

## **BOARD FOR CONTRACTORS BOARD MEETING**

### **MINUTES**

The Board for Contractors met on Tuesday, November 28, 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  
Jack Miller  
Jeffrey Modisett  
Troy Smith  
Robert M Kirby  
Mark Cronin  
Ann Rackas Pate  
Michael Redifer  
Wyatt Walton  
Ken Hart  
Deborah Tomlin  
Dorothy Wood

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

Jay W. DeBoer, Director  
David Ashe, Chief Deputy  
Eric L. Olson, Executive Director  
Karen O'Neal, Deputy Director, LRD  
Eric Gregory, Assistant Attorney General  
Kevin Hoeft, Regulatory Boards Administrator  
Karen Kenney, Administrative Assistant  
Sheila Watkins, Administrative Assistant  
Jeffrey Buckley, Legal Assistant  
Joe Haughwout, Legal Assistant  
Earlyne Perkins, Legal Analyst  
Victoria Traylor, Legal Analyst  
Nick Christner, Deputy Director, CID  
Jennifer Kazzie, Asst. Director, Adjudication

Chairman Mark Kinser called the meeting to order at 9:10 a.m. and declared a of board members was in attendance.

Call  
To Order

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

Approval of  
the Agenda

**Ms. Wood** moved to approve the following minutes as submitted from the:

Approval of  
Minutes

October 24, 2006, Board for Contractor Meeting  
October 12, 2006 Informal Fact Finding Conference  
October 17, 2006 Informal Fact Finding Conference  
October 18, 2006 Informal Fact Finding Conference  
October 19, 2006 Informal Fact Finding Conference  
October 26, 2006 Informal Fact Finding Conference  
October 31 2006 Informal Fact Finding Conference

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

**There was no public comment.**

Public  
Comment  
Period

**In the matter of License Application File Number 2006-05305, Cecil Manuel Tarman, t/a C. Tarman Home Repair**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number  
**2006-05305  
Manuel  
Tarman, t/a  
C. Tarman  
Home  
Repair**

**Applicant Cecil M. Tarman participated** in the IFF by telephone. He did not attend 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. Orange** and second by **Ms. Wood** to **reject** the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board denies the application based upon the record including the information obtained from the Central Criminal Records Exchange, and in consideration of the criteria outlined in §54.1-1108.2 of the Code of Virginia.

The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin,**

**Hart, Wood, Redifer and Rackas Pate.**

**In the matter of License Application File Number 2007-00685, Jade M. Washington t/a JJS 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  
2007-00685  
Jade M.  
Washington  
t/a JJS  
Construction**

**Applicant Jade M Washington t/a JJS Construction** appeared at the IFF and Mr. Leroy Sykes addressed the Board at the 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 second by **Mrs. Rackas-Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board has considered its Regulations: 18 VAC 50-22-60 E and 18 VAC 50-22-60 F, and other applicable law: §54.1-1106 and 54.1-1110 of the Code of Virginia. The Board denies the application based upon the record.

The motion passed by majority vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**In the matter of License Application File Number 2007-00686, Bertram Trice t/a T.C.P. Painter**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2007-00686  
Bertram  
Trice t/a T.  
C. P. Painter**

**Applicant Bertram Trice** 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 **Mrs. Rackas-Pate** and seconded by **Mrs. Wood** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

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

**In the matter of License Application File Number 2007-00799, George Kenny Tsakanikas**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2007-00799  
George  
Kenny  
Tsakanikas**

**Applicant George Kenny Tsakanikas** appeared at the IFF. He did not attend 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. Orange** and seconded by **Mrs. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license exam waiver request.

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

**In the matter of License Application File Number 2007-00825, Thomas J Deisher Sr, t/a Deisher 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  
2007-00825  
Thomas J  
Deisher Sr,  
t/a Deisher  
Construction**

**Applicant Thomas J Deisher Sr.** appeared at the IFF. He did not attend 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 **Ms. Wood** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board has 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 Board denies the application based upon the record, including the information obtained from the Central Criminal Records Exchange, and in consideration of the criteria outlined in §54.1-204.B. After reviewing the facts and the nature of the crime, the Board felt they could not protect the health, safety and welfare of the public and agreed it would be negligent to grant a license due to the seriousness of the offense with an under-aged child.

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

**In the matter of License Application File Number 2007-00826, Del Rio, Ltd.,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2007-00826  
Del Rio, Ltd.**

**Applicant Richard C Fentress** participated at the IFF on behalf of Del Rio, Ltd. He attended the Board meeting and 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. Kirby** and seconded by **Mr. Hart** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license. The motion passed by majority vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Walton, Tomlin, Redifer and**

**Rackas Pate, Orange, Wood and Hart voted "no".**

**In the matter of License Application File Number 2007-00827, Jason Alexander Martin, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.**

**File Number  
2007-00827  
Jason  
Alexander  
Martin**

**Applicant Jason Alexander Martin participated at the IFF. He did not attend 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. Kirby and seconded by Mr. Hart to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board has considered its regulations: 18 VAC 50-30-30 10 and other applicable law: §54.1-204 of the Code of Virginia. The Board denies the application based upon the record, including the information obtained from the Central Criminal Records Exchange, and in consideration of the criteria outlined in §54.1-204.B.**

