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

Jay W. DeBoer, Director
David Ashe, Chief Deputy
Karen O'Neal, Deputy Director of Regulatory Programs
Eric L. Olson, Executive Director
Kevin Hoefft, Regulatory Boards Administrator
Sheila Watkins, Administrative Assistant
Jeffrey Buckley, Legal Assistant
Joe Haughwout, Legal Assistant
Karen Kenney, Administrative Assistant
Victoria Traylor, Legal Analyst
Earlyne Perkins, Legal Analyst
Nick Christner, Director, Compliance and Investigations
Jennifer Kazzie, Assistant Director, Adjudication
Doug Schroder, Director, Adjudication
Bonnie Rhea Adams, Director, CAR

Chairman Mark Kinser called the meeting to order at 9:03 a.m. and declared a of board members was in attendance.

Call
To Order

A motion was made by **Mr. Falwell** and seconded by **Ms. Wood** to approve the agenda as written. The motion passed unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.**

Approval of
the Agenda

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

Approval of
Minutes

May 23rd, 2006, Board for Contractor Meeting
April 4, 2006, Informal Fact Finding Conference.
April 6, 2006, Informal Fact Finding Conference.
April 7, 2006, Informal Fact Finding Conference.
April 11, 2006, Informal Fact Finding Conference.
April 13, 2006, Informal Fact Finding Conference two
April 26, 2006, Informal Fact Finding Conference.
May 10, 2006, Informal Fact Finding Conference
May 16, 2006, Informal Fact Finding Conference
May 23, 2006, Informal Fact Finding Conference.
May 25, 2006, Informal Fact Finding Conference.

Mrs. Wood seconded the motion and it was unanimously approved by members: Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.**

There was no public comment.

Public
Comment
Period

In the matter of License Application File Number 2006-03742, Robert Gene Disher t/a Carpentry, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2006-03742
Robert
Disher t/a
Carpentry

Robert Gene Disher appeared at the IFF but not the Board meeting. The presiding Board representative **Ms. Chappell** 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 **Ms. Tomlin** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license

The motion was approved unanimously. Members voting "Yes" were **Falwell, Hollar, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin,**

Orange, Rackas Pate and Wood. Smith was absent.

In the matter of License Application File Number 2006-04221, Mark L Holcomb t/a Holcomb Painting & Drywall Repair, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

Mark Holcomb appeared at the IFF and the Board meeting. The presiding Board representative Ms. Chappell 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.

**File Number
2006-04221
Mark L
Holcomb t/a
Holcomb
Painting &
Drywall
Repair**

The motion passed unanimously. Members voting "Yes" were: Falwell, Hollar, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.

In the matter of License Application File Number 2006-04240, BWE Contracting Inc, t/a BWE Contracting Inc, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

Roger Jones appeared at the IFF for BWE Contracting Inc. BWE Contracting Inc nor a representative appeared at the Board meeting. The presiding Board representative Ms. Chappell 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 deny the license. The Board has considered its Regulation: 18 VAC 50-22-260 E and other applicable law: §54.1-1106 A of the Code of Virginia.

**File Number
2006-04240
BWE
Contracting,
Inc.**

The motion was approved by majority vote. Members voting "Yes" were: Falwell, Hollar, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.

In the matter of License Application File Number 2006-04273, Paul Albert Nock t/a Nock-Out Carpet Installation, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

Applicant Albert Nock appeared at the IFF but not the Board meeting. He addressed the Board and shared his agreement with the summary and recommendation. The presiding Board representative Ms. Chappell was not present, did not participate in the discussion and did not vote. After

**File Number
2006-04273
Paul Albert
Nock, t/a
Nock-Out
Carpet
Installation**

discussion, a motion was made by **Mr. Hollar** and seconded by **Ms. Rackas-Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.**

In the matter of License Application File Number 2006-04300, Lawrence Allen t/a Another Smooth Finish Concrete, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

Lawrence Allen t/a Another Smooth Finish Concrete appeared at the IFF but not the Board meeting. The presiding Board representative **Ms. Chappell** 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 deny the license.

File Number
2006-04300
Lawrence
Allen t/a
Another
Smooth
Finish
Concrete

The motion failed by a majority vote. Members voting "Yes" were: **Members voting "Yes" were: Falwell, Kinser, Tomlin, Hollar, Rackas Pate and. Members voting "No" were: Redifer, Hart, Kirby, Walton, Wood, Orange and Modisett. Smith was absent**

After discussion a motion was made by **Mr. Kirby** and seconded by **Mrs. Wood** to approve the recommendation contained in the Summary of the Informal Fact-Finding Conference finding and to consider the Board's Regulations: 18 VAC 50-22-40 E and other applicable law §54.1-204 and 54.1-1108 2 of the Code of Virginia. And deny the license. **The motion passed with a majority vote. Members voting "yes" were: Hart, Hollar, Kinser, Kirby, Orange, Rackas Pate, Tomlin, Modisett, Walton and Wood. Mr. Redifer opposed, Mr. Falwell abstained and Mr. Smith was absent.**

In the matter of License Application File Number 2006-04346, Edward C Kilby, t/a Odds & Endz Construction the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

Edward C Kilby t/a Odds & Endz Construction appeared at the IFF but not the Board meeting. The presiding Board representative **Ms. Chappell** 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 **Ms. Rackas Pate** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board considered

File Number
2006-04346
Edward C
Kilby t/a
Odds &
Endz
Construction

Board for Contractors Meeting Minutes

June 27th, 2006

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Regulations: 18 VAC 50-22-40 E and other applicable law §54.1-204 and 54.1-1108 2 of the Code of Virginia.

The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Redifer, Smith, Hart, Tomlin, Orange, Rackas Pate and Wood.** Walton was absent. Mr. Hart voted "no".

In the matter of License Application File Number 2006-04405, Jeffrey M Parrish, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-04405
Jeffrey M
Parrish**

Applicant Jeffrey M Parrish appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Ms. Chappell** 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. Redifer** 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, Hollar, Kinser, Kirby, Modisett, Redifer, Walton, Tomlin, Orange, Rackas Pate and Wood.** Smith was absent. Mr. Hart opposed.

In the matter of License Application File Number 2006-04426, Stephen Russell Bracey, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-04426
Stephen
Russell
Bracey**

Applicant Stephen Russell Bracey appeared at the IFF but not the Board meeting. The presiding Board representative **Ms. Chappell** 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. Hollar** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board considered its Regulations: 18 VAC 50-22-40 E and other applicable law §54.1-204 and 54.1-1108 2 of the Code of Virginia.

The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange and Wood.** Smith was absent. Rackas Pate voted "no".

In the matter of License Application File Number 2006-04427, Ashland Woodwork, Inc., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-

**File Number
2006-04427
Ashland**

Regulations: 18 VAC 50-22-40 E and other applicable law §54.1-204 and 54.1-1108 2 of the Code of Virginia.

The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Redifer, Smith, Hart, Tomlin, Orange, Rackas Pate and Wood.** Walton was absent. Mr. Hart voted "no".

In the matter of License Application File Number 2006-04405, Jeffrey M Parrish, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-04405
Jeffrey M
Parrish**

Applicant Jeffrey M Parrish appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Ms. Chappell** 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. Redifer** 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, Hollar, Kinser, Kirby, Modisett, Redifer, Walton, Tomlin, Orange, Rackas Pate and Wood.** Smith was absent. Mr. Hart opposed.

In the matter of License Application File Number 2006-04426, Stephen Russell Bracey, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-04426
Stephen
Russell
Bracey**

Applicant Stephen Russell Bracey appeared at the IFF but not the Board meeting. The presiding Board representative **Ms. Chappell** 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. Hollar** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board considered its Regulations: 18 VAC 50-22-40 E and other applicable law §54.1-204 and 54.1-1108 2 of the Code of Virginia.

The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange and Wood.** Smith was absent. Rackas Pate voted "no".

In the matter of License Application File Number 2006-04427, Ashland Woodwork, Inc., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-

**File Number
2006-04427
Ashland**

Finding Conference.

Applicant Joseph K Styles for Ashland Woodwork Inc. appeared at the IFF and the Board meeting. He addressed the Board and shared his agreement with the summary and recommendation. The presiding Board representative **Ms. Chappell** 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.

**Woodwork,
Inc.**

The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Hollar, Kinser, Redifer, Tomlin, Hart, Modisett, Orange and Wood.** Members voting "no" were: **Walton, Wood and Rackas Pate.** **Smith** was absent.

In the matter of License Application File Number 2006-04480, Lane Babb t/a Lane's Services, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

Lane Roger Babb appeared at the IFF on behalf of **Lane's Services.** **Lane Babb** attended the Board meeting for **Lane's Services.** He addressed the Board and shared their agreement with the summary and recommendation. The presiding Board representative **Ms. Chappell** 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. Orange** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

File Number
2006-04480
Lane Babb
t/a Lane's
Services

The motion was approved by majority vote. Members voting "Yes" were: **Falwell, Kirby, Modisett, Redifer, Walton, Orange, and Wood.** **Smith** was absent. Members voting "no" were: **Hollar, Kinser, Rackas Pate, Tomlin and Hart.**

In the matter of License Application File Number 2006-04481, Barney Byrd Cawthorne, Jr., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

Barney Cawthorne, Jr. appeared at the IFF but not the Board meeting. The presiding Board representative **Ms. Chappell** 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 **Ms. Wood** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board considered its Regulations: 18 VAC 50-22-40 E and other applicable law §54.1-204 and 54.1-1108 2 of the Code of Virginia.

File Number
2006-04481
Barney Byrd
Cawthorne,
Jr.

The motion was approved by a majority vote. Members voting "Yes" were: **Kinser, Kirby, Modisett, Redifer, Walton, Hart, Rackas Pate, Hollar, Tomlin, Orange, and Wood.** Mr. Smith was absent and Mr. Falwell abstained from voting.

In the matter of License Application File Number 2006-04756, C Thomas Concrete 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
2006-04756
C Thomas
Concrete Inc**

C Thomas Concrete Inc appeared at the IFF but not the Board meeting. The presiding Board representative **Ms. Tomlin** 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 **Ms. Wood** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant a conditional license. The motion failed with a vote of 8 "no" and 3 "yes". Members voting "yes" were: Hollar, Falwell and Wood. Members voting "no" were: Rackas Pate, Walton, Orange, Modisett, Hart, Kinser, Kirby and Redifer.

After further discussion, a motion was made by Mr. Redifer and seconded by Ms. Wood to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board considered its Regulations: 18 VAC 50-22-260 E and other applicable law §54.1-1106 A of the Code of Virginia. After reviewing the facts, the Board voted to deny the license due to a lack of documentation indicating the financial stability needed for a Class A license. The motion passed with a unanimous vote. Members voting "yes" were: **Kinser, Falwell, Kirby, Modisett, Redifer, Walton, Hart, Rackas Pate, Hollar, Orange, and Wood.** Mr. Smith was absent.

In the matter of License Application File Number 2006-04753, Charles Booth t/a Charles Booth Carpentry, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-04753
Charles
Booth t/a
Charles
Booth
Carpentry**

Charles Booth t/a Charles Booth Carpentry appeared at the IFF and the Board meeting. He addressed the Board and shared his agreement with the summary and recommendation. The presiding Board representative **Ms. Chappell** 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. Redifer** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved majority vote. Members voting "Yes" were: **Falwell, Hollar, Kinser, Redifer, Hart, Orange, and Rackas Pate.** Mr.

Smith was absent. Members voting "No" were: Kirby, Walton, Wood, Tomlin and Modisett.

In the matter of License Application File Number 2006-04010, Mathew Honeywell t/a Honeywell 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
2006-04010
Mathew
Honeywell
t/a
Honeywell
Construction**

Christopher Smith appeared at the IFF and the Board meeting. He addressed the Board and shared his agreement with the summary and recommendation. The presiding Board representative **Ms. Rackas Pate** 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. Hollar** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board considered its Regulations: 18 VAC 50-22-40 E and other applicable law §54.1-204 and 54.1-1108 2 of the Code of Virginia.

The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange and Wood. Smith was absent.**

In the matter of Recovery Fund File Number 2005-03390, Harry Pierce Anderson III and Debra B Anderson (Claimants) vs. Wes Young Enterprises, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Wes Young Enterprises, Inc (Regulant) nor anyone on their behalf appeared at the IFF or the Board meeting. Debra Anderson (Claimant) and her attorney, Robert Parkerson appeared at the IFF and the Board meeting, Mr. Parkerson shared his client's agreement with the summary and recommendation. After discussion, a motion was made by Mr. Kirby and seconded by Ms. Wood to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of \$20,000.00. The motion passed unanimously. Members voting "Yes" were: Falwell, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent. As the Board Representative, Mr. Hollar was not present and did not vote.

**File Number
2005-03390
Wes Young
Enterprises,
Inc.**

In the matter of Recovery Fund File Number 2005-01308, Catherine Holder (Claimants) vs. Michael McNulty t/a Progressive Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Michael McNulty t/a Progressive Construction (Regulant) nor

**File Number
2005-01308
Michael
McNulty t/a
Progressive**

anyone on their behalf appeared at the IFF or the Board meeting. **Catherine Holder (Claimant) and her attorney, Frederick D Greco** appeared at the IFF and the Board meeting, Mr. Greco shared his client's agreement with the summary and recommendation. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of **\$12,497.10**. The motion passed unanimously. Members voting "Yes" were: **Falwell, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.** As the Board Representative, Mr. Hollar was not present and did not vote.

Construction

In the matter of Recovery Fund File Number 2005-02384, Robert and Teri Simone (Claimants) vs. John Weeks t/a Weeks Construction Co. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither John Weeks t/a Weeks Construction Co (Regulant) nor anyone on their behalf appeared at the IFF or the Board meeting. Robert and Teri Simone (Claimant) appeared at the IFF and they attended the Board meeting and shared their agreement with the summary and recommendation.** After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Hart** to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of **\$20,000.00**. The motion passed unanimously. Members voting "Yes" were: **Falwell, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.** As the Board Representative, Mr. Hollar was not present and did not vote.

File Number
2005-02384
John Weeks
t/a Weeks
Construction
Co

In the matter of Recovery Fund File Number 2005-02661, Harry E Preble (Claimants) vs. Clarence A Herz t/a First Call (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Clarence A Herz t/a First Call (Regulant) did not appear at the IFF or the Board meeting. Harry E Preble (Claimant) appeared at the IFF and the Board meeting and addressed the Board concerning the summary and recommendation.** After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim in the amount of **\$3,076.00**. The motion passed unanimously. Members voting "Yes" were: **Falwell, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.**

File Number
2005-02661
Clarence A
Herz t/a
First Call

As the Board Representative, Mr. Hollar was not present and did not vote.

In the matter of Recovery Fund File Number 2005-02697, Thomas L

File Number

Garner (Claimants) vs. James H White t/a James H White, Jr. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **James H White, Jr. t/a James H White, Jr. (Regulant) nor anyone** on their behalf appeared at the IFF and the Board meeting. **Thomas L Garner (Claimant)** did not attend the IFF or the Board meeting. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of **\$7,537.00**. The motion passed unanimously. Members voting "Yes" were: **Falwell, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.**

**2005-02697
James H
White, Jr. t/a
James H
White, Jr.**

As the Board Representative, Mr. Hollar was not present and did not vote.