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

**In the matter of License Application File Number 2007-00828, Karl D Scholz, t/a K.D.'s Construction Interior Trim, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.**

**File Number  
2007-00828  
Karl D  
Scholz, t/a K.  
D.'s  
Construction  
Interior  
Trim**

**Applicant Karl D Scholz appeared at the IFF and the Board meeting. He addressed the Board and shared his agreement with the 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 Ms. Wood and seconded by Ms. Rackas Pate to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.**

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

**In the matter of License Application File Number 2007-00829, Linwood C. Vance, t/a Earthworks Design & Lawn Maintenance, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.**

**File Number  
2007-00829  
Linwood C.  
Vance, ta/  
Earthworks  
Design &  
Lawn**

**Applicant Linwood Vance appeared at the IFF. He also attended the Board meeting. Mr. Vance 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 **Ms. Wood** and seconded by **Mr. Walton** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

**Maintenance**

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

**In the matter of License Application File Number 2007-00830, Brian Grant Knighton**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2007-00830  
Brian Grant  
Knighton**

**Applicant Brian Grant Knighton** appeared at the IFF. He addressed the Board 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 **Mrs. Wood** and seconded by **Mr. Redifer** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license as a conditional license with quarterly reporting being required.

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

**In the matter of License Application File Number 2007-00961, Shannon Lee Evans**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2007-00961  
Shannon Lee  
Evans**

**Applicant Shannon Lee Evans** appeared at the IFF and the Board meeting. He addressed the Board and shared his agreement with the 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. Walton** and seconded by **Mr. Kirby** 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: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Wood, Redifer, Tomlin and Hart. Rackas Pate** voted "no".

**In the matter of License Application File Number 2007-00962, Terrone Maurice Street**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-

**File Number  
2007-00962  
Terrone**

Finding Conference.

**Maurice  
Street**

**Applicant Terrone Maurice Street** 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. Orange** and seconded by **Mr. Walton** not to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**In the matter of License Application File Number 2007-01041, victor Hugo Gonzalez,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2007-01041  
Victor Hugo  
Gonzalez**

**Applicant Victor Hugo Gonzalez** appeared at the IFF and the Board meeting. He addressed the Board and shared his agreement with the 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. Orange** and seconded by **Mr. Redifer** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

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

**In the matter of License Application File Number 2007-01225, John Paul Wilburn, III,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2007-01225  
John Paul  
Wilburn, III**

**Applicant John Paul Wilburn, III** appeared at the IFF and the Board meeting. He addressed the Board and shared his agreement with the 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. Kirby** and seconded by **Mrs. Wood** not to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

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

**In the matter of License Application File Number 2007-01279, Stuart Justin Searcy**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2007-01279  
Stuart Justin  
Searcy**

**Applicant Stuart Justin Searcy** appeared at the IFF and the Board meeting. He addressed the Board and shared his agreement with the 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 **Mrs. Rackas-Pate** and seconded by **Mr. Kirby** to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license based on insufficient amount of time has lapsed since the offense occurred. This has not allowed the applicant sufficient time to be rehabilitated.

The motion failed by majority vote. Members voting "Yes" were: Rackas Pate, Miller, Orange, Kirby and Modisett.  
Members voting "No" were: Hart, Tomlin, Smith, Kinser, Redifer, Walton, Wood and Cronin.

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

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

**In the matter of License Application File Number 2007-01280, Mordecai Alonza Ward, t/a Ward's Handyman Services**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2007-01280  
Mordecai  
Alonza  
Ward t/a  
Ward's  
Handyman  
Services**

**Applicant Mordecai Alonza Ward** appeared at the IFF and the Board meeting. He addressed the Board and shared his agreement with the 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. Orange** and seconded by **Mr. Kirby** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant a license.

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

**In the matter of License Application File Number 2007-01281, D. B. Construction, INC,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2007-01281  
D. B.  
Construction  
, INC.**

**Applicant David Brian Colby for D. B. Colby, INC** appeared at the IFF. He attended the Board meeting and shared his agreement with the Board members. 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. Modisett** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood and Redifer.** **Rackas Pate** recused herself from discussion and voting on this matter.

**In the matter of License Application File Number 2007-01282, WWPS 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  
2007-01282  
WWPS Inc**

**Applicant Robert and Lisa Willis of WWPS, Inc** appeared at the IFF and the Board meeting. They 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. Walton** and seconded by **Mr. Kirby** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board has considered its Regulations: 18 VAC 50-22-60 D and other applicable law: §54.1-1106 A Code of Virginia. The Board denies the application based upon the record. After reviewing the facts, the Board voted that WWPS, Inc. does not meet the Board's financial requirement of a net worth or equity of at least \$45,000.00

The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**In the matter of License Application File Number 2007-01294, Buddy C Beddard,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2007-01294  
Buddy C  
Beddard**

**Applicant Buddy C Beddard** appeared at the IFF. He did not attend 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 **Ms. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

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

**In the matter of License Application File Number 2007-00096, Michael Carr**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2007-00096  
Michael  
Carr**

**Applicant Michael Carr** appeared at the IFF. He attended the Board meeting and 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. Redifer** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

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

**In the matter of Recovery Fund File Number 2006-01223 - Prima Facie, Wade and Sandy Townsend (Claimant) vs. Ronald Hollinger, t/a Hollinger Homes (Regulant);** the board reviewed the record, which consisted of the claim file. **Ronald Hollinger, t/a Hollinger Homes (Regulant)** did not appear at the board meeting. **Attorney Kevin Pleasants for Wade and Sandy Townsend (Claimant)** appeared at the board meeting. **He addressed the Board.** After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Walton** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$20,000.00. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**File Number  
2006-01223  
Ronald  
Hollinger t/a  
Hollinger  
Homes**

**In the matter of Recovery Fund File Number 2006-01348, Michael and Carolyn Giles (Claimant) vs. Susan Riggs, t/a Windows Unlimited & Custom Remodeling (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Susan Riggs, t/a Windows Unlimited & Custom Remodeling (Regulant)** did not appear at the board meeting.

**File Number  
2006-01348  
Susan C  
Riggs t/a  
Window  
Unlimited &**

**Michael Giles (Claimant)** appeared at the board meeting and shared his agreement with the recommendation. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Ms. Wood** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$5,700.00. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**Custom  
Remodeling**

**In the matter of Recovery Fund File Number 2006-01407, Jayne A Sherman (Claimant) vs. David S Home Improvement Inc. t/a David S Home Improvement (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **David S Home Improvement t/a David S Home Improvement (Regulant)** did not appear at the board meeting. **Jayne A Sherman (Claimants)** did not appear at the board meeting. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. 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 approve the claim for payment in the amount of \$800.00. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**File Number  
2006-01407  
David S  
Home  
Improve-  
ment Inc. t/a  
David S  
Home  
Improve-  
ment**

**In the matter of Recovery Fund File Number 2006-01889, Heath and Heather Pence (Claimant) vs. Matthew Wayne Westfall, t/a Matt Westfall (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Matthew Wayne Westfall t/a Matt Westfall (Regulant)** did not appear at the board meeting. **Heath and Heather Pence (Claimants)** appeared at the board meeting and addressed the Board. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. This case was reconvened from the August 2006 Board meeting. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Walton** to adopt the review claim and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$20,000.00. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**File Number  
2006-01889  
Matthew  
Wayne  
Westfall t/a  
Matt  
Westfall**

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**In the matter of Recovery Fund File Number 2006-01898, Tammy and Luis Serrano (Claimant) vs. Tina Davis t/a Davis Roofing (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Tina Davis t/a Davis Roofing (Regulant)** did not appear at the board meeting. **Tammy and Luis Serrano (Claimant)** appeared at the board meeting and shared their agreement with the recommendation. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Ms. Wood** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$7,745.00. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**File Number**  
**2006-01898**  
**Tina Davis**  
**t/a Davis**  
**Roofing**

**In the matter of Recovery Fund File Number 2006-02000, Henry and Kathryn Holliday (Claimant) vs. Christopher Dealton Soule, t/a CDS Builders (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Christopher Soule, t/a CDS Builders (Regulant)** appeared at the IFF. Neither he nor anyone on his behalf appeared at the board meeting. Attorney **Michael A Katzen** and **Henry and Kathryn Holliday (Claimant)** appeared at the IFF and the board meeting. **Mr. Katzen** addressed the Board for the Hollidays. After discussion, a motion was made by **Mr. Walton** and seconded by **Mrs. Rackas-Pate** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$20,000.00. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.** As the Board Representative, **Mr. Ward** was not present and did not vote.

**File Number**  
**2006-02000**  
**Christopher**  
**Dealton**  
**Soute t/a**  
**CDS**  
**Builders**

**In the matter of Recovery Fund File Number 2006-02001, James E Stallard, III (Claimant) vs. Ronald Dean Walker t/a Ronald Dean Walker (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Ronald Dean Walker t/a Ronald Dean Walker (Regulant)** did not appear at the board meeting. **James E Stallard, III (Claimant)** appeared at the board meeting and shared his disagreement with the recommendation. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. **Eric Olson** addressed the Board on behalf of **Eric Gregory**, counsel for the Board. He shared that the Office of the Attorney General has decided to use Department of Housing and Community Development's definition of "Residential Housing" (found in § 36-55.26) which not only includes the portion of the structure where you live, but includes "such other non housing

**File Number**  
**2005-03487**  
**Ronald Dean**  
**Walker t/a**  
**Ronald Dean**  
**Walker**

facilities as may be incidental, related, or appurtenant thereto.” After discussion, a motion was made by **Mr. Walton** and seconded by **Ms. Wood** to adopt the claim review and amend the hearing officer’s recommendations and summary for violations and approve the claim for payment in the amount of \$1,356.00. The motion passed by majority vote. Members voting “Yes” were: **Kinser, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate. Cronin and Kirby** voted “no”.