In the matter of Recovery Fund File Number 2005-02905, Paula A Stull (Claimants) vs. Roger Simmons t/a Simmons Renovations (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Roger Simmons t/a Simmons Renovations (Regulant) nor anyone** on their behalf appeared at the IFF or the Board meeting. **Paula A Stull (Claimant)** appeared at the IFF and attended the Board meeting and shared her agreement with the summary and recommendation. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of **\$7,738.87**. The motion passed unanimously. Members voting "Yes" were: **Falwell, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.**

**File Number
2005-02905
Roger
Simmons t/a
Simmons
Renovations**

As the Board Representative, Mr. Hollar was not present and did not vote.

In the matter of Recovery Fund File Number 2005-03116, Nigisti Zeratsion (Claimants) vs. Barinder Barry Chadda t/a All American Building & Store Fixtures (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Barinder Barry Chadda t/a All American Building & Store Fixtures (Regulant) "nor" anyone** on their behalf appeared at the IFF or the Board meeting. **Nigisti Zeratsion (Claimant)** appeared at the IFF and was represented by his attorney at the Board meeting. **Scott Sexauer** attorney for the claimant addressed the Board on behalf of his client and shared his client's agreement with summary and recommendation. After discussion, a motion was made by **Mr. Kirby** and seconded by **Ms. Tomlin** to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim in the amount of **\$20,000.00**.

**File Number
2005-03116
Barinder
Barry
Chadda t/a
All
American
Building &
Store
Fixtures**

The motion passed unanimously. Members voting "Yes" were: **Falwell, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.**

As the Board Representative, Mr. Hollar was not present and did not vote.

In the matter of Recovery Fund File Number 2005-03117, Gregory and Lisa Arner (Claimants) vs. All-Seal Waterproofing Co. of Virginia, Inc (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **All-Seal Waterproofing Co. of Virginia, Inc (Regulant) "nor" anyone on their behalf appeared at the IFF or the Board meeting. Gregory and Lisa Arner (Claimant) appeared at the IFF and the Board meeting and shared her agreement with the summary and recommendation. After discussion, a motion was made by Mr. Redifer and seconded by Mr. Hart to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of \$10,481.17. The motion passed unanimously. Members voting "Yes" were: Falwell, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.**

**File Number
2005-03117
All Seal
Waterproofi
ng Co. O
Virginia, Inc**

As the Board Representative, Mr. Hollar was not present and did not vote.

In the matter of Recovery Fund File Number 2005-03386, Roger A Frisk, Jr. and Debra J. Frisk (Claimants) vs. Shenandoah Development & Investment Company, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Shenandoah Development & Investment Company, Inc. (Regulant) nor anyone on their behalf appeared at the IFF. Roger and Debra Frisk (Claimants) appeared at the IFF and in person at the Board meeting and addressed the Board. After discussion, a motion was made by Mr. Orange and seconded by Ms. Wood to adopt the claim review an amend the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of \$3,661.00 instead of \$2,500.00. The motion passed unanimously. Members voting "Yes" were: Falwell, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.**

**File Number
2005-03386
Ocean
Exteriors,
Inc.**

As the Board Representative, Mr. Hollar was not present and did not vote.

In the matter of Recovery Fund File Number 2005-03408, Thomas W. Cox (Claimants) vs. Concrete Perfectionist & Hauling, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither**

**File Number
2005-03408
Concrete
Perfectionist**

Concrete Perfectionist & Hauling, Inc. (Regulant) nor anyone on their behalf appeared at the IFF or the Board meeting. Thomas Cox (Claimant) appeared at the IFF and the Board meeting. He shared his disagreement with the Board. After discussion, a motion was made by Mr. Redifer and seconded by Ms. Wood to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of \$6,950.00. The motion passed with a majority vote. Members voting "Yes" were: Kinser, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent. Kirby and Falwell voted "no".

**& Hauling,
Inc.**

As the Board Representative, Mr. Hollar was not present and did not vote.

In the matter of Recovery Fund File Number 2006-00624, Vanessa A Blake (Claimants) vs. Andrew Paul Stephenson (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Andrew Paul Stephenson (Regulant) nor anyone on their behalf appeared at the IFF or the Board meeting. Vanessa A Blake (Claimant) appeared at the IFF and the Board meeting and shared her agreement with the summary and recommendation. After discussion, a motion was made by Mr. Redifer and seconded by Mr. Kirby to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of \$5,088.00. The motion passed unanimously. Members voting "Yes" were: Falwell, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent. As the Board Representative, Mr. Hollar was not present and did not vote.

**File Number
2006-000624
Andrew Paul
Stephenson**

In the matter of Recovery Fund File Number 2006-00658, William & Elizabeth Gerber (Claimants) vs. Atlantic Concrete, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Atlantic Concrete, Inc. (Regulant) nor anyone on their behalf appeared at the IFF or the Board meeting. William & Elizabeth Gerber (Claimants) appeared at the IFF and the Board meeting and shared their agreement with the summary and recommendation. After discussion, a motion was made by Mr. Falwell and seconded by Mr. Walton to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of \$3,628.00. The motion passed unanimously. Members voting "Yes" were: Falwell, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.

**File Number
2006-00658
Atlantic
Concrete,
Inc**

As the Board Representative, Mr. Hollar was not present and did not vote.

In the matter of Recovery Fund File Number 2006-00714, Leah Gonzales (Claimant) vs. Gayles Enterprises, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Gayle Enterprises, LLC (Regulant) nor anyone** on their behalf appeared at the IFF or the Board meeting. **Leah Gonzales (Claimant)** appeared at the IFF and the Board meeting, Mrs. Gonzales shared her agreement with the summary and recommendation. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Walton** to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of **\$20,000.00**. The motion passed with a majority vote. Members voting "Yes" were: **Falwell, Kinser, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent. Mr. Kirby voted "no".** As the Board Representative, Mr. Hollar was not present and did not vote.

File Number
2006-00714
Gayles
Enterprises,
LLC

In the matter of Recovery Fund File Number 2006-00988, Richard & Sally Lippert (Claimants) vs. Don Wieland and Rosemary Wieland t/a Beachside Contracting (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Don or Rosemary Wieland t/a Beachside Contracting (Regulant) nor anyone** on their behalf appeared at the IFF or the Board meeting. **The Lipperts (Claimant)** appeared at the IFF and the Board meeting and addressed the Board. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Hart** to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of **\$13,538.00**. The motion passed with a majority vote. Members voting "Yes" were: **Falwell, Kinser, Walton, Tomlin, Wood, Orange, Modisett, Rackas Pate and Hart. Redifer and Kirby voted "no". Smith was absent.**

File Number
2006-00988
Don &
Rosemary
Wieland t/a
Beachside
Contracting

As the Board Representative, Mr. Hollar was not present and did not vote.

In the matter of Recovery Fund File Number 2006-00993, Linda V Meehan (Claimants) vs. Carl Sylvester Miller (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Carl Sylvester Miller (Regulant) nor anyone** on their behalf appeared at the IFF or the Board meeting. **Linda V Meehan (Claimants)** appeared at the IFF and the Board meeting. She shared her agreement with the summary and recommendation. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Modisett** to adopt the claim review and summary and the hearing officer's recommendations and approve the claim for payment in the

File Number
2006-00993
Carl
Sylvester
Miller

amount of **\$8,579.00**. The motion passed with a unanimous vote. Members voting "Yes" were: **Falwell, Kinser, Rackas Pate, Modisett, Walton, Redifer, Kirby, Hart, Tomlin, Orange and Wood.** . **Smith was absent.**

As the Board Representative, Mr. Hollar was not present and did not vote.

In the matter of Recovery Fund File Number 2006-01860, Frances McCatty (Claimants) vs. Isayah Binyah Israyl t/a IBI Construction Company (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Isayah Binyah Israyl t/a IBI Construction Company (Regulant) nor anyone on their behalf appeared at the IFF or the Board meeting. Frances McCatty (Claimant) and her attorney Mr. Robert Issacs, appeared at the IFF and the Board meeting. Mrs. McCatty's attorney addressed the Board. After discussion a motion was made by Mr. Orange and seconded by Mr. Walton to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and reject the hearing officer's recommendations and pay the claim in the amount of \$20,000.00 as the facts substantiate evidence that the actions of IBI Construction Co., fall within the statutory definition of improper and dishonest conduct. The motion passed with a unanimous vote. Members voting "Yes" were: Falwell, Kinser, Hart, Wood, Walton, Tomlin, Redifer, Rackas Pate, Modisett, Kirby and Orange. Smith was absent.**

**File Number
2006-01860
Isayah
Binyah
Israyl t/a IBI
Construction
Company**

As the Board Representative, Mr. Hollar was not present and did not vote.

In the matter of Recovery Fund File Number 2006-01881, Earl McCatty (Claimants) vs. Isayah Binyah Israyl t/a IBI Construction Company (Regulant); the board members reconvened this case and reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Isayah Binyah Israyl t/a IBI Construction Company (Regulant) nor anyone on their behalf appeared at the IFF or the Board meeting. Earl McCatty (Claimant) and his attorney Robert Issacs appeared at the IFF and were present at the Board meeting. Mr. Issacs stated his client's dissatisfaction with the recommendation of the hearing officer. After discussion, a motion was made by Mr. Falwell and seconded by Ms. Rackas Pate to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopt the Summary and reject the recommendation and order payment of the claim be approved in the amount of \$16,565.25.00 pursuant to §54.1-1123. The motion failed by majority vote. Members voting "Yes" were: Falwell,**

**File Number
2006-01881
Isayah
Binyah
Israyl t/a IBI
Construction
Company**

Kinser, Modisett, Hart, Rackas Pate and Wood. Smith was absent. Members voting "No" were: Orange, Kirby, Walton, Tomlin and Redifer.

As the Board Representative, Mr. Hollar was not present and did not vote.

After further discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter and adopt the Summary and recommendation and deny payment of the claim based on §54.1-1123.A and §54.1-1123.B.

The motion passed with a majority vote. Members voting "Yes" were: Redifer, Kirby, Walton, Tomlin, Hart, Falwell and Orange. Members voting "No" were: Modisett, Kinser, Rackas Pate and Wood. Smith was absent.

As the Board Representative, Mr. Hollar was not present and did not vote.

Mr. Orange motioned to recess for fifteen minutes. **Mr. Falwell** seconded the motion. The motion passed unanimously. Members voting "yes" were: **Falwell, Hart, Kinser, Kirby, Orange, Walton, Modisett, Rackas Pate, Redifer, Tomlin and Wood. Smith and Hollar were not present and did not vote.**

The Board recessed from 10:00 to 10:15 AM.

At 10:15 AM Mr. Kinser called the meeting back to order. Members present were: Falwell, Hart, Kinser, Kirby, Orange, Smith, Modisett, Rackas Pate, Redifer, Tomlin, Hollar and Wood. Smith was not present.

Kevin Hoefft brought the Board up to date on proposed agreements of reciprocity and, because of the non-responsiveness of the Washington Suburban Sanitary Commission, the acceptance of their licensing examination as substantially equivalent to the Virginia examination for plumbers.

Maryland has ended this request with denial of our proposal. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Falwell** to withdraw our request to the WSSC for examination waiver. The motion passed unanimously. **Members voting "yes" were: Tomlin, Falwell, Walton, Hart, Hollar, Kinser, Kirby, Orange, Rackas Pate, Modisett, Redifer and Wood. Smith was absent.**

Kevin Hoefft was requested by the contact other states surrounding Virginia to see if they are interested in entering into a reciprocity agreement with us.

Recess and
Reconvene
Reconvene

Other Board
Business

Pre-license Approval

The Board approved the recommendations of the Committee with regards to the approval of contractor pre-license education classes, elevator pre-license education classes and elevator continuing education classes. **Mr. Orange** offered a motion seconded by **Ms. Wood** to accept the recommendations of the Committee with regards to pre-license education classes for contractors and pre-license education classes and elevator continuing education classes. The motion passed unanimously. **Members voting "yes" were: Tomlin, Falwell, Hart, Hollar, Kinser, Kirby, Orange, Rackas Pate, Modisett, Redifer, Walton and Wood. Smith was absent.**

Elevator Mechanic Training Program

The Board's "Individual License and Certification Regulations" (currently known as "Tradesman Regulations") received final Board approval on April 26, 2006, and should become effective sometime in the Summer or Fall of 2006. These regulations will include an entry examination requirement and a continuing education requirement for renewal for Certified Elevator Mechanics.

Regulations will require an entry examination for all elevator mechanics so the Board will need to grant authorization to DPOR's examination division and Sharon Sweet, the Education and Examinations Director to include the Elevator Mechanics examination process in the Department's next examination contract with PSI Exams, Inc. (our exam vendor). A motion was made by **Mr. Redifer** and seconded by **Mr. Hollar** to grant permission to make contract entries with PSI with respect to the exam requirement for the elevator mechanics. The motion passed unanimously. **Members voting "yes" were: Tomlin, Falwell, Hart, Hollar, Kinser, Kirby, Orange, Rackas Pate, Modisett, Redifer, Walton and Wood. Smith was absent.**

National Association of Elevator Contractors'

The Board discussed the program requirements for applicants to provide documentation showing five years of practical experience as an elevator technician and to pass the CET examination to become a CET. After discussion and a motion by **Mr. Walton**, seconded by **Mr. Hollar**, the Board unanimously recommended that CETs who apply for the Virginia Elevator Mechanic certification be exempt from taking and passing the Virginia Elevator Mechanic entry examination. **Members voting "Yes" were: Falwell, Tomlin, Hart, Hollar, Kinser, Kirby, Orange, Rackas Pate, Modisett, Redifer, Walton and Wood. Smith was absent.**

Certified Elevator Tech

CETs must complete 10 hours of elevator technician continuing education annually to maintain their certification. The Board's Elevator Mechanic Certification will require eight hours of continuing education every two years

to renew. After discussion and a motion from **Mr. Walton**, seconded by **Mr. Hollar**, the Board unanimously agreed to recognize that continuing education completed by CETs will meet the Virginia Certified Elevator Mechanic renewal continuing education requirement. Members voting "Yes" were: **Falwell, Tomlin, Hart, Hollar, Kinser, Kirby, Orange, Rackas Pate, Modisett, Redifer, Walton and Wood**. Smith was absent.

Criminal and Financial History Application Review Matrix

After discussion a motion was made by **Mr. Walton**, seconded by **Mr. Hollar** to approve the criminal matrix and financial matrix recommended by the committee. Additionally, the Board's policies and interpretations were also adopted after a periodic review conducted by the Committee. Several policies will be incorporated into the next regulatory review package submitted by the Board. The Board unanimously agreed. Members voting "Yes" were: **Falwell, Tomlin, Hart, Hollar, Kinser, Kirby, Orange, Rackas Pate, Modisett, Redifer, Walton and Wood**. Smith was absent.