**In the matter of Recovery Fund File Number 2006-02086, Ted and Mary Pleva (Claimant) vs. Atlantic Concrete, Inc., t/a 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. **Neither Atlantic Concrete, Inc. (Regulant) nor anyone on its behalf appeared at the IFF or the board meeting. Ted and Mary Pleva (Claimants) participated at the IFF and appeared at the board meeting. They addressed the Board and shared their agreement with the recommendation. After discussion, a motion was made by Mr. Orange and seconded by Ms. Tomlin to adopt the claim review and the hearing officer’s recommendations and summary for violations and approve the claim for payment in the amount of \$3,855.00. The motion passed by majority vote. Members voting “Yes” were: Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**File Number  
2006-02086  
Atlantic  
Concrete,  
Inc. t/a  
Atlantic  
concrete,  
Inc.**

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

**In the matter of Recovery Fund File Number 2006-02213, - Prima Facie, Dale and Fran Rudd (Claimants) vs. Thomas & Thomas Construction Company t/a Dominion Building & Construction Company (Regulant);** the board reviewed the record, which consisted of the claim file and the summary and recommendation. **Neither Thomas & Thomas Construction Company t/a Dominion Building & Construction Company (Regulant) nor anyone on its behalf appeared at the board meeting. Dale and Fran Rudd (Claimants) did not appear the board meeting. After discussion, a motion was made by Mr. Kirby and seconded by Mr. Orange to adopt the claim review and approve the claim for payment in the amount of \$18,248.00. The motion passed by unanimous vote. Members voting “Yes” were: Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**File Number  
2006-02213  
Thomas &  
Thomas  
Construction  
Company t/a  
Dominion  
Building &  
Construction  
Company**

**In the matter of Recovery Fund File Number 2006-02271, Jeffrey A Lane (Claimant) vs. Jimmy L Lane t/a Oceanfront 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 Jimmy L Lane t/a Oceanfront renovations. (Regulant) nor anyone on its behalf appeared at the IFF or the board meeting. Jeffrey A Lane (Claimant) appeared at the IFF and the board meeting. He addressed the Board After discussion, a motion was made by Mr. Redifer and seconded by Mr. Walton**

**File Number  
2006-02271  
Jimmy L  
Lane t/a  
Oceanfront  
Renovations**

to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$5,212.00. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.** As the Board Representative, Mr. Ward was not present and did not vote.

**In the matter of Recovery Fund File Number 2006-02404, Aurelia Holmes (Claimants) vs. The Virginia Honey-Do's Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **The Virginia Honey-Do's, Inc. (Regulant)** nor anyone on its behalf appeared at the IFF nor the board meeting. **Aurelia Holmes (Claimant)** appeared at the IFF but not the board meeting. After discussion, a motion was made by **Mr. Hart and seconded by Ms. Rackas- Pate** to adopt the recommendation and approve the claim for payment in the amount of \$900.00. The motion passed by unanimous vote. Members voting "yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.** As the Board Representative, Mr. Ward was not present and did not vote.

File Number  
**2006-02404**  
**The Virginia**  
**Honey-Do's**  
**Inc.**

**In the matter of Recovery Fund File Number 2006-02520, - Prima Facie, Dirk Philipsen (Claimants) vs. The Compleat Interior t/a The Compleat Interior (Regulant);** the board reviewed the record, which consisted of the claim file and the summary and recommendation. **Neither The Compleat Interior t/a The Compleat Interior (Regulant)** nor anyone on its behalf appeared at the board meeting. **Dirk Philipsen (Claimant)** appeared the board meeting. He addressed the Board. After discussion, a motion was made by **Mrs. Rackas-Pate** and seconded by **Mr. Miller** to adopt the claim review and approve the claim for payment in the amount of \$4,527.00. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

File Number  
**2006-02520**  
**The**  
**Compleat**  
**Interior t/a**  
**The**  
**Compleat**  
**Interior**

**In the matter of Recovery Fund File Number 2006-02541, - Prima Facie, Sean and Amy Smyth (Claimants) vs. Thomas & Thomas Construction Company t/a Dominion Building & Construction Company (Regulant);** the board reviewed the record, which consisted of the claim file and the summary and recommendation. **Neither Thomas & Thomas Construction Company t/a Dominion Building & Construction Company (Regulant)** nor anyone on its behalf appeared at the board meeting. **John Peterson, Attorney for Sean & Amy Smyth (Claimants)** appeared at the board meeting. He addressed the Board on their behalf. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Kirby** to adopt the claim review and approve the claim for payment in the amount of \$18,150.83. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser,**

File Number  
**2006-02541**  
**Thomas &**  
**Thomas**  
**Construction**  
**Company,**  
**Inc. t/a**  
**Dominion**  
**Building &**  
**Construction**  
**Company**

**Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**In the matter of Recovery File Number 2006-03635, - Prima Facie, Angelo & Jaime Gianni (Claimants) vs. Clyde R. Lampkin, II t/a United General Contractors (Regulant);** the board reviewed the record, which consisted of the claim file and the summary and recommendation. **Neither Clyde Lampkin, II t/a United General Contractors (Regulant) nor anyone on its behalf appeared at the board meeting. Angelo & Jaime Gianni (Claimants) appeared at the board meeting. They addressed the Board. After discussion, a motion was made by Mrs. Wood and seconded by Mr. Kirby to adopt the claim review and approve the claim for payment in the amount of \$13,596.00. The motion passed by unanimous vote. Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**File Number  
2006-03635  
Clyde R  
Lampkin, II  
t/a United  
General  
Contractors**

**In the matter of Recovery File Number 2006-05487, , - Prima Facie, Cody & Randi Moore (Claimants) vs. Wayne J Grataski t/a Wayne J Grataski Construction Co. (Regulant);** the board reviewed the record, which consisted of the claim file and the summary and recommendation. **Neither Wayne J Grataski t/a Wayne J Grataski Construction Co. (Regulant) nor anyone on its behalf appeared at the board meeting. Cody & Randi Moore (Claimants) did not appear the board meeting. After discussion, a motion was made by Mr. Walton and seconded by Mr. Smith to adopt the claim review and approve the claim for payment in the amount of \$17,223.54. The motion passed by unanimous vote. Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**File Number  
2006-05487  
Wayne J  
Grataski t/a  
Wayne J  
Grataski  
Construction  
Co.**

**In the matter of Recovery Fund File Number 2006-05488, - Prima Facie, John and Suzanne Gilliam (Claimants) vs. Pool Mart Inc (Regulant);** the board reviewed the record, which consisted of the claim file and the summary and recommendation. **Neither Pool Mart Inc (Regulant) nor anyone on its behalf appeared at the board meeting. John and Suzanne Gilliam (Claimants) appeared at the board meeting. After discussion, a motion was made by Mr. Kirby and seconded by Mr. Walton to adopt the claim review and approve the claim for payment in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**File Number  
2006-05488  
Pool-Mart  
Inc**

**In the matter of Recovery Fund File Number 2007-00016, - Prima Facie, Joseph and Geraldine Bailey (Claimants) vs. Virginia Pool Builders Inc (Regulant);** the board reviewed the record, which consisted of the claim file and the summary and recommendation. **Neither Virginia Pool Builders Inc. (Regulant) nor anyone on its behalf appeared at the board meeting. Joseph**

**File Number  
2007-00016  
Virginia  
Pool  
Builders Inc**

and **Geraldine Bailey (Claimants)** appeared at the board meeting. They addressed the Board. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Redifer** to adopt the claim review and approve the claim for payment in the amount of \$3,183.00. The motion passed by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**In the matter of Recovery Fund File Number 2007-00236, - Prima Facie, Stephen Ammon (Claimants) vs. United American Inc. t/a United American Inc t/a United American Inc (Regulant);** the board reviewed the record, which consisted of the claim file and the summary and recommendation. **Neither United American Inc t/a United American Inc. (Regulant) nor anyone on its behalf appeared at the board meeting. Stephen Ammon (Claimant) appeared at the board meeting. He addressed the Board. After discussion, a motion was made by Mr. Walton and seconded by Mr. Hart to adopt the claim review and approve the claim for payment in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

File Number  
2007-00236  
United  
American  
Inc. t/a  
United  
American  
Inc.

**In the matter of Recovery Fund File Number 2007-00292, - Prima Facie, Susan and Charles Lindig (Claimants) vs. Capital Improvements t/a General Contracting, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file and the summary and recommendation. **Neither Capital Improvements t/a General Contracting, Inc. (Regulant) nor anyone on its behalf appeared at the board meeting. Susan & Charles Lindig (Claimants) appeared at the board meeting. They addressed the Board. After discussion, a motion was made by Mr. Kirby and seconded by Mr. Redifer to adopt the claim review and approve the claim for payment in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

File Number  
2007-00292  
Capital  
Improve-  
ments t/a  
General  
Contracting,  
Inc.

**In the matter of Recovery Fund File Number 2007-00831, - Prima Facie, Louis E Phelps (Claimants) vs. Charles Bennett, Jr. t/a D & F Construction (Regulant);** the board reviewed the record, which consisted of the claim file and the summary and recommendation. **Neither Charles Bennett, Jr. t/a D & F Construction (Regulant) nor anyone on its behalf appeared at the board meeting. Louis E Phelps (Claimants) appeared at the board meeting. He addressed the Board. After discussion, a motion was made by Mrs. Wood and seconded by Mrs. Rackas Pate to adopt the claim review and approve the claim for payment in the amount of \$3,549.00. The motion passed by unanimous vote. Members voting "Yes" were: Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

File Number  
2007-00831  
Charles  
Bennett, Jr.  
t/a D & F  
Construction

At 11:00 AM the Board took a 20 minute break and reconvened at 11:20 AM.