Mr. Walton wants more due diligence on the financial statement request for Contractor license application. The Board discussed that the Committee needs to look at a more reliable method of documenting net worth and the feasibility of amending the regulations to increase the net worth requirements from the current levels of \$15,000.00 for Class B and \$45,000.00 for Class A. The Board decided that the Committee should place this on their August 22, 2006 agenda.

Water Well Examinations

After discussion, and a motion by **Mr. Falwell**, seconded by **Mr. Redifer** the Board unanimously recommended that **Sharon Sweet, Education and Examinations Director** request that **PSI Exams, Inc.** develop a Water Well Systems Provider examination in the Department's next examination contract with **PSI Exams, Inc.** The Board unanimously agreed. Members voting "Yes" were: **Falwell, Hart, Tomlin, Hollar, Modisett, Orange, Redifer, Rackas Pate, Wood, Walton, Kirby and Kinser**. Smith was absent.

Discussion of Committee Officers Selected

Kevin Hoeft shared; The Committee reported to the Board the names of the newly elected officers. **Mr. Kirby** to serve as chairman and **Mr. Redifer** to continue to serve as Vice Chairman. The Committee elected these officers at its May 23, 2006 meeting.

Regulatory Review Update

Eric Olson reported that we are currently on track (schedule wise) with our Elevator and Tradesman Regulations. They are now in the Secretary's office. Pre-license education emergency regulations are still in review.

Exam Consideration

Eric Olson shared that PSI our exam vendor administers examinations in lots of other states. If an applicant has passed the equivalent test in another state (technical and business) we should only require them to take the rule and regulations portion of our Virginia test. Staff is requesting that our Board be considerate and consistent with Nationwide effort of testing (exemption on testings). After discussion, and a motion by Mr. Hollar, seconded by Ms. Wood the Board voted unanimously to have staff pursue with PSI the steps necessary to become consistent with Nationwide efforts of testing. Members voting "Yes" were: **Falwell, Hart, Hollar, Orange, Tomlin, Kinser, Kirby, Rackas Pate, Modisett, Redifer, Walton and Wood.** Smith was absent.

In the matter of Disciplinary File Number 2005-00852 Eric R Crafton t/a E C 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
2005-00852
Eric Crafton
t/a E C
Construction**

Neither Eric R Crafton t/a E C Construction (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Mr. Kinser** was not present, did not participate in the discussion and did not vote. **Mr. Orange** chaired this case.

After discussion, a motion was made by **Mr. Hollar** and seconded by **Ms. 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 **Eric R Crafton**, violated the following sections of its Regulations:

(Effective September 1, 2001)

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

(Effective January 1, 2003)

Count 2: 18 VAC 50-22-260 B 2 (two violations)

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Hart, Kirby, Modisett, Rackas Pate, Orange, Tomlin, Redifer, Walton and Wood.** Smith was absent.

After discussion a motion was made by **Mr. Hollar** and seconded by **Ms. Rackas Pate** to impose the following monetary sanctions: \$500.00 penalty for the violation of **(Count 1)**; \$250.00 monetary penalty for the violation of **(Count 2)**; \$2500.00 for violation of **(Count 2)**. A total monetary penalty of \$1,000.00 is imposed. The Board also imposed revocation of license 2705-073511 for the two violations of Count 2. As to Count 1 and 2, the Board voted to require **Eric R Crafton** to successfully complete and pass the

examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kirby, Modisett, Orange, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.**

In the matter of Disciplinary File Number 2005-03659 Bonnie Freeman, t/a Road Runners Contracting 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
2005-03659
Bonnie
Freeman t/a
Road
Runners
Contracting**

Neither Bonnie Freeman t/a RoadRunners Contracting (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative Mr. Hart 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. Walton** 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 Recommendation of a finding of no violation.

The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Walton, Tomlin and Wood. Members voting "no" were: Rackas Pate and Redifer. Smith was absent.**

In the matter of Disciplinary File Number 2005-04433 Rose M Kidwell, t/a Top Jobs, 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
2005-04433
Rose M
Kidwell t/a
Top Jobs**

Neither Rose M Kidwell t/a Top Jobs (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative Mr. Hart 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 **Ms. 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 **Rose M Kidwell**, violated the following sections of its Regulations:

(Effective January 1, 2003)

- 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 31**
- 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 13**

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Redifer, Kinser, Kirby, Modisett, Rackas Pate, Orange, Walton, Tomlin and Wood. Smith was absent**

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to impose the following monetary sanctions: \$400.00 penalty for violation of Count 1; \$700.00 penalty for violation of Count 2; \$500.00 penalty for violation of Count 3; \$2,500.00 penalty for violation of Count 4; \$2,500.00 penalty for violation of Count 5; \$2,000.00 penalty for violation of Count 6. Total monetary penalty if \$8,600.00. As to Counts 1, 2 and 3 the Board further imposes that **Rose M Kidwell** successfully complete the Board's Basic Contracting Licensing Class (remedial education) within six months or its license will be suspended. The Board further imposes revocation of license 2705-083071 for violation of Count 4.

The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Walton, Redifer, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.**

In the matter of Disciplinary File Number 2006-00292 Rose M Kidwell, t/a Top Jobs, 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. **Neither Rose M Kidwell t/a Top Jobs (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative Mr. Hart was not present, did not participate in the discussion and did not vote.**

**File Number
2006-00292
Rose M
Kidwell t/a
Top Jobs**

After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. 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 **Rose M Kidwell**, violated the following sections of its Regulations:

- (Effective January 1, 2003)**
- 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.13

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Redifer, Kinser, Kirby, Modisett, Rackas Pate, Orange, Walton, Tomlin and Wood. Smith was absent**

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to impose the following monetary sanctions: \$1,500.00 penalty for violation of Count 1; \$1,500.00 penalty for violation of Count 2; \$1,000.00 penalty for violation of Count 3; \$2,500.00 penalty for violation of Count 4. Total monetary penalty if \$6,000.00. As to Counts 1 through 4 the Board further imposes revocation of license 2705-083071 for violations of its regulations.

The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Walton, Redifer, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.**

In the matter of Disciplinary File Number 2006-00613 Jeffrey Smith Sr, t/a D & Sunzs, 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
2006-00613
Jeffrey
Smith Sr. t/a
D & Sunzs**

Neither **Jeffrey S Smith Sr, t/a D & Sunzs (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Mr. Hart** 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 **Ms. 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 **Jeffrey S Smith Sr**, violated the following sections of its Regulations:

(Effective January 1, 2003)
Count 1: 18 VAC 50-22-260 B 31

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Walton, Kinser, Kirby, Modisett, Rackas Pate, Orange, Redifer, Tomlin and Wood. Smith was absent**

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to impose the following monetary sanctions: \$200.00 penalty for the violation of (Count 1). A total monetary penalty of \$2,000.00 is imposed.

The Board voted to require a **member of Responsible Management of Jeffrey S Smith Sr.** to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Walton, Redifer, Tomlin, Orange, Rackas Pate and Wood.** Smith was absent.

In the matter of Disciplinary File 2006-01266, Jeffco Heating and Air Conditioning, 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
2006-01266
Jeffco
Heating and
Air
Conditioning**

James Jeffrey was present at the Board meeting for Jeffco Heating and Air Conditioning (Respondent). He addressed the Board and requested permission to read the summary and recommendation because he did not receive it in the mail. After discussion, Mr. Redifer made a motion, seconded by, Mr. Hollar to allow the Respondent permission to review the summary and recommendation and then to recall this case later in this Board meeting. The vote was unanimous to grant permission. Members voting "yes" were: Falwell, Hollar, Redifer, Tomlin, Walton, Wood, Kinser, Kirby, Rackas Pate, Orange and Modisett. Smith was absent. Mr. Hart the Board's hearing officer was not present and did not vote.

In the matter of Disciplinary File Number 2006-0936 Fizer Building And Restoration 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
2006-02936
Fizer
Building
And
Restoration
LLC**

Neither Fizer Building And Restoration LLC (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Mr. Hart** 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 **Ms. 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 **Macon A Moyer II**, violated the following sections of its Regulations:

(Effective January 1, 2003)

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

(Effective September 1, 2001)

Count 2: 18 VAC 50-22-230 B

The motion was approved by a unanimous vote. Members voting "Yes"

were: **Falwell, Hollar, Walton, Kinser, Kirby, Modisett, Rackas Pate, Orange, Tomlin, Redifer and Wood.**

After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Wood** to impose the following monetary sanctions: \$400.00 penalty for the violation of (Count 1); \$400.00 monetary penalty for the violation of (Count 2). A total monetary penalty of \$800.00 is imposed. As to Count 1 and 2, the Board voted to require a member of **Responsible Management of Fizer Building And Restoration LLC** to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Walton, Tomlin, Orange, Rackas Pate and Wood.** Smith was absent.

In the matter of Disciplinary File Number 2005-03661 Eric R Crafton, t/a E C 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
2005-03661
Eric R
Crafton
t/a E C
Construction

Neither Eric R Crafton (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Mr. Kinser** was not present, did not participate in the discussion and did not vote. **Mr. Orange** chaired this case.

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 Recommendations. The Board found **Eric R Crafton**, violated the following sections of its Regulations and/or Statutes:

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

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Hart, Walton, Kirby, Modisett, Rackas Pate, Orange, Tomlin, Redifer and Wood.** Smith was absent.

After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Redifer** to impose the following sanctions: Revocation of license 2705-073511. The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Redifer, Kirby, Modisett, Orange, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood.** Smith was absent.

In the matter of Disciplinary File Number 2006-01067 Liberty

File Number

Contracting Inc, t/a Liberty Contracting 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.

**2006-01067
Liberty
Contracting
Inc t/a
Liberty
Contracting
Inc**

Michael Holloway on behalf of Liberty (Respondent) appeared at the IFF but not the Board meeting. The presiding Board representative **Mr. Kirby** 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 **Ms. 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 **Liberty Contracting Inc**, violated the following sections of its Regulations:

(Effective January 1, 2003)
Count 1: 18 VAC 50-22-260 B 29
Count 3: 18 VAC 50-22-260 B 6

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Hart, Kinser, Redifer, Modisett, Rackas Pate, Orange, Walton, Tomlin and Wood. Smith was absent.**

After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Redifer** to impose the following monetary sanctions: \$100.00 penalty for the violation of (Count 1); \$500.00 monetary penalty for the violation of (Count 3). A total monetary penalty of \$600.00 is imposed. As to Count 1 and 3, the Board voted to require a member of **Responsible Management of Liberty Contracting, Inc** to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board closed Count 2 and Count 4 with a finding of no violation. The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Walton, Modisett, Orange, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.**

In the matter of **Disciplinary File Number 2006-00783 N & J Home Improvement t/a N & J 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
2006-00783
N & J Home
Improve-
ment t/a N &
J Home Im-
provement**

Neither N & J Home Improvement (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Mr. Modisett** 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. 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 **N & J Home Improvement**, violated the following sections of its Regulations:

(Effective January 1, 2003)

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 27

Count 4: 18 VAC 50-22-210 3

(Effective September 1, 2001)

Count 5: 18 VAC 50-22-230 B

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Hart, Kinser, Kirby, Walton, Rackas Pate, Orange, Redifer, Tomlin and Wood. Smith was absent.**

After discussion a motion was made by **Mr. Hollar** and seconded by **Ms. Wood** to impose the following monetary sanctions: \$300.00 penalty for the violation of (Count 1); \$1,000.00 monetary penalty for the violation of (Count 2); \$500.00 for violation of (Count 3); \$400.00 for the violation of (Count 4); \$400.00 monetary penalty for the violation of (Count 5). A total monetary penalty of \$2,600.00 is imposed. As to Count 1 through 5, the Board voted to require a member of Responsible Management of **N & J Home Improvement** to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Orange, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.**

In the matter of Disciplinary File Number 2005-02596 Mark Kenneth Birt, Sr., 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
2006-02596
Mark
Kenneth
Birt, Sr.**

Neither Mark Kenneth Birt Sr. (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Mr. Modisett** 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 **Ms. 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 **Macon A Moyer II**, violated the following sections of its Regulations:

(Effective July 1, 1997)

Count 1: 18 VAC 50-30-190 1

Count 2: 18 VAC 50-30-190 1

Count 3: 18 VAC 50-30-190 1

Count 4: 18 VAC 50-30-190 1

Count 5: 18 VAC 50-30-190 1

Count 6: 18 VAC 50-30-190 1

Count 7: 18 VAC 50-30-190 1

The motion was approved by a majority vote. Members voting "Yes" were: **Hollar, Hart, Kinser, Walton, Redifer, Rackas Pate, Orange, Tomlin and Wood.** Members voting "no" were: **Falwell and Kirby.** **Smith was absent.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to impose the following monetary sanctions: \$600.00 penalty for the violation of (Count 1); \$200.00 monetary penalty for the violation of (Count 2); \$600.00 for violation of (Count 3); \$1,000.00 for the violation of (Count 4); \$1,500.00 for violation of (Count 5); \$1,800.00 for violation of (Count 6); \$1,200.00 for violation of (Count 6) . A total monetary penalty of \$6,900.00 is imposed. As to Count 1, 2 and 3, the Board voted to require **Birt** to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board imposed revocation of license number 2710-039181 for the violation of Count 4, 5, 6 and 7. The motion was approved by majority vote. Members voting "Yes" were: **Hollar, Kinser, Redifer, Orange, Hart, Walton, Tomlin and Rackas Pate.** **Smith was absent.** Members voting "no" were: **Kirby, Wood and Falwell.**

In the matter of Disciplinary File Number 2005-00598 Nery A Salinas, t/a Nery's 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
2005-00598
Nery A
Salinas t/a
Nery's
Company

Neither Nery A Salinas (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. 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. Hollar** 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 **Nery A Salinas**, violated the following sections of its Regulations:

(Effective January 1, 2003)

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

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

The motion was approved by a unanimous vote. Members voting "Yes" were: **Modisett, Hollar, Hart, Kinser, Walton, Redifer, Rackas Pate, Falwell, Kirby, Tomlin and Wood. Smith was absent.**

After discussion a motion was made by **Mr. Hollar** and seconded by **Ms. Wood** to impose the following monetary sanctions: \$350.00 penalty for the violation of **(Count 1)**; \$2,500.00 monetary penalty for the violation of **(Count 2)**. A total monetary penalty of \$2,850.00 is imposed. As to Count 1, the Board voted to require **Nery A Salinas** to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board imposed revocation of license number 2705-080939 for the violation of Count 2. The motion was approved by unanimous vote. Members voting "Yes" were: **Hollar, Kinser, Redifer, Modisett, Hart, Walton, Kirby, Wood, Falwell, Tomlin and Rackas Pate. Smith was absent.**

In the matter of Disciplinary File Number 2005-02584 Lynwood K Dull, t/a Dulls Custom Building, 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
2005-02584
Lynwood K
Dull t/a Dulls
Custom
Building**

Neither Lynwood Dull (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. 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. Hollar** and seconded by **Ms. 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 **Lynwood K Dull**, violated the following sections of its Regulations:

(Effective September 1, 2001)

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

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

Count 3: 18 VAC 50-22-260 B 30

Count 4: 18 VAC 50-22-230 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Hart, Kinser, Kirby, Modisett, Rackas Pate, Walton, Redifer, Tomlin and Wood. Smith was absent.**