**Recess and  
Reconvene**

**In the matter of Disciplinary File Number 2006-05079, Nu View LLC, t/a Nu View LLC (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Nu View LLC, t/a Nu View LLC (Respondent) nor anyone on its behalf appeared at the IFF or the board meeting. Jonathan Gordman (Complainant) attended the IFF.**

**File Number  
2006-05079  
Nu View  
LLC t/a Nu  
View LLC**

As the Board Representative, **Mrs. Wall** was not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Nu View LLC** 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 15**

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

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

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

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas-Pate** to impose the following sanctions: \$400.00 monetary penalty for the violation of Count 1; \$1,700.00 monetary penalty for the violation of Count 2; \$2,500.00 monetary penalty for the violation of Count 3; and \$1,300.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$5,900.00. As to Counts 2, 3 and 4, the Board voted to impose revocation of license (Number 2705-076451) for the violations. The Board further require Nu view LLC have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

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

**In the matter of Disciplinary File Number 2006-04298, Carpentry**

**File Number**

**Concept of Virginia (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Anthony Eugene Swinson, Attorney on behalf of Carpentry Concept of Virginia (Respondent)** appeared at the IFF on its behalf. **David O. Prince, Esquire, Respondent's attorney** also attended the IFF.

**2006-04298  
Carpentry  
Concept of  
Virginia**

As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Carpentry Concept of Virginia** violated the following sections of its Regulations:

**(Effective March 31, 1995)**

**Count 1: §5.7.B 18**

**Count 2: §5.7 B 19**

**(Effective September 1, 2001)**

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

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

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

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

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following sanctions: \$650.00 monetary penalty for the violation of Count 2; and \$650.00 monetary penalty for the violation of Count 5. Total monetary penalty is \$1,300.00. The Board also imposes the following sanctions for the violations. Probation for two years for the violation of Count 1, 3 and 4. During Probation, **Carpentry Concept of VA** shall be required to: submit a CPA compilation as outlined in the order and a CPA annual review of their financial status as outlined in the order. If **Carpentry Concept of VA** fails to comply with the terms of its probation, then its license shall be automatically suspended. The Board also imposed successful completion of its Basic Contracting Licensing Class (Remedial Education) to be consistent with previous Board action.

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

**In the matter of Disciplinary File Number 2006-03975, G & M Homes LLC Number Three (Respondent);** the board reviewed the record, which

**File Number  
2006-03975**

consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. As the Board Representative, **Ms. Wall** was not present and did not vote. **G & M Homes LLC Number Three** requested a continuance via a letter (handed out to the Board members) from George LeRoy Moran, representative of **G & M Homes LLC Number Three**. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to hear this case at the Board's December 19, 2006 meeting. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**G & M  
Homes LLC  
Number  
Three**

**In the matter of Disciplinary File Number 2006-03954, First Pyramid Builder's LLC (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither First Pyramid Builder's LLC (Respondent)** nor anyone on its behalf appeared at the IFF or the board meeting.

**File Number  
2006-03954  
First  
Pyramid  
Builder's  
LLC**

As the Board Representative, **Mrs. Wall** was not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **First Pyramid Builders, LLC**, violated the following sections of its Regulations:

**(Effective September 1, 2006)**

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

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

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

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

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to impose the following sanctions: \$400 00 monetary penalty for the violation of Count 1; \$700.00 monetary penalty for the violation of Count 2; and \$1,70000 monetary penalty for the violation of Count 3. Total monetary penalty is \$2,800.00. As to Counts 1, 2 and 3 the Board voted to require **First Pyramid Builder's LLC** to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin,**

**Hart, Wood, Redifer and Rackas Pate.**

**In the matter of Disciplinary File Number 2006-03730, Edward L. Crane, t/a Virginia Masonry (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Edward L. Crane, t/a Virginia Masonry(Respondent) nor anyone on his behalf appeared at the IFF or the board meeting. Allison and Hugh D'Aguilar (Complainants) attended the IFF and board meeting. They agreed with summary and recommendation.**

**File Number  
2006-03730  
Edward L.  
Crane, t/a  
Virginia  
Masonry**

As the Board Representative, **Mrs. Wall** was not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Edward L. Crane** 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 27**

**Count 3: 18 VAC 50-22-260 B 29**

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

**Count 5: 18 VAC 50-22-260 B 14**

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

**Count 7: 18 VAC 50-22-260 B 12**

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

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas-Pate** to impose the following sanctions: \$300.00 monetary penalty for the violation of Count 1; \$700.00 monetary penalty for the violation of Count 2; \$500.00 monetary penalty for the violation of Count 3; \$1,300.00 monetary penalty for the violation of Count 4; \$1,900.00 monetary penalty for the violation of Count 5; \$2,000.00 monetary penalty for the violation of Count 6; and \$900.00 monetary penalty for the violation of Count 7. Total monetary penalty is \$7,600 00. As to Counts 2, 3, 4, 5, 6 and 7, the Board voted to impose revocation of license (Number 2705-075906) for the violations.

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

**In the matter of Disciplinary File Number 2006-03538, G & M Homes**

**File Number**

**LLC Number Three (Respondent)**; the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. As the Board Representative, **Ms. Wall** was not present and did not vote. **G & M Homes LLC Number Three** requested a continuance via a letter (handed out to the Board members) from George LeRoy Moran, representative of G & M Homes LLC Number Three. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to hear this case at the Board's December 19, 2006 meeting. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**2006-03538  
G & M  
Homes LLC  
Number  
Three**

**In the matter of Disciplinary File Number 2006-03376, Nu View LLC, t/a Nu View LLC (Respondent)**; the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Nu View LLC, t/a Nu View LLC (Respondent)** nor anyone on its behalf appeared at the IFF or the board meeting. **Susan Yale (Complainant)** attended the IFF.