After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Hollar** to impose the following monetary sanctions: \$250.00 penalty for the violation of (**Count 1**); \$2,500.00 monetary penalty for the violation of (**Count 2**); \$2,500.00 for violation of (**Count 3**); \$2,500.00 for the violation of (**Count 4**). A total monetary penalty of \$7,750.00 is imposed. As to Count 1, the Board voted to require **Lynwood K Dull** to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board imposed revocation of license 2701-036363 for the violation of Count 2, 3 and 4. The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.**

In the matter of Disciplinary File Number 2006-02243 James Legette & Albert Whitley, t/a Wet Paint By L & W, 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
2006-02243
James
Legette &
Albert
Whitley, t/a
Wet Paint
By L & W**

Neither Wet Paint By L & W (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. 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. Hollar** and seconded by **Ms. 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 **James Legette & Albert Whitley**, violated the following sections of its Regulations:

(Effective September 1, 2001)

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

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

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

The motion was approved by a unanimous vote. Members voting "Yes"

were: **Falwell, Hollar, Hart, Kinser, Kirby, Modisett, Rackas Pate, Redifer, Walton, Tomlin and Wood. Smith was absent.**

After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Falwell** to impose the following monetary sanctions: \$2,000.00 penalty for the violation of **(Count 1)**; \$2,500.00 monetary penalty for the violation of **(Count 2)**; \$2,500.00 for violation of **(Count 3)**. A total monetary penalty of \$7,000.00 is imposed. As to Count 1, the Board voted to require a **member of Responsible Management of James Legette & Albert Whitley** to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board imposed revocation of license 2705-083257 for the violation of Count 2 and 3. The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Walton, Hart, Tomlin, Redifer, Rackas Pate and Wood. Smith was absent.**

In the matter of Disciplinary File Number 2005-02443 Stutzman Construction 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
2005-02443
Stutzman
Construction
Inc**

Neither Stutzman (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Ms. Rackas Pate** 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. Kirby** 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 **Stutzman Construction Inc**, violated the following sections of its Regulations:

(Effective January 1, 2003)
Count 1: 18 VAC 50-22-260 B 28
Count 2: 18 VAC 50-22-230 B
Count 3: 18 VAC 50-22-260 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Hart, Kinser, Kirby, Modisett, Redifer, Orange, Walton, Tomlin and Wood. Smith was absent.**

After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Hart** to impose the following monetary sanctions: \$2,000.00 penalty for the violation of **(Count 1)**; \$2,000.00 monetary penalty for the violation of

(Count 2) and \$2,000.00 for violation of (Count 3). A total monetary penalty of \$6,000.00 is imposed. As to Count 2, the Board voted to require a **member of Responsible Management of Stutzman Construction Inc** to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board imposed revocation of license 2705-044007 for the violation of Count 1 and 3. The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Walton, Hart, Tomlin, Orange, Redifer and Wood. Smith was absent.**

In the matter of Disciplinary File Number 2006-00200 Dena L Mason & Barry H Piercy, t/a D & B Contracting, 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
2006-00200
Dana L
Mason &
Barry H
Piercy, t/a D
& B
Contracting**

Neither **Dena L Mason & Barry H Piercy, t/a D & B Contracting (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Ms. Rackas Pate** 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. Kirby** 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 **Dena L Mason & Barry H Piercy**, violated the following sections of its Regulations:

(Effective January 1, 2003)
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 14
Count 4: 18 VAC 50-22-230 B 16
(effective September 1, 2001)
Count 5: 18 VAC 50-22-210 B 28

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Hart, Kinser, Kirby, Modisett, Redifer, Orange, Walton, Tomlin and Wood. Smith was absent.**

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Hollar** to impose the following monetary sanctions: \$800.00 penalty for the violation of (Count 1); \$500.00 monetary penalty for the violation of (Count 2); \$2,000.00 for violation of (Count 3); \$2,000.00 for the violation of

(Count 4); \$500.00 monetary penalty for the violation of (Count 5) and \$2,000.00 monetary penalty for the violation of (Count 6). A total monetary penalty of \$7,800.00 is imposed. As to Count 1, 2 and 5, the Board voted to require a member of Responsible Management of Dena L Mason & Barry H Piercy to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board imposed revocation of license 2705-082553 for the violation of Count 3, 4 and 6. The motion was approved unanimously. Members voting "Yes" were: Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Walton, Hart, Tomlin, Orange, Redifer and Wood. Smith was absent.

In the matter of Disciplinary File Number 2006-02701 Atlantic Bay Master Inc, t/a Atlantic Bay Master 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
2006-02701
Atlantic Bay
Master Inc**

Neither Atlantic Bay Master Inc (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative Ms. Rackas Pate was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by Mr. Walton and seconded by Mr. 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 Atlantic Bay Master Inc, violated the following sections of its Regulations:

(Effective January 1, 2003)

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

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

(Effective September 1, 2001)

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

The motion was approved by a majority vote. Members voting "Yes" were: Falwell, Hollar, Hart, Kinser, Redifer, Modisett, Orange, Walton, Kirby, Tomlin and Wood. Smith was absent.

After discussion a motion was made by Mr. Walton and seconded by Mr. Hart to impose the following monetary sanctions: \$2,000.00 penalty for the violation of (Count 1); \$2,000.00 monetary penalty for the violation of (Count 2); \$2,000.00 for violation of (Count 3). A total monetary penalty of \$6,000.00 is imposed. As to Count 1, 2 and 3, the Board voted to suspend license number 2705-085766 until such time that the judgment awarded to

Chiang in the York County General District Court has been satisfied by Atlantic Bay Master Inc. The motion was approved by majority vote. Members voting "Yes" were: **Falwell, Hollar, Kinser, Redifer, Modisett, Orange, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent. Kirby voted "no".**

In the matter of Disciplinary File Number 2005-02146 Zachary S Weber, t/a Weber Works, 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
2005-02146
Zachary S
Weber, t/a
Weber
Works**

Neither Zachary S Weber, t/a Weber Works (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative Ms. Rackas Pate 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. Kirby** 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 **Zachary S Weber**, violated the following sections of its Regulations:

(Effective January 1, 2003)

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 50-22-230 B 16

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

(Effective September 1, 2001)

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

The motion was approved by a unanimous vote. Members voting "Yes" were. **Falwell, Hollar, Hart, Kinser, Kirby, Modisett, Redifer, Orange, Walton, Tomlin and Wood. Smith was absent.**

After discussion a motion was made by **Mr. Hollar** and seconded by **Ms. Wood** to impose the following monetary sanctions: \$300.00 penalty for the violation of (Count 1); \$2,000.00 monetary penalty for the violation of (Count 2); \$2,500.00 for violation of (Count 3); \$2,500 monetary penalty for violation of (Count 4); \$2,000.00 monetary penalty for the violation of (Count 5) and \$2,000.00 monetary penalty for the violation of (Count 6). A total monetary penalty of \$11,300.00 is imposed. As to Count 1 and 2, the Board voted to require a member of Responsible Management of Zachary S Weber to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board imposed revocation of license

2705-072701 for the violation of Count 3, 4, 5 and 6. The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Walton, Hart, Tomlin, Orange, Redifer and Wood. Smith was absent.**

In the matter of Disciplinary File Number 2006-01000 James Ralph Huffman Sr, t/a Outdoor Creations By James, 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
2006-01000
James Ralph
Huffman, Sr
t/a Outdoor
Creations By
James**

James Huffman, t/a Outdoor Creations By James (Respondent) appeared at the IFF but not the Board meeting. The presiding Board representatives Mr. Smith and Mr. Kinser were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Walton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference amending Count 3 of the Recommendations to include remedial education. The Board found **James Ralph Huffman Sr**, violated the following sections of its Regulations:

(Effective January 1, 2003)

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 5

Count 4: 18 VAC 50-22-230 B 6

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Hart, Redifer, Kirby, Modisett, Rackas Pate, Orange, Walton, Tomlin and Wood.**

After discussion a motion was made by **Mr. Hollar** and seconded by **Ms. Wood** to impose the following monetary sanctions: \$400.00 penalty for the violation of (Count 1); \$400.00 monetary penalty for the violation of (Count 2); \$1,300.00 for violation of (Count 3); \$500.00 for the violation of (Count 4). A total monetary penalty of \$2,600.00 is imposed. As to Count 1, 2, 3, and 4, the Board voted to require a member of **Responsible Management of James Ralph Sr.** to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board imposed revocation of license 2705-067635 for the violation of Count 4. The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kirby, Modisett, Orange, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Kinser and Smith were absent.**

In the matter of Disciplinary File Number 2006-00873 Paul Vanwey t/a PAV 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
2006-00873
Paul Vanwey
t/a P A V
Construction**

Mr. Michael Clifford Vanwey, Sr. (Respondent) appeared at the Board meeting. He addressed the Board. The presiding Board representative **Mr. Smith** 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 remand this case back to an Informal Fact Finding conference to consider potential change in evidence due to court case currently in progress involving Paul Vanwey, son of Michael Clifford Vanwey, Sr..

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Hart, Kinser, Kirby, Modisett, Rackas Pate, Orange, Walton, Tomlin, Redifer and Wood.** **Smith was absent.**

In the matter of Disciplinary File Number 2005-00755 Alfred E Begley, t/a Begley Brothers 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
2005-00755
Alfred E
Begley, t/a
Begley
Brothers
Builders**

Alfred Begley (Respondent) and his attorney, **William E Bradshaw** appeared at the IFF but did not attend the Board meeting. The presiding Board representatives **Kinser and Wall** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Walton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Alfred E Begley**, violated the following sections of its Regulations:

- (Effective January 1, 2001)**
- 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 5**

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Hart, Kirby, Modisett, Rackas Pate, Orange, Walton, Redifer, Tomlin and Wood.** **Smith was not present.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Falwell** to impose the following monetary sanctions: \$300.00 penalty for the

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violation of (Count 1); \$400.00 monetary penalty for the violation of (Count 2); \$650.00 for violation of (Count 3). A total monetary penalty of \$1,350.00 is imposed. As to Count 1 and 3, the Board voted to require a member of Responsible Management of Alfred E Begley to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board closed Count 4 and 5 with a finding of no violation. The motion was approved unanimously. Members voting "Yes" were: Falwell, Hollar, Kirby, Modisett, Walton, Orange, Redifer, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.

In the matter of Disciplinary File Number 2005-02553 TPD Enterprises LLC, t/a Duradek of Tidewater, 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
2005-02553
TPD
Enterprises
LLC, t/a
Duradek of
Tidewater

Neither TPD Enterprises LLC (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representatives Wall and Wood 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 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 TPD Enterprises LLC, violated the following sections of its Regulations:

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-220 A

Count 2: 18 VAC 50-22-220 A

Count 3: 18 VAC 50-22-220 C

Count 4: 18 VAC 50-22-230 B 9

Count 5: 18 VAC 50-22-260 B 27

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

Count 7: 18 VAC 50-22-260 B 5

The motion was approved by a majority vote. Members voting "Yes" were: Hollar, Hart, Kinser, Modisett, Rackas Pate, Walton, and Tomlin. Members voting "no" were: Kirby, Orange and Falwell.

After discussion a motion was made by Mr. Redifer and seconded by Mr. Hart to impose the following monetary sanctions: \$400.00 penalty for the violation of (Count 1); \$400.00 monetary penalty for the violation of (Count 2); \$400.00 for violation of (Count 3); \$500.00 for the violation of (Count 4); \$700.00 monetary penalty for violation of (Count 5); \$800.00 monetary

penalty for violation of **(Count 6)**; \$1,300.00 monetary penalty for violation of **(Count 7)**. A total monetary penalty of \$4,500.00 is imposed. As to Count 1 through 4, the Board voted to require a **member of Responsible Management of TPD Enterprises LLC** to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board imposed revocation of license 2705-075765 for the violation of Count 5, 6 and 7. The motion was approved by majority vote. Members voting "Yes" were: **Hollar, Kinser, Modisett, Orange, Walton, Tomlin, Redifer, Rackas Pate and Wood. Smith was absent. Kirby, Hart, Orange and Falwell voted "no"**.

In the matter of Disciplinary File Number 2005-02885 Capital Plumbing 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
2005-02885
Capital
Plumbing
Inc**

Neither Capital Plumbing Inc (Respondent) nor anyone on its behalf appeared at the IFF or 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. Hollar** 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 **Capital Plumbing Inc**, violated the following sections of its Regulations:

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-220 B

Count 2: 18 VAC 50-22-220 C

Count 3: 18 VAC 50-22-230 B

Count 4: 18 VAC 50-22-230 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Redifer, Hart, Kinser, Kirby, Modisett, Rackas Pate, Orange, Walton, Tomlin and Wood. Smith was absent.**

After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Redifer** to impose the following monetary sanctions: \$300.00 penalty for the violation of **(Count 1)**; \$700.00 monetary penalty for the violation of **(Count 2)**; \$500.00 for violation of **(Count 3)**; \$1,300.00 for the violation of **(Count 4)**. A total monetary penalty of \$2,800.00 is imposed. As to Count 3, the Board voted to require a **member of Responsible Management of Capital Plumbing Inc** to successfully complete and pass the examination for the

Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board imposed revocation of license 2705-080792 for the violation of Count 1, 2 and 4. The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Redifer, Hart, Tomlin, Orange, Rackas Pate, Walton and Wood. Smith was absent.**

In the matter of Disciplinary File Number 2005-02889, Jason Edward Wheeler, T/a All Around General Construction And Remodeling, the Board reviewed the record, which consisted of the disciplinary file, transcript, the exhibits and the Summary of the Informal Fact Finding Conference of the presiding officer.

**File Number
2005-02889
Jason
Edward
Wheeler, t/a
All Around
General
Construction
And
Remodeling**

Neither Jason Wheeler, t/a All Around General Construction And Remodeling (Respondent) nor anyone on its behalf appeared at the IFF or 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. Hollar** 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 **Jason Edward Wheeler**, violated the following sections of its Regulations:

- (Effective January 1, 2003)**
Count 1: 18 VAC 50-22-260 B 8
Count 2: 18 VAC 50-22-260 B 6
Count 3: 18 VAC 50-22-260 B 9
Count 4: 18 VAC 50-22-230 B 27
Count 5: 18 VAC 50-22-260 B 31
Count 6: 18 VAC 50-22-230 B

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Redifer, Hart, Kinser, Kirby, Modisett, Rackas Pate, Orange, Walton, Tomlin and Wood. Smith was absent.**

After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Orange** to impose the following monetary sanctions: \$400.00 penalty for the violation of (Count 1); \$800.00 monetary penalty for the violation of (Count 2); \$600.00 for violation of (Count 3); \$700.00 for the violation of (Count 4); \$ 400.00 monetary penalty for the violation of (Count 5); \$500.00 monetary penalty for the violation of (Count 6). A total monetary penalty of

\$3,400.00 is imposed. As to Count 1 and 3, the Board voted to require **Jason Edward Wheeler** to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board imposed revocation of license 2705-077435 for the violation of Count 2, 4 and 5. The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Redifer, Hart, Tomlin, Orange, Rackas Pate, Walton and Wood.** Smith was absent.

In the matter of Disciplinary File 2005-0302, Affordable Roofing Inc, t/a Affordable Roofing Inc, the Board reviewed the record, which consisted of the disciplinary file, the exhibits, transcript and the summary of the Informal Fact Finding conference heard by the Hearing officer.

**File Number
2005-03032
Affordable
Roofing Inc
t/a
Affordable
Roofing Inc**

Grover Montgomery, Matt Montgomery on behalf of Affordable Roofing Inc, t/a Affordable Roofing Inc (Respondent) and their attorney, R. Webb Moore appeared at the IFF but not the Board meeting. The presiding Board representative Mrs. Wall and Mr. Smith 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. 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 **Affordable Roofing Inc**, violated the following sections of its Regulations:

(Effective January 1, 2003)

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

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

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

The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Hollar, Redifer, Hart, Kinser, Kirby, Rackas Pate, Orange, Walton, Tomlin and Wood.** Smith was absent. **Mr. Modisett abstained.**

After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Redifer** to impose the following monetary sanctions: \$1,300.00 penalty for the violation of (Count 1); \$800.00 monetary penalty for the violation of (Count 2); \$1,700.00 for violation of (Count 3). A total monetary penalty of \$3,800.00 is imposed. As to Counts 1, 2 and 3, the Board voted to require a member of Responsible Management of Affordable Roofing to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The motion was approved with a majority vote. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Orange, Redifer, Hart, Tomlin, Orange, Rackas Pate, Walton and Wood.** Smith was absent. **Mr. Modisett abstained.**

In the matter of Disciplinary File 2005-03822, Mallicott & Associates Incorporated, t/a Mallicott & Associates Incorporated, the Board reviewed the disciplinary file, which consists of the complete file, transcript, exhibits and the summary of the Informal Fact Finding Conference of the Board's Hearing Officer.

File Number
2005-03822
Mallicott & Associates Incorporated, t/a Mallicott & Associates Incorporated

Patton Mallicott on behalf of Mallicott & Associates Incorporated (Respondent) appeared at the IFF but not the Board meeting. Ivan Archibald (Complainant) attended the IFF and the Board meeting. He addressed the Board. The presiding Board representative Mrs. Wall and Mr. Falwell 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 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 Mallicott & Associates Incorporated, violated the following sections of its Regulations:

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-260 B 29 (two counts)

Count 3: 18 VAC 50-22-260 B 25

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

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

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

The motion was approved by a unanimous vote. Members voting "Yes" were: Redifer, Hollar, Hart, Kinser, Kirby, Modisett, Rackas Pate, Orange, Walton, Tomlin and Wood. Smith was absent.

After discussion a motion was made by Mr. Hollar and seconded by Mr. Hart to impose the following monetary sanctions: \$500.00 (= 2X \$250.00 each) monetary penalty for the violation of (Count 1); \$500.00 monetary penalty for the violation of (Count 3); \$1,000.00 for violation of (Count 4); \$1,000.00 for the violation of (Count 5); \$1,500.00 monetary penalty for the violation of (Count 6). A total monetary penalty of \$4,500.00 is imposed. As to Count 1, the Board voted to requires Mallicott & Associates Incorporated to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board imposed revocation of license 2705-026392 for the violation of Count 3, 4 and 5. The motion was approved unanimously. Members voting "Yes" were: Hollar, Kinser, Kirby, Modisett, Orange, Redifer, Hart, Tomlin, Orange, Rackas Pate, Walton and Wood. Smith was absent.

In the matter of Disciplinary File Number 2005-03941, Mark A Graves, t/a Elite Paving Co, the Board reviewed the disciplinary file which consisted of: the transcript, exhibits, complete file and the summary from the Informal Fact Finding Conference of the Board's Hearing Officer.

**File Number
2005-03941
Mark A
Graves t/a
Elite Paving
Co**

Neither Mark A Graves, t/a Elite Paving Co (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representatives Mrs. Wall and Mr. Kinser were not present, did not participate in the discussion and did not vote. Mr. Orange chaired this case.

After discussion, a motion was made by Mr. Redifer and seconded by Mr. Walton to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Mark A Graves, violated the following sections of its Regulations:

(Effective January 1, 2003)

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 was approved by a unanimous vote. Members voting "Yes" were: Falwell, Hollar, Redifer, Hart, Kirby, Modisett, Rackas Pate, Orange, Walton, Tomlin and Wood. Smith was absent.

After discussion a motion was made by Mr. Hollar and seconded by Mr. Kirby to impose the following monetary sanctions: \$600.00 penalty for the violation of (Count 1); \$1,900.00 monetary penalty for the violation of (Count 2); \$2,000.00 for violation of (Count 3). A total monetary penalty of \$4,500.00 is imposed. As to Count 1, the Board voted to requires Mark A Graves to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board imposed revocation of license 2705-068507 for the violation of Count 2 and 3. The motion was approved unanimously. Members voting "Yes" were: Falwell, Hollar, Kirby, Modisett, Orange, Redifer, Hart, Tomlin, Orange, Rackas Pate, Walton and Wood. Smith was absent.

**File Number
2005-00504**

**Water
Works Of
Roanoke
Inc.**

In the matter of Disciplinary File Number 2005-05109, Robert C McIntire t/a Robert C McIntire Roofing & Siding, the Board reviewed the complete file which includes the transcript, the disciplinary file, exhibits and the summary from the Informal Fact Finding Conference of the Board's Hearing Officer.

**File Number
2005-05109
Robert C
McIntire t/a
Robert C
McIntire
Roofing &
Siding**

Neither Robert C McIntire t/a Robert C McIntire Roofing & Siding (Respondent) nor anyone on its behalf appeared at the IFF or 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. Hollar** 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 **Robert C McIntire**, violated the following sections of its Regulations:

(Effective January 1, 2003)

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 14

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

Count 5: 18 VAC 50-22-230 B

The motion was approved by a unanimous vote. Members voting "Yes" were: **Falwell, Hollar, Redifer, Hart, Kinser, Kirby, Modisett, Rackas Pate, Orange, Walton, Tomlin and Wood. Smith was absent.**

After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Redifer** to impose the following monetary sanctions: \$400.00 penalty for the violation of (Count 1); \$600.00 monetary penalty for the violation of (Count 2); \$1,900.00 monetary penalty for the violation of (Count 3); \$2,000.00 monetary penalty for the violation of (Count 4), \$500.00 monetary penalty for the violation of (Count 5). A total monetary penalty of \$5,400.00 is imposed. As to Counts 1, 2 and 5, the Board voted to require **Robert C McIntire** to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The Board imposed revocation of license 2705-041576 for the violation of Counts 3 and 4. The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Redifer, Hart, Tomlin, Orange, Rackas Pate, Walton and Wood. Smith was absent.**

In the matter of Disciplinary File Number 2006-0064, James McGhee t/a Personalized Custom Building. This case was postponed to the July 25, 2006 Board meeting.

**File Number
2006-00064
James
McGhee t/a
Personalized
Custom
Building**

In the matter of Disciplinary File Number 2006-00290, Karen Lynn Fritch, t/a Evergreen Sprinkler System, the Board reviewed the disciplinary file. The file consisted of the transcript, exhibits, the complete file and the summary of the Informal Fact Finding Conference of the Board's Hearing Officer.

**File Number
2006-00290
Karen Lynn
Fritch, t/a
Evergreen
Sprinkler
System**

Neither Karen Fritch, t/a Evergreen Sprinkler System (Respondent) nor anyone on its behalf appeared at the IFF or 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. Hollar and seconded by Mr. Walton to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Karen Lynn Fritch, violated the following sections of its Regulations:

- (Effective May 1, 1999)**
- Count 1: 18 VAC 50-22-260 B 2**
- (Effective September 1, 2001)**
- Count 2: 18 VAC 50-22-260 B 28**
- (Effective January 1, 2003)**
- Count 3: 18 VAC 50-22-260 B 28**
- Count 4: 18 VAC 50-22-260 B 2**

The motion was approved by a unanimous vote. Members voting "Yes" were: Falwell, Hollar, Redifer, Hart, Kinser, Kirby, Modisett, Rackas Pate, Orange, Walton, Tomlin and Wood. Smith was absent.

After discussion a motion was made by Mr. Hollar and seconded by Mr. Orange to impose the following monetary sanctions: \$600.00 penalty for the violation of (Count 1); \$2,000.00 monetary penalty for the violation of (Count 2); \$2,000.00 for violation of (Count 3); \$500.00 for the violation of (Count 4). A total monetary penalty of \$5,100.00 is imposed. The Board imposed revocation of license 2705-051542 for the violation of Count 1 through 4. The motion was approved unanimously Members voting "Yes" were: Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Redifer, Hart,

Tomlin, Orange, Rackas Pate, Walton and Wood. Smith was absent.

In the matter of Disciplinary File Number 2006-02714, Randy D Webb, t/a Webb's Windows, the Board reviewed the disciplinary file which consists of the complete file, transcript, exhibits, summary of the Informal Fact Finding Conference of the Board's hearing officer.

**File Number
2006-02714
Randy D
Webb t/a
Webb's
Windows**

Randy Webb t/a Webb's Windows (Respondent) and attorney Rosenthal appeared at the IFF but not the Board meeting. The presiding Board representatives Mrs. Wall and Mr. Kinser was not present, did not participate in the discussion and did not vote. Mr. Orange chaired this case.

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 with Recommendations. The Board found Randy D Webb, violated the following sections of its Regulations:

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

The motion was approved by a unanimous vote. Members voting "Yes" were: Falwell, Hollar, Redifer, Hart, Kirby, Modisett, Rackas Pate, Orange, Walton, Tomlin and Wood. Smith was absent.

After discussion a motion was made by Mr. Hollar and seconded by Mr. Redifer to impose the following monetary sanctions: \$100.00 penalty for the violation of (Count 1). A total monetary penalty of \$100.00 is imposed. As to Count 1, the Board voted to require Randy D Webb to successfully complete and pass the examination for the Board's Basic Contractor Licensing class (remedial education) within six (6) months of the entry of the Final Order. The motion was approved unanimously. Members voting "Yes" were: Falwell, Hollar, Kirby, Modisett, Orange, Redifer, Hart, Tomlin, Orange, Rackas Pate, Walton and Wood. Smith was absent.

In the matter of Disciplinary File 2006-01266, Jeffco Heating and Air Conditioning, 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
2006-01266
Jeffco
Heating and
Air
Conditioning
Reconvened**

James Jeffrey was present at the Board meeting for Jeffco Heating and Air Conditioning (Respondent). He addressed the Board. After discussion, Mr. Hollar made a motion, seconded by, Mr. Kirby to close this case with a finding of no violation. The vote was unanimous. Members voting "yes"

were: **Falwell, Hollar, Redifer, Tomlin, Walton, Wood, Kinser, Kirby, Rackas Pate, Orange and Modisett. Smith was absent.** Mr. Hart the Board's hearing officer was not present and did not vote.

In the matter of Consent Order File Number 2005-02700 Board v. Annon Rich Corporation, t/a Annon Rich Corporation, the board reviewed the Consent Order. Annon Rich Corporation acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B 6 \$700.00; Count 2: 18 VAC 50-22-260.B.27 \$500.00; Count 3: 18 VAC 50-22-260.B.27 \$500.00; and Count 4: 18 VAC 50-22-260.B.27 \$500.00. A total monetary penalty of \$2,200.00 is hereby imposed. In addition, for the violation of Counts 1 – 4, Annon Rich Corporation agrees to revocation of its license (Number 2705-080158). Annon Rich Corporation also agrees to pay \$150.00 in Board costs.

**File Number
2005-02700
Annon Rich
Corporation**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hollar, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2005-03938 Board v. David L Hill & Daniel W Reynolds, t/a Economy Home Maintenance, the board reviewed the Consent Order. David L Hill & Daniel W Reynolds, t/a Economy Home Maintenance acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B 8 \$250.00. A total monetary penalty of \$250.00 is hereby imposed. In addition, for the violation of Count 1, David L Hill & Daniel W Reynolds agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. David L Hill & Daniel W Reynolds also agree to pay \$150.00 in Board costs. As the hearing officer of this case, Mr. Falwell was not present, did not vote and did not participate.

**File Number
2005-03938
David L Hill
& Daniel W
Reynolds**

Upon a motion by **Mr. Hart** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Hollar, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2005-03954 Board v. Lewis

File Number

J Gearhart Jr., t/a Dream Quest, the board reviewed the Consent Order. **Lewis J Gearhart Jr., t/a Dream Quest** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.8 \$100.00; Count 2: 18 VAC 50-22-260.B.27 \$250.00; Count 3: 18 VAC 50-22-260.B.6 \$350.00; Count 4: 18 VAC 50-22-260.B.5 \$350.00; Count 5: 18 VAC 50-22-260.B.25 \$350.00; and Count 6: 18 VAC 50-22-260.B.14 \$250.00. A total monetary penalty of \$1,650.00 is hereby imposed. In addition, for violations of Counts 4 – 6, Lewis J Gearhart Jr. agrees to two (2) year probation of his license (Number 2705-086635) as of the effective date of this Order. During this two (2) year probation, Lewis J Gearhart Jr. agrees to:**

- (1) Comply with the rules and regulations of the Board for Contractors, and;**
- (2) Not be in violation of any local, state, or federal laws or regulations.**

**2005-03954
Lewis J
Gearhart Jr.**

If Lewis J Gearhart Jr. violates any terms of this probation, his license (Number 2705-086635) shall be automatically revoked. Lewis J Gearhart Jr. understands the right to have this revocation considered in an informal fact-finding conference and/or formal hearing under Sections 2.2-4019, 2.2-4020, and 2.2-4021 of the Code of Virginia, and knowingly and voluntarily waives his rights to these proceedings. Lewis J Gearhart Jr. also agrees to pay \$150.00 in Board costs.

Upon a motion by **Mr. Hart** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** As the hearing officer **Mr. Falwell** did not participate and did not vote. **Mr. Smith** was absent.

In the matter of Consent Order File Number 2005-04213 Board v. Mark T Holmes, t/a The Woodbore, the board reviewed the Consent Order. **Mark T Holmes, t/a The Woodbore** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-220.B \$700.00; and Count 2: 18 VAC 50-22-260.B.13 \$1,300.00. A total monetary penalty of \$2,000.00 is hereby imposed. In addition, for the violation of Count 1, Mark T Holmes agrees to suspension of his license (Number 2705-074266) until he reports a change in the designated employee. In addition, Mark T Homes agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Mark T Holmes also agrees to pay \$150.00 in Board costs.**

**File Number
2005-04213
Mark T
Holmes**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the

consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hollar, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** As the hearing officer, Mr. Smith did not participate and did not vote, he was absent.

In the matter of Consent Order File Number 2005-04505 Board v. John Meeker, t/a The Halsey Company, the board reviewed the Consent Order. John Meeker, t/a The Halsey Company acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B 6 \$0.00; and Count 2: VAC 50-22-260.B.31 \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, for the violation of Count 1, John Meeker, t/a The Halsey Company agrees to provide a copy of his current contract within thirty (30) days of the effective date of this Order. Also, for the violation of Counts 1 and 2, John Meeker, agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order.