**File Number  
2006-03376  
Nu View  
LLC, t/a Nu  
View LLC**

As the Board Representative, **Mrs. Wall** was not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Nu View LLC** violated the following sections of its Regulations:

**(Effective January 1, 2003)**

**Count 1: 18 VAC 50-22-260 B 9 (three violations)**

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

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

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

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas-Pate** to impose the following sanctions: \$1,200.00 monetary penalty for the violation of Count 1; \$1,700.00 monetary penalty for the violation of Count 2; and \$2,000.00 monetary penalty for the violation of Count 3. Total monetary penalty is \$4,900.00. As to Counts 2, and 3, the Board voted to impose revocation of license (Number 2705-076451) for the violations. The Board further require for the violation of Count 1, Nu view LLC have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

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

**In the matter of Disciplinary File Number 2006-03304, G & M Homes LLC Number Three (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. As the Board Representative, **Ms. Wall** was not present and did not vote. **G & M Homes LLC Number Three** requested a continuance via a letter (handed out to the Board members) from George LeRoy Moran, representative of G & M Homes LLC Number Three. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to hear this case at the Board's December 19, 2006 meeting. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**File Number**  
**2006-03304**  
**G & M**  
**Homes LLC**  
**Number**  
**Three**

**In the matter of Disciplinary File Number 2006-02847, G & M Homes LLC Number Three (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. As the Board Representative, **Ms. Wall** was not present and did not vote. **G & M Homes LLC Number Three** requested a continuance via a letter (handed out to the Board members) from George LeRoy Moran, representative of G & M Homes LLC Number Three. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to hear this case at the Board's December 19, 2006 meeting. The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**File Number**  
**2006-02847**  
**G & M**  
**Homes LLC**  
**Number**  
**Three**

**In the matter of Disciplinary File Number 2006-02344, Sun Valley Inc, t/a Sun Valley Inc (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Sun Valley Inc, t/a Sun Valley Inc (Respondent)** nor anyone on its behalf appeared at the IFF or the board meeting.

**File Number**  
**2006-02344**  
**Sun Valley**  
**Inc, t/a Sun**  
**Valley Inc**

As the Board Representative, **Mrs. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Modisett** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Sun valley Inc, 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 27**
- Count 3: 18 VAC 50-22-260 B 14**
- Count 4: 18 VAC 50-22-260 B 16**
- Count 5: 18 VAC 50-22-260 B**

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

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to impose the following sanctions: \$400.00 monetary penalty for the violation of Count 1; \$700.00 monetary penalty for the violation of Count 2; \$2,000.00 monetary penalty for the violation of Count 3; \$2,000.00 monetary penalty for the violation of Count 4; and \$500.00 monetary penalty for the violation of Count 5. Total monetary penalty is \$5,600.00. As to Counts 2, 3 and 4, the Board voted to impose revocation of license (Number 2705-095936) for the violations. The Board further require Sun Valley Inc have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

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

**In the matter of Disciplinary File Number 2006-02306, Edward L. Crane, t/a Virginia Masonry (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Edward L. Crane, t/a Virginia Masonry (Respondent) nor anyone on his behalf appeared at the IFF or the board meeting. .**

**File Number**  
**2006-02306**  
**Edward L.**  
**Crane, t/a**  
**Virginia**  
**Masonry**

As the Board Representative, **Mrs. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Edward L. Crane** 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 15**
- Count 3: 18 VAC 50-22-260 B 16**

The motion was approved unanimously. Members voting "Yes" were:

**Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

After discussion a motion was made by **Mr. Orange** and seconded by **Mr. Redifer** to impose the following sanctions: \$400.00 monetary penalty for the violation of Count 1; \$1,700.00 monetary penalty for the violation of Count 2; and \$2,000.00 monetary penalty for the violation of Count 3. Total monetary penalty is \$4,100.00. As to Counts 2 and 3, the Board voted to impose revocation of license (Number 2705-075906 for the violations.

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

**In the matter of Disciplinary File Number 2006-01772, Richard L. Riley, t/a R & T (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Richard L. Riley, t/a R & T (Respondent)** nor anyone on its behalf appeared at the IFF or the board meeting.