**File Number
2005-04505
John Meeker**

John Meeker also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hollar, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** As the hearing officer, Mr. Smith was absent, he did not participate and did not vote.

In the matter of Consent Order File Number 2005-04852 Board v. Douglas George Ferguson, t/a Kempsville Contracting Services Inc., the board reviewed the Consent Order. Douglas George Ferguson, t/a Kempsville Contracting Services Inc. acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B 9 \$200.00; Count 2: 18 VAC 50-22-230.A \$200.00; and Count 3: 18 VAC 50-22-260.B.6 \$200.00. A total monetary penalty of \$600.00 is hereby imposed. In addition, remedial education is waived due to Ferguson's requirement to take remedial education in file #2005-04822. Douglas George Ferguson also agrees to pay \$150.00 in Board costs.

**File Number
2005-04852
Douglas
George
Ferguson**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hollar, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** Mr. Smith was absent.

In the matter of Consent Order File Number 2005-04962 Board v. TDR

File Number

Systems Inc, the board reviewed the Consent Order. **TDR Systems Inc.** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-220.B 8 \$250.00; and Count 2: 18 VAC 50-22-220.C \$250.00** A total monetary penalty of **\$500.00** is hereby imposed. In addition, **TDR Systems Inc** agrees to have a member of **Responsible Management** successfully complete remedial education by attending the Board's **Basic Contractor Licensing class** and passing the examination within six (6) months of the effective date of this Order. Also, **TDR Systems Inc** also agrees to report a change in the designated employee and qualified individual within thirty (30) days of the effective date of this Order. **TDR Systems Inc** also agrees to pay **\$150.00** in Board costs.

**2005-04962
TDR
Systems Inc**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hollar, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** **Mr. Smith** was absent.

In the matter of Consent Order File Number **2006-00526, Board v. The In the matter of Consent Order File Number 2006-00057 Board v. Angela M Williams, t/a Mark's Remodeling & Landscaping**, the board reviewed the Consent Order. **Angela M Williams, t/a Mark's Remodeling & Landscaping** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B 27 \$400.00; and Count 2: 18 VAC 50-22-260.B.8 (Two Violations @ \$200.00 each) \$400.00.** A total monetary penalty of **\$800.00** is hereby imposed. In addition, **Angela M Williams** agrees to successfully complete remedial education by attending the Board's **Basic Contractor Licensing class** and passing the examination within six (6) months of the effective date of this Order. **Angela M Williams** also agrees to pay **\$150.00** in Board costs.

File Number
**2006-00057
Angela M
Williams**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hollar, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** **Mr. Smith** was absent.

In the matter of Consent Order File Number **2006-00180 Board v. Daniel M Lopez, t/a Virginia Design Builders**, the board reviewed the Consent Order. **Daniel M Lopez, t/a Virginia Design Builders** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.9 \$100.00; and Count 2 18 VAC 50-22-260.B.31 (Two Violations @ \$200.00 each) \$400.00** A total monetary penalty of **\$500.00** is hereby imposed. In addition, **Daniel**

File Number
**2006-00180
Daniel M
Lopez**

M Lopez agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Daniel M Lopez also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hollar, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-00325 Board v. Patrick Smith, t/a G & P Asphalt, the board reviewed the Consent Order. Patrick Smith, t/a G & P Asphalt acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.2 \$300.00; Count 2: 18 VAC 50-22-260.B.8 \$200.00; and Count 3 18 VAC 50-22-260.B.17 \$500.00. A total monetary penalty of \$1,000.00 is hereby imposed. In addition, the Board shall waive imposition of the \$300.00 monetary penalty for Count 1 provided Patrick Smith reports his current mailing and/or physical address to the Board, in writing, within thirty (30) days of the effective date of this Order. If Smith fails to comply with this condition, then the full monetary penalty will be automatically imposed. In addition, for violation of Counts 1 – 3, Patrick Smith agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order.

**File Number
2006-00325
Patrick
Smith**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hollar, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Walton and Wood. Mr. Smith was absent. As hearing officers, Mr. Redifer and Ms. Wall did not participate and did not vote.**

In the matter of Consent Order File Number 2006-00350, Board v. James McGhee, t/a Personalized Custom Building, the board voted to refer this case to the July 25, 2006 Board meeting. Mr. McGhee had a continuance that was granted on his companion case 2006-00064.

**File Number
2006-00350
James
McGhee**

After discussion a motion was made by Mr. Falwell and seconded by Mr. Hollar to hear this case on July 25, 2006. The motion passed unanimously. Members voting "yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton, and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-00391 Board v. The

File Number

Rust Construction Company Inc, t/a The Rust Construction Company Inc, the board reviewed the Consent Order. The Rust Construction Company Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.31 \$1,500.00. A total monetary penalty of \$1,500.00 is hereby imposed. In addition, for violation of Count 1, The Rust Construction Company Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. The Rust Construction Company Inc also agrees to pay \$150.00 in Board costs.

**2006-00391
The Rust
Construction
Company
Inc**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.

In the matter of Consent Order File Number 2006-00578 Board v. The Lloyd R Ange Sr & Beverly B Ange the board reviewed the Consent Order. The Rust Construction Company Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.15 \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, for violation of Count 1, Lloyd R Ange Sr & Beverly B Ange agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. It is noted that Lloyd R Ange Sr & Beverly B Ange completed the work but failed to comply with the terms in the contract. Lloyd R Ange Sr & Beverly B Ange refunded the entire contract price of \$18,257.00 to Mark Roderick.

**File Number
2006-00578
Lloyd R
Ange Sr &
Beverly B
Ange**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, and Walton. As the hearing officer, Ms. Wood did not participate and did not vote. Mr. Smith was absent.

In the matter of Consent Order File Number 2006-00884 Board v. Windows Direct of Fredericksburg LLC, t/a Windows Direct of Fredericksburg LLC, the board reviewed the Consent Order. T Windows Direct of Fredericksburg LLC acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.30 \$0.00. A total monetary penalty of \$0.00 is hereby imposed.

**File Number
2006-00884
Windows
Direct of
Fredericksb
urg LLC**

In addition, for violation of Counts 1 and 2, Windows Direct of Fredericksburg LLC agrees to revocation of its license (Number 2705-051403). Windows Direct of Fredericksburg LLC also agrees to pay \$75.00 in Board costs.

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** **Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01268 Board v. Patrick Smith, t/a G & P Asphalt, the board reviewed the Consent Order. Patrick Smith, t/a G & P Asphalt acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.8 \$200.00; Count 2: 18 VAC 50-22-260.B.17 \$500.00; Count 3: 18 VAC 50-22-260.B.27 \$350.00; and Count 4: 18 VAC 50-22-260.B.13 \$300.00. A total monetary penalty of \$1,350.00 is hereby imposed. In addition, for violation of Counts 1-4, Patrick Smith agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order.

**File Number
2006-01268
Patrick
Smith**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** **As the hearing officer, Ms. Wall did not participate and did not vote. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01297 Board v. All American Enterprises Inc, t/a All American Enterprises Inc, the board reviewed the Consent Order. All American Enterprises Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.31 \$388.00. A total monetary penalty of \$388.00 is hereby imposed. In addition, for violation of Count 1, All American Enterprises Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. All American Enterprises Inc also agrees to pay \$150.00 in Board costs.

**File Number
2006-01297
All
American
Enterprises
Inc**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** **Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01307 Board v. Billy W Schley, t/a Billy W Schley, the board reviewed the Consent Order. Billy W Schley, t/a Billy W Schley acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-230.A \$100.00; and Count 2: 18 VAC 50-22-260.B.6 \$200.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, Billy W Schley agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Billy W Schley also agrees to pay \$150.00 in Board costs.

**File Number
2006-01307
Billy W
Schley**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Walton and Wood. As the hearing officer, Mr. Redifer did not participate and did not vote. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01331 Board v. Lynda Howell, t/a Premier Restoration, the board reviewed the Consent Order. Lynda Howell, t/a Premier Restoration acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.27 \$750.00; and Count 2: 18 VAC 50-22-260.B.29 \$600.00. A total monetary penalty of \$1,350.00 is hereby imposed. In addition, Lynda Howell agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Lynda Howell also agrees to pay \$150.00 in Board costs.

**File Number
2006-01331
Lynda
Howell**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01334 Board v. Kenneth C Miller, t/a Sturdy Structures of Va., the board reviewed the Consent Order. Kenneth C Miller, t/a Sturdy Structures of Va acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board. Count 1: 18 VAC 50-22-260.B.9 \$150.00; and Count 2: 18 VAC 50-22-260.B.16 \$800.00. A total monetary penalty of \$950.00 is hereby imposed. In addition, for violation of Count 1, Kenneth

**File Number
2006-01334
Kenneth C
Miller**

C Miller agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. For violation of Count 2, Kenneth C Miller agrees to reimburse \$2,990.00 to Kathy E Eker and provide the Board with proof of payment within sixty (60) days of the effective date of this Order. Kenneth C Miller understands and agrees that failure to reimburse Eker in full and provide the Board with proof of reimbursement within 60 days of the effective date of this Order will result in the revocation of his license (Number 2705-088426). Kenneth C Miller also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. As the hearing officer, Mr. Kinser did not participate and did not vote. Mr. Smith was absent.

In the matter of Consent Order File Number 2006-01453 Board v. Jaxon enterprises Inc, t/a Jaxon Home Remedies, the board reviewed the Consent Order. Jaxon enterprises acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.27 \$200.00; and Count 2: 18 VAC 50-22-260.B.9 \$100.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, for violation of Count 1, Jackson agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Jackson also agrees to pay \$150.00 in Board costs.

**File Number
2006-01453
Jaxon
Enterprises
Inc**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.

In the matter of Consent Order File Number 2006-01575 Board v. Allen Neal Falls, t/a Vinyl Solutions, the board reviewed the Consent Order. Allen Neal Falls, t/a Vinyl Solutions acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.27 \$800.00. A total monetary penalty of \$800.00 is hereby imposed. In addition, for violation of Count 1, Allen Neal Falls agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Allen Neal Falls also agrees to

**File Number
2006-01575
Allen Neal
Falls**

pay \$150.00 in Board costs.

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** Mr. Smith was absent.

In the matter of Consent Order File Number 2006-01597 Board v. C Thomas Construction Inc, the board reviewed the Consent Order. **C Thomas Construction Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.28 \$2,000.00. A total monetary penalty of \$2,000.00 is hereby imposed. In addition, the Board shall waive imposition of the \$2,000.00 monetary penalty for Count 1 provided C Thomas Construction Inc satisfies the judgment and provides the Board with proof of the satisfaction within ten (10) days of the effective date of this Order. If C Thomas Construction Inc fails to comply with these conditions, then the full monetary penalty will be automatically imposed and its license (Number 2705-068465) will be automatically revoked.**

File Number
2006-01597
C Thomas
Construction
Inc

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Walton and Wood.** As the hearing officer, **Ms. Tomlin** did not participate and did not vote. Mr. Smith was absent.

In the matter of Consent Order File Number 2006-01630 Board v. Joel B Smith, t/a Joel S Home Repair, the board reviewed the Consent Order. **Joel B Smith, t/a Joel S Home Repair** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.9 \$400.00; Count 2: 18 VAC 50-22-260.B.27 \$400.00; Count 3: 18 VAC 50-22-260.B.29 \$300.00; Count 4: 18 VAC 50-22-260.B.14 \$1,500.00; Count 5: 18 VAC 50-22-260.B.15 \$500.00; and Count 6: 18 VAC 50-22-260.B.16 \$0.00. A total monetary penalty of \$3,100.00 is hereby imposed. In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 1 provided Joel B Smith provides a copy of a revised contract within thirty (30) days of the effective date of this Order. If Joel B Smith fails to comply with this condition, then the full monetary penalty will be automatically imposed. In addition, for violation of Counts 1 - 6, Joel B Smith agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Joel B Smith also agrees to pay \$300.00 in Board costs.**

File Number
2006-01630
Joel B Smith

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** As the hearing officer, **Mr. Smith** was absent, he did not participate and did not vote.

In the matter of Consent Order File Number 2006-00391 Board v. The Rust Construction Company Inc, t/a The Rust Construction Company Inc, the board reviewed the Consent Order. The Rust Construction Company Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.31 \$1,500.00. A total monetary penalty of \$1,500.00 is hereby imposed. In addition, for violation of Count 1, The Rust Construction Company Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. The Rust Construction Company Inc also agrees to pay \$150.00 in Board costs.

**File Number
2006-00391
The Rust
Construction
Company
Inc**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** **Mr. Smith** was absent.

In the matter of Consent Order File Number 2006-00578 Board v. The Lloyd R Ange Sr & Beverly B Ange the board reviewed the Consent Order. The Rust Construction Company Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.15 \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, for violation of Count 1, Lloyd R Ange Sr & Beverly B Ange agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. It is noted that Lloyd R Ange Sr & Beverly B Ange completed the work but failed to comply with the terms in the contract. Lloyd R Ange Sr & Beverly B Ange refunded the entire contract price of \$18,257.00 to Mark Roderick.

**File Number
2006-00578
Lloyd R
Ange Sr &
Beverly B
Ange**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, and Walton.** **Ms. Wood** did not participate and did not vote. **Mr. Smith** was absent.

In the matter of Consent Order File Number 2006-00884 Board v. Windows Direct of Fredericksburg LLC, t/a Windows Direct of Fredericksburg LLC, the board reviewed the Consent Order. T Windows Direct of Fredericksburg LLC acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.30 \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, for violation of Counts 1 and 2, Windows Direct of Fredericksburg LLC agrees to revocation of its license (Number 2705-051403). Windows Direct of Fredericksburg LLC also agrees to pay \$75.00 in Board costs.

**File Number
2006-00884
Windows
Direct of
Fredericksb
urg LLC**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.

In the matter of Consent Order File Number 2006-01268 Board v. Patrick Smith, t/a G & P Asphalt, the board reviewed the Consent Order. Patrick Smith, t/a G & P Asphalt acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.8 \$200.00; Count 2: 18 VAC 50-22-260.B.17 \$500.00; Count 3: 18 VAC 50-22-260.B.27 \$350.00; and Count 4: 18 VAC 50-22-260.B.13 \$300.00. A total monetary penalty of \$1,350.00 is hereby imposed. In addition, for violation of Counts 1-4, Patrick Smith agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order.

**File Number
2006-01268
Patrick
Smith**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Ms. Wall did not participate and did not vote. Mr. Smith was absent.

In the matter of Consent Order File Number 2006-01297 Board v. All American Enterprises Inc, t/a All American Enterprises Inc, the board reviewed the Consent Order. All American Enterprises Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.31 \$388.00. A total monetary penalty of \$388.00 is hereby imposed. In addition, for violation of Count 1, All American Enterprises Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the

**File Number
2006-01297
All
American
Enterprises
Inc**

Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. All American Enterprises Inc also agrees to pay \$150.00 in Board costs.

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01307 Board v. Billy W Schley, t/a Billy W Schley, the board reviewed the Consent Order. Billy W Schley, t/a Billy W Schley acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-230.A \$100.00; and Count 2: 18 VAC 50-22-260.B.6 \$200.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, Billy W Schley agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Billy W Schley also agrees to pay \$150.00 in Board costs.

**File Number
2006-01307
Billy W
Schley**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Walton and Wood. Mr. Redifer did not participate and did not vote. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01331 Board v. Lynda Howell, t/a Premier Restoration, the board reviewed the Consent Order. Lynda Howell, t/a Premier Restoration acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.27 \$750.00; and Count 2: 18 VAC 50-22-260.B.29 \$600.00. A total monetary penalty of \$1,350.00 is hereby imposed. In addition, Lynda Howell agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Lynda Howell also agrees to pay \$150.00 in Board costs.

**File Number
2006-01331
Lynda
Howell**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01334 Board v. Kenneth C Miller, t/a Sturdy Structures of Va., the board reviewed the Consent Order. Kenneth C Miller, t/a Sturdy Structures of Va acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.9 \$150.00; and Count 2: 18 VAC 50-22-260.B.16 \$800.00. A total monetary penalty of \$950.00 is hereby imposed. In addition, for violation of Count 1, Kenneth C Miller agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. For violation of Count 2, Kenneth C Miller agrees to reimburse \$2,990.00 to Kathy E Eker and provide the Board with proof of payment within sixty (60) days of the effective date of this Order. Kenneth C Miller understands and agrees that failure to reimburse Eker in full and provide the Board with proof of reimbursement within 60 days of the effective date of this Order will result in the revocation of his license (Number 2705-088426). Kenneth C Miller also agrees to pay \$150.00 in Board costs.

**File Number
2006-01334
Kenneth C
Miller**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Kinser did not participate and did not vote. Mr. Smith was absent.

In the matter of Consent Order File Number 2006-01453 Board v. Jaxon enterprises Inc, t/a Jaxon Home Remedies, the board reviewed the Consent Order. Jaxon enterprises acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.27 \$200.00; and Count 2: 18 VAC 50-22-260.B.9 \$100.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, for violation of Count 1, Jackson agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Jackson also agrees to pay \$150.00 in Board costs.

**File Number
2006-01453
Jaxon
Enterprises
Inc**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.

In the matter of Consent Order File Number 2006-01575 Board v. Allen Neal Falls, t/a Vinyl Solutions, the board reviewed the Consent Order. Allen

**File Number
2006-01575**

Neal Falls, t/a Vinyl Solutions acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.27 \$800.00. A total monetary penalty of \$800.00 is hereby imposed. In addition, for violation of Count 1, Allen Neal Falls agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Allen Neal Falls also agrees to pay \$150.00 in Board costs.**

**Allen Neal
Falls**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01597 Board v. C Thomas Construction Inc, the board reviewed the Consent Order. **C Thomas Construction Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.28 \$2,000.00. A total monetary penalty of \$2,000.00 is hereby imposed. In addition, the Board shall waive imposition of the \$2,000.00 monetary penalty for Count 1 provided C Thomas Construction Inc satisfies the judgment and provides the Board with proof of the satisfaction within ten (10) days of the effective date of this Order. If C Thomas Construction Inc fails to comply with these conditions, then the full monetary penalty will be automatically imposed and its license (Number 2705-068465) will be automatically revoked.**

**File Number
2006-01597
C Thomas
Construction
Inc**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Walton and Wood. Ms. Tomlin did not participate and did not vote. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01630 Board v. Joel B Smith, t/a Joel S Home Repair, the board reviewed the Consent Order. **Joel B Smith, t/a Joel S Home Repair** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.9 \$400.00; Count 2: 18 VAC 50-22-260. B.27 \$400.00; Count 3: 18 VAC 50-22-260. B.29 \$300.00; Count 4: 18 VAC 50-22-260. B.14 \$1,500.00; Count 5: 18 VAC 50-22-260. B.15 \$500.00; and Count 6: 18 VAC 50-22-260. B.16 \$0.00. A total monetary penalty of \$3,100.00 is hereby imposed. In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 1 provided Joel B Smith provides a**

**File Number
2006-01630
Joel B Smith**

copy of a revised contract within thirty (30) days of the effective date of this Order. If Joel B Smith fails to comply with this condition, then the full monetary penalty will be automatically imposed. In addition, for violation of Counts 1 - 6, Joel B Smith agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Joel B Smith also agrees to pay \$300.00 in Board costs.

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01631 Board v. Charles Robin Hale, t/a Lake Construction, Inc the board reviewed the Consent Order. Charles Robin Hale, t/a Lake Construction Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.8 \$100.00. A total monetary penalty of \$100.00 is hereby imposed. In addition, for violation of Count 1, Charles Robin Hale agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Charles Robin Hale also agrees to pay \$150.00 in Board costs.

**File Number
2006-01631
Charles
Robin Hale**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01645 Board v. Independent Replacement Services Inc the board reviewed the Consent Order. Independent Replacement Services Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.8 \$350.00; Count 2: 18 VAC 50-22-260.B.9 \$550.00; and Count 3: 18 VAC 50-22-260.B.31 \$300.00. A total monetary penalty of \$1,200.00 is hereby imposed. In addition, Independent replacement Services Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Independent Replacement Services Inc also agrees to pay \$150.00 in Board costs.

**File Number
2006-01645
Independent
Replacement
Services Inc**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01661 Board v. David Arrowood, t/a David's Home Repairs the board reviewed the Consent Order. **Arrowood, t/a David's Home Repairs** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.8 \$200.00. A total monetary penalty of \$200.00 is hereby imposed. In addition, for violation of Count 1, Arrowood agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. David Arrowood also agrees to pay \$150.00 in Board costs.**

**File Number
2006-01661
David
Arrowood**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01703 Board v. Brian Christopher Owens, t/a Professional Services the board reviewed the Consent Order. **Brian Christopher Owens, t/a Professional Services** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.9 \$300.00; and Count 2: 18 VAC 50-22-260.B.27 \$300.00. A total monetary penalty of \$600.00 is hereby imposed. In addition, for violation of Counts 1 and 2, Brian Christopher Owens agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Brian Christopher Owens also agrees to pay \$150.00 in Board costs.**

**File Number
2006-01703
Brian
Christopher
Owens**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01743 Board v. Robert N Thacker, t/a Thacker Masonry the board reviewed the Consent Order. **Robert N Thacker, t/a Thacker Masonry** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board:

**File Number
2006-01743
Robert N
Thacker**

Count 1: 18 VAC 50-22-260. B.8 \$350.00; and Count 2: 18 VAC 50-22-260.B.6 \$500.00. A total monetary penalty of \$850.00 is hereby imposed. In addition, Robert N Thacker agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Robert N Thacker also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-01868 Board v. Samuel S Greene, t/a Greene S Excavating the board reviewed the Consent Order. Samuel S Greene, t/a Greene S Excavating acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.27 \$0.00; Count 2: 18 VAC 50-22-260.B.27 \$0.00; Count 3: 18 VAC 50-22-260.B.9 \$0.00; Count 4: 18 VAC 50-22-260.B.31 \$0.00; Count 5: 18 VAC 50-22-260.B.6 \$0.00; and Count 6: 18 VAC 50-22-260.B.13 \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, for violation of Count 1 - 6, Samuel S Greene agrees to revocation of his license (Number 2705-065893). Samuel S Greene also agrees to pay \$150.00 in Board costs.

**File Number
2006-01868
Samuel S
Greene**

Upon a motion by Mr. Hart seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. As the hearing officer, Mr. Falwell did not participate and did not vote. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-02226 Board v. Wholesale Lighting Services Inc, the board reviewed the Consent Order. Wholesale Lighting Services Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-220.C \$500.00. A total monetary penalty of \$500.00 is hereby imposed. In addition, Wholesale Lighting Services Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. In addition, Wholesale Lighting Services Inc agrees to report a change in the qualified individual within thirty (30) days of the effective date of this Order. Wholesale Lighting Services Inc also agrees to pay \$150.00 in Board costs.

**File Number
2006-02226
Wholesale
Lighting
Services Inc**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** **Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-02239 Board v. Smithworks & Co LLC, t/a Smithworks & Co LLC the board reviewed the Consent Order. **Smithworks & Co LLC, t/a Smithworks & Co LLC** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.9 \$250.00; Count 2: 18 VAC 50-22-260.B.18 \$500.00; and Count 3: 18 VAC 50-22-260.B.19 \$500.00. A total monetary penalty of \$1,250.00 is hereby imposed. In addition, for violation of Count 2, Smithworks & Co LLC, t/a Smithworks & Co LLC agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Smithworks & Co LLC, t/a Smithworks & Co LLC also agrees to pay \$150.00 in Board costs.**

File Number
2006-02239
Smithworks
& Co LLC

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** **Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-02274 Board v. Bud J Campbell, t/a Pool Crafts, the board reviewed the Consent Order. **Charles Bud J Campbell, t/a Pool Crafts** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.9 \$300.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, Bud J Campbell agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Bud J Campbell also agrees to pay \$150.00 in Board costs.**

File Number
2006-02274
Bud J
Campbell

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** **Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-02303 Board v. Custom Home Builders of Virginia Inc, t/a Custom Home Builders of Virginia Inc, the board reviewed the Consent Order. **Custom Home**

File Number
2006-02303
Custom

Builders of Virginia Inc, t/a Custom Home Builders of Virginia Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.9 \$0.00; and Count 2: 18 VAC 50-22-260-B.31 \$650.00. A total monetary penalty of \$650.00 is hereby imposed. In addition, for violation of Count 1, Custom Home Builders of Virginia Inc, t/a Custom Home Builders of Virginia Inc agrees to provide a copy of its current contract within thirty (30) days of the effective date of this Order.**

**Home
Builders of
Virginia Inc**

Also, for violation of Counts 1 and 2, Custom Home Builders of Virginia Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Custom Home Builders of Virginia Inc also agrees to pay \$150.00 in Board costs.

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-02387 Board v. Pleasant Construction Inc, t/a Pleasant Construction Inc, the board reviewed the Consent Order. Pleasant Construction Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.15 \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, for violation of Count 1, Pleasant Construction Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Pleasant Construction Inc also agrees to pay \$150.00 in Board costs.

**File Number
2006-02387
Pleasant
Construction
Inc**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. As the hearing officer, Mr. Hart did not participate and did not vote. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-02409 Board v. Kristian D Kontur & Anthony W Kontur, t/a Timberline Design Build the board reviewed the Consent Order. Kristian D Kontur & Anthony W Kontur, t/a Timberline Design Build acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations

**File Number
2006-02409
Kristian D
Kontur &
Anthony W**

and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-210 \$500.00; Count 2: 18 VAC 50-22-230.A \$300.00; and Count 3: 18 VAC 50-22-260.B.15 \$200.00. A total monetary penalty of \$2,800.00 is hereby imposed. In addition, for violations of Counts 1 – 3, Kristian D Kontur & Anthony W Kontur agrees to have member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Kristian D Kontur & Anthony W Kontur also agrees to pay \$150.00 in Board costs.**

Kontur

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Redifer, Tomlin, Walton and Wood. As the hearing officer, Ms. Rackas Pate did not participate and did not vote. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-02410 Board v. Richard G Cooper, t/a R & H Paving the board reviewed the Consent Order. Richard G Cooper, t/a R & H Paving acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.8 \$300.00; and Count 2: 18 VAC 50-22-260.B.13 \$300.00. A total monetary penalty of \$600.00 is hereby imposed. In addition, for violation of Count 1, Richard G Cooper agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Richard G Cooper also agrees to pay \$150.00 in Board costs.

**File Number
2006-02410
Richard G
Cooper**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-02424 Board v. Arnold J Grimm, t/a Small Projects the board reviewed the Consent Order. Arnold J Grimm, t/a Small Projects acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.8 \$400.00. A total monetary penalty of \$400.00 is hereby imposed. In addition, for violation of Count 1, Arnold J Grimm agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Arnold J Grimm also agrees to pay \$150.00 in Board costs.

**File Number
2006-02424
Arnold J
Grimm**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-02441 Board v. A Home Come True Inc the board reviewed the Consent Order. **Charles A Home Come True Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.9 \$0.00; Count 2: 18 VAC 50-22-260.B.6 \$0.00; Count 3: 18 VAC 50-22-260.B.31 \$0.00; Count 4: 18 VAC 50-22-260.B.29 \$0.00; and Count 5: 18 VAC 50-22-260.B.13 \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, for violations of Counts 1 – 5, A Home Come True Inc agrees to revocation of its license (Number 2705-069526).**

File Number
2006-02441
A Home
Come True
Inc

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-02523 Board v. Fidelity Construction Inc, t/a Fidelity Custom Homes the board reviewed the Consent Order. **Fidelity Construction Inc, t/a Fidelity Custom Homes** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.29 \$500.00. A total monetary penalty of \$500.00 is hereby imposed. In addition, for violation of Count 1, Fidelity Construction Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Fidelity Construction Inc also agrees to pay \$150.00 in Board costs.**

File Number
2006-02523
Fidelity
Construction
Inc

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-02539 Board v. Reggie Locklear, t/a Complete Renovations & Repairs the board reviewed the Consent Order. **Reggie Locklear, t/a Complete Renovations & Repairs** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following

File Number
2006-02539
Reggie
Locklear

term(s) by the Board. **Count 1: 18 VAC 50-22-260. B.27 \$650.00. A total monetary penalty of \$650.00 is hereby imposed. In addition, for violation of Count 1, Reggie Locklear agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Reggie Locklear also agrees to pay \$150.00 in Board costs.**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-02551 Board v. Jim Walter Homes Inc the board reviewed the Consent Order. **Jim Walter Homes Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.29 (Three violations @ \$500.00 each) \$1,500.00. A total monetary penalty of \$1,500.00 is hereby imposed. In addition, Jim Walter Homes Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Jim Walter Homes Inc also agrees to pay \$150.00 in Board costs.**

**File Number
2006-02551
Jim Walter
Homes Inc**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-02564 Board v. Michael R Shove Sr, t/a Creative Wood Designs the board reviewed the Consent Order. **Michael R Shove Sr, t/a Creative Wood Designs** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.31 \$300.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, for violation of Count 1, Michael R Shove Sr. agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Michael R Shove Sr. also agrees to pay \$150.00 in Board costs.**

**File Number
2006-02564
Michael R
Shove Sr**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate,**

Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.

In the matter of Consent Order File Number 2006-02708 Board v. Simpson Heating and Cooling, the board reviewed the Consent Order. Simpson Heating and Cooling acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.6 \$0.00. A total monetary penalty of \$00.00 is hereby imposed. According to the Fauquier County Building Official, the homeowner would not allow Simpson Heating and Cooling to apply for a permit after the work was completed.

**File Number
2006-02708
Simpson
Heating and
Cooling**

In addition, for violation of Count 1, Simpson Heating and Cooling agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Simpson Heating and Cooling also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.

In the matter of Consent Order File Number 2006-02793 Board v. W C Lowery Inc, t/a W C Lowery Inc the board reviewed the Consent Order. W C Lowery Inc, t/a W C Lowery Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260 B.6 (Two violations @ \$250.00 each) \$500.00; and Count 2: 18 VAC50-22-260.B.6 \$250.00. A total monetary penalty of \$750.00 is hereby imposed. In addition, W C Lowery Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. W C Lowery Inc also agrees to pay \$150.00 in Board costs.

**File Number
2006-02793
W C Lowery**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.

In the matter of Consent Order File Number 2006-02858 Board v. I H S Enterprises LLC the board reviewed the Consent Order. I H S Enterprises LLC acknowledges an understanding of the charges and hereby admits to the

**File Number
2006-02858
I H S**

violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.8 \$250.00; Count 2: 18 VAC 50-22-260.B.6 \$250.00; and Count 3: 18 VAC 50-22-260.B.27 \$1,000.00. A total monetary penalty of \$1,500.00 is hereby imposed. In addition, for violations of Counts 1 – 3, I H S Enterprises LLC agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. I H S Enterprises LLC also agrees to pay \$150.00 in Board costs.**

**Enterprises
LLC**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-02875 Board v. Terry A Barnette, t/a Terlin Classics the board reviewed the Consent Order. **Terry A Barnette, t/a Terlin Classics** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.31 \$400.00. A total monetary penalty of \$400.00 is hereby imposed. In addition, for violation of Count 1, Terry A Barnette agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Terry A Barnette also agrees to pay \$150.00 in Board costs.**

**File Number
2006-02875
Terry A
Barnette**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-03054 Board v. Robert D Robicheau, t/a R Robicheau Asphalt Paving and Sealcoating, the board reviewed the Consent Order. **Robert D Robicheau, t/a R Robicheau Asphalt Paving and Sealcoating** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.8 \$200.00. A total monetary penalty of \$200.00 is hereby imposed. In addition, Robert D Robicheau has agreed to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination (in file number 2006-01629) within six (6) months of the effective date of this Order. Robert D Robicheau also agrees to pay \$150.00 in Board costs.**

**File Number
2006-03054
Robert D
Robicheau**

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** **Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-03226 Board v. Cox Brothers LLC, t/a Cox Brothers LLC the board reviewed the Consent Order. **Cox Brothers LLC, t/a Cox Brothers LLC** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.9 \$600.00. A total monetary penalty of \$600.00 is hereby imposed. It is noted that a member of Responsible Management for Cox Brothers LLC has successfully completed remedial education pursuant to the terms of the Consent Order entered into on June 7, 2005. Cox Brothers LLC also agrees to pay \$150.00 in Board costs.**

File Number
2006-03226
Cox
Brothers
LLC

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** **Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-03334 Board v. East Coast Homes of Virginia Inc, the board reviewed the Consent Order. **East Coast Homes of Virginia Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.27 \$700.00. A total monetary penalty of \$700.00 is hereby imposed. In addition, for violation of Count 1, East Coast Homes of Virginia Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. East Coast Homes of Virginia Inc also agrees to pay \$150.00 in Board costs.**

File Number
2006-03334
East Coast
Homes of
Virginia Inc

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** **Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-03353 Board v. C G Ballard Jr, t/a Universal Window & Siding Co the board reviewed the Consent Order. **C G Ballard Jr, t/a Universal Window & Siding Co** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260. B.9 \$250.00; and**

File Number
2006-03353
C G Ballard
Jr

Count 2: 18 VAC 50-22-260.B.27 \$700.00. A total monetary penalty of \$950.00 is hereby imposed. In addition, for violation of Count 1, C G Ballard Jr. agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. C G Ballard Jr. also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.

In the matter of Consent Order File Number 2006-03373 Board v. Randal Morris Tharp, t/a Tharp Siding and Decks the board reviewed the Consent Order. Randal Morris Tharp, t/a Tharp Siding and Decks acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.2 \$0.00; and Count 2: 18 VAC 50-22-260.B.28 \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, for violation of Count 2, Tharp agrees to satisfy the judgment and provide the Board with proof of the satisfaction within ninety (90) days of the effective date of this Order. Failure to satisfy the judgment will result in suspension of Tharp's license (Number 2705-102351) until paid and imposition of a monetary penalty in the amount of \$2,500.00. Also, for violation of Count 1, Tharp agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Tharp also agrees to pay \$150.00 in Board costs.

**File Number
2006-03373
Randal
Morris
Tharp**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. As the hearing officer, Mr. Kirby did not participate and did not vote. Mr. Smith was absent.

In the matter of Consent Order File Number 2006-03564 Board v. Roger W English, t/a KD Services, the board reviewed the Consent Order. Roger W English, t/a KD Services acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.27 \$600.00; and Count 2: 18 VAC 50-22-260.B.31 (Two violations @ \$350.00 each) \$700.00. A total monetary penalty of \$1,300.00 is hereby imposed. In addition, for violation of Count 1, Roger W English agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six

**File Number
2006-03564
Roger W
English**

(6) months of the effective date of this Order. Roger W English also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-03680 Board v. Pure-Water Well Drilling LLC, t/a Pure-Water Well Drilling LLC, the board reviewed the Consent Order. Pure-Water Well Drilling LLC acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.31 \$400.00. A total monetary penalty of \$400.00 is hereby imposed. In addition, for violation of Count 1, Pure-Water Well Drilling LLC agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Pure-Water Well Drilling LLC also agrees to pay \$150.00 in Board costs.

**File Number
2006-03680
Pure-Water
Well Drilling
LLC**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-04001 Board v. C Thomas Construction Inc, t/a C Thomas Construction Inc, the board reviewed the Consent Order. C Thomas Construction Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.28 \$2,000.00; Count 2: 18 VAC 50-22-260.B.28 \$2,000.00; Count 3: 18 VAC 50-22-260.B.28 \$2,000.00; Count 4: 18 VAC 50-22-260.B.28 \$2,000.00; Count 5: 18 VAC 50-22-260.B.28 \$2,000.00; Count 6: 18 VAC 50-22-260.B.28 \$2,000.00; and Count 7: 18 VAC 50-22-260.B.28 \$2,000.00. A total monetary penalty of \$14,000.00 is hereby imposed. In addition, the Board shall waive imposition of the \$14,000.00 monetary penalties for Counts 1 – 7 provided C Thomas Construction Inc satisfies the judgments in accordance with the agreements and provides the Board with proof of payments by June 1, 2007. If C Thomas Construction Inc fails to comply with these conditions, then the full monetary penalties will be automatically imposed and its license (Number 2705-068465) will be automatically revoked.

**File Number
2006-04001
C Thomas
Construction
Inc**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the

consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Walton and Wood.** As the hearing officer, **Ms. Tomlin did not participate and did not vote.** **Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-04012 Board v. Mathew B Honeywell, t/a Honeywell Construction the board reviewed the Consent Order. **Mathew B Honeywell, t/a Honeywell Construction** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.22 \$750.00; and Count 2: 18 VAC 50-22-260.B.23 \$750.00.** A total monetary penalty of **\$1,500.00** is hereby imposed. In addition, for violations of Counts 1 and 2, **Mathew B Honeywell** agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order.

File Number
2006-04012
Mathew B
Honeywell

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Redifer, Tomlin, Walton and Wood.** As the hearing officer, **Ms. Rackas Pate did not participate and did not vote.** **Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-04038 Board v. Kevin Grove, the board reviewed the Consent Order. **Kevin Grove** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-30-190.12 \$0.00.** A total monetary penalty of **\$0.00** is hereby imposed. In addition, **Kevin Grove** agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order.

File Number
2006-04038
Kevin Grove

Upon a motion by **Mr. Falwell** seconded by **Mr. Hollar** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood.** As the hearing officer, **Mr. Kirby did not participate and did not vote.** **Mr. Smith was absent.**

In the matter of Consent Order File Number 2005-04332 Board v. Paul Albert Vanwey, t/a P A V Construction the board reviewed the Consent Order. **Paul Albert Vanwey, t/a P A V Construction** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-230.A \$100.00; Count 2: 18 VAC 50-22-**

File Number
2005-04332
Paul Albert
Vanwey

260.B.9 \$100.00; and Count 3: 18 VAC 50-22-260.B.30 \$100.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, Paul Albert Vanwey agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Paul Albert Vanwey also agrees to pay \$150.00 in Board costs.

Upon a motion by Mr. Redifer seconded by Ms. Tomlin the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-03414 Board v. Daniel W Todd, t/a Tri City Home Maintenance the board reviewed the Consent Order. Daniel W Todd, t/a Tri City Home Maintenance acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.8 \$350.00; Count 2: 18 VAC 50-22-260.B.27 \$700.00; Count 3: 18 VAC 50-22-260.B.31 \$350.00; and Count 4: 18 VAC 50-22-260.B.6 \$800.00. A total monetary penalty of \$2,200.00 is hereby imposed. In addition, Daniel W Todd agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Daniel W Todd also agrees to pay \$150.00 in Board costs.

**File Number
2006-03414
Daniel W
Todd**

Upon a motion by Mr. Redifer seconded by Mr. Hart the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.**

In the matter of Consent Order File Number 2006-03639 Board v. Robin G Joslin, t/a Granville Construction Co, the board reviewed the Consent Order. Robin G Joslin, t/a Granville Construction Co acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.27 \$1,000.00. A total monetary penalty of \$1,000.00 is hereby imposed. In addition, for violation of Count 1, Robin G Joslin agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Robin G Joslin also agrees to pay \$150.00 in Board costs.

**File Number
2006-03639
Robin G
Joslin**

Upon a motion by Mr. Falwell seconded by Mr. Orange the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate,**

Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.

In the matter of Consent Order File Number 2006-03840 Board v. Larry Gallihugh, t/a L B & M Construction the board reviewed the Consent Order. Larry Gallihugh, t/a L B & M Construction (Respondent) attended the Board meeting and addressed the Board.

**File Number
2006-03840
Larry
Gallihugh**

After discussion a motion was made by Mr. Redifer and seconded by Mr. Kirby to remand this case back to an Informal Fact-Finding Conference. The motion passed by unanimous vote. Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.

In the matter of Consent Order File Number 2005-00719 Board v. Donald A Burke Jr Builder, t/a Donald A Burke Jr Builder the board reviewed the Consent Order. Donald A Burke Jr Builder acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.14 \$650.00. A total monetary penalty of \$650.00 is hereby imposed. In addition, for violation of Count 1, Donald A Burke Jr Builder agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Donald A Burke Jr Builder also agrees to pay \$150.00 in Board costs.

**File Number
2005-00719
Donald A
Burke Jr
Builder**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.

In the matter of Consent Order File Number 2005-01353 Board v. Ty West Builders LLC, t/a Ty West Builders LLC the board reviewed the Consent Order. Ty West Builders LLC, t/a Ty West Builders LLC acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.8 \$100.00. A total monetary penalty of \$100.00 is hereby imposed. In addition, for violation of Count 1, Ty West Builders LLC agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this Order. Ty West Builders LLC also agrees to pay \$150.00 in Board costs.

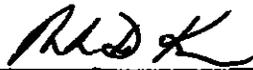
**File Number
2005-01353
Ty West
Builders
LLC**

Upon a motion by Mr. Falwell seconded by Mr. Hollar the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate,

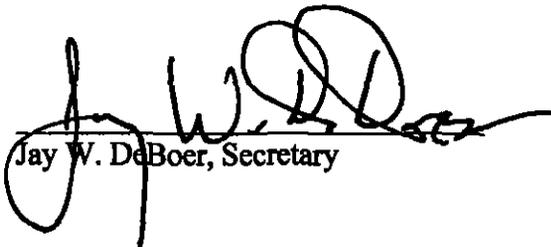
Redifer, Tomlin, Walton and Wood. Mr. Smith was absent.

Their being no further business to come before the board, the meeting was adjourned at 12:59 P.M. upon a motion by Ms. Wood and seconded by Mr. Falwell. The vote was unanimous. Members voting yes were: **Hollar, Hart, Kinser, Kirby, Orange, Tomlin, Falwell, Redifer, Rackas Pate, Walton, Wood and Modisett. Mr. Smith was absent.**

Adjourn-
ment



Mark D. Kinser, Chairman



Jay W. DeBoer, Secretary

Copy teste:

Custodian of the Record

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

1. Name: **Charles 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:

NA

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

June 27, 2006
Date

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

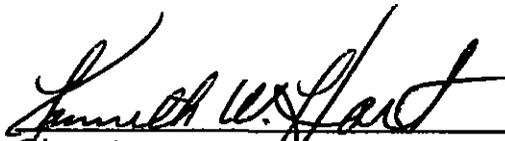
1. Name: **Kenneth W. Hart**
2. Title: **Member – Board for Contractors**
3. Agency: **Department of Professional & Occupational Regulation**
4. Transaction: **CONTRACTORS BOARD MEETING**
5. Nature of Personal Interest Affected by Transaction:

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

June 27, 2006
Date

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

1. Name: James 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:

Commonwealth, Citizens, Contractors

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:

CMH, INC, ACCA PMAV

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

James A. Hollar
Signature

June 27, 2006
Date

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

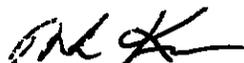
1. Name: **Mark Kinser**
2. Title: **Member – Board for Contractors**
3. Agency: **Department of Professional & Occupational Regulation**
4. Transaction: **CONTRACTORS BOARD MEETING**
5. Nature of Personal Interest Affected by Transaction:

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

June 27, 2006
Date

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

1. Name: **Robert Kirby**
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:

Pres - DE Kirby, Inc. Kirby & Kirby Assoc.

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:

ASIC of VA, BUILDERS EXCHANGE, AMPV

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

Robert Kirby
Signature

June 27, 2006
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

June 27, 2006
Date

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

1. Name: **Jeffrey Modisett**
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:

None

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:

Conquest, Marouse & Dunn, Inc.

AGC of Va.

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

Jeffrey A. Modisett
Signature

June 27, 2006
Date

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

1. Name: **Anthony Orange**
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:

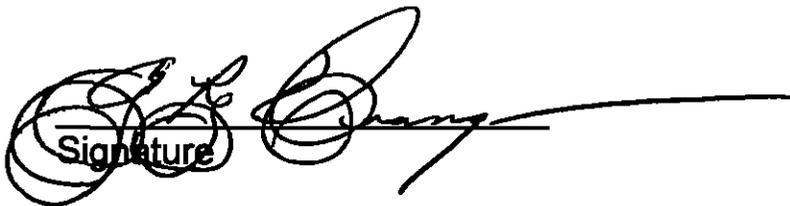
N/A

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:

I. B. E. W. L. U. 666

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


Signature

June 27, 2006
Date

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

1. Name: **Michael 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:

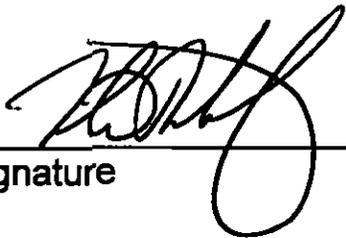
6. I declare that.

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

VBCLA VPMA ILL LAET NFPA

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

Signature



June 27, 2006
Date

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

1. Name: Wyatt H. Walton, III
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

June 27, 2006
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

June 27, 2006
Date

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

1. Name: Deborah Lynn Tomlin
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

June 27, 2006
Date