**File Number  
2006-01772  
Richard L.  
Riley, t/a R  
& T**

As the Board Representative, **Mrs. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Walton** 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Richard L. Riley**, violated the following sections of its Regulations:

**(Effective September 1, 2001)**  
**Count 1: 18 VAC 50-22-260 B 8**  
**Count 2: 18 VAC 50-22-260 B 9**  
**Count 3: 18 VAC 50-22-260 B 14**  
**Count 4: 18 VAC 50-22-260 B 16**  
**Count 5: 18 VAC 50-22-260 B 13**

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

After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Redifer** to impose the following sanctions: \$370.00 monetary penalty for the violation of Count 1; \$600.00 monetary penalty for the violation of Count 2; \$2,000.00 monetary penalty for the violation of Count 3; \$2,000.00 monetary penalty for the violation of Count 4; and \$1,300.00 monetary penalty for the violation of Count 5. Total monetary penalty is \$6,270.00. As to Counts 3, 4 and 5, the Board voted to impose revocation of license (Number 2705-097231) for the violations The Board further require Richard L. Riley have a

member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

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

**In the matter of Disciplinary File Number 2006-01637, Katherine Lynn Wong, t/a TB Construction (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Katherine Lynn Wong, t/a TB Construction (Respondent) nor anyone on her behalf appeared at the IFF or the board meeting.**

**File Number  
2006-01637  
Katherine  
Lynn Wong,  
t/a TB  
Construction**

As the Board Representative, **Mrs. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Katherine Lynn Wong** violated the following sections of its Regulations:

**(Effective September 1, 2001)**

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

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

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

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

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

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

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Hart** to impose the following sanctions: \$800.00 monetary penalty for the violation of Count 1; \$1,900.00 monetary penalty for the violation of Count 2; \$2,000.00 monetary penalty for the violation of Count 3; \$400.00 monetary penalty for the violation of Count 4; and \$2,000.00 monetary penalty for the violation of Count 5. Total monetary penalty is \$7,100.00. As to Counts 2, 3 and 5, the Board voted to impose revocation of license (Number 2705-084322) for the violations. The Board further require Katherine Lynn Wong have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were:

**Kinser, Kirby, Cronin, Miller, Modisett, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**In the matter of Disciplinary File Number 2006-04139, Virginia Pools Unlimited Inc (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Virginia Pools Unlimited Inc (Respondent) nor anyone on her behalf appeared at the IFF or the board meeting.**

**File Number  
2006-04139  
Virginia  
Pools  
Unlimited  
Inc**

As the Board Representative, **Mr. Modisett** was not present and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Miller** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Virginia Pools Unlimited Inc** violated the following sections of its Regulations:

**(Effective September 1, 2001)**  
**Count 1: § 54.1-1110, Code of Virginia**  
**Count 2: 18 VAC 50-22-260 B 13**

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

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Walton** to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 2. Total monetary penalty is \$500.00. As to Count 1, the Board voted to impose revocation of license (Number 2705-096316) for the violations.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.** As the board representative, **Mr. Modisett** did not participate and did not vote.

**In the matter of Disciplinary File Number 2006-03504, Michael L. Gray, t/a Gray Home Improvement (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Michael L. Gray, t/a Gray Home Improvement (Respondent) nor anyone on her behalf appeared at the IFF or the board meeting. Benny and Patty Davis (Complainants) appeared at the IFF.**

**File Number  
2006-03504  
Michael L.  
Gray, t/a  
Gray Home  
Improvement**

As the Board Representative, **Mr. Modisett** was not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Michael L. Gray** 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**

**(Effective September 1, 2001)**

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

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

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas-Pate** to impose the following sanctions: \$500.00 monetary penalty for the violation of Count 1; \$1,800.00 monetary penalty for the violation of Count 2; \$2,150.00 monetary penalty for the violation of Count 3; and \$200.00 monetary penalty for the violation of Count 4. Total monetary penalty is \$4,650.00. As to Counts 2, and 3, the Board voted to impose revocation of license (Number 2705-083791) for the violations. The Board further require **Michael L. Gray** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.** As the board representative, **Mr. Modisett** did not participate and did not vote.

**In the matter of Disciplinary File Number 2006-03138, USA Remediation Services Inc, t/a USA Remediation Services Inc (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither USA Remediation Services Inc, t/a USA Remediation Services Inc (Respondent)** nor anyone on its behalf appeared at the IFF or the board meeting.

**File Number**  
**2006-03138**  
**USA**  
**Remediation**  
**Services Inc,**  
**t/a USA**  
**Remediation**  
**Services Inc**

As the Board Representative, **Mr. Modisett** was not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations.

The Board found **USA Remediation Services Inc** violated the following sections of its Regulations:

**(Effective September 1, 2001)**

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

**Count 2: 18 VAC 50-22-260 B 23**

**(Effective May 1, 1999)**

**Count 3: 18 VAC 50-22-260 B 20**

**(Effective September 1, 2001)**

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

**Count 5: 18 VAC 50-22-230 B**

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

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas-Pate** to impose the following sanctions: \$750.00 monetary penalty for the violation of Count 2; \$1,000.00 monetary penalty for the violation of Count 4; and \$500.00 monetary penalty for the violation of Count 5. Total monetary penalty is \$2,250.00. As to Count 1, the Board voted to impose no monetary penalty for the violation of the regulation pursuant to §54.1-202 of the Code of Virginia. As to Count 3, the Board voted to impose no monetary penalty for the violation of the regulation. As to Count 4, the Board voted to impose revocation of license (Number 2701-038305) for the violations.

The Board further require **USA Remediation Services Inc** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.** As the board representative, **Mr. Modisett** did not participate and did not vote.

**In the matter of Disciplinary File Number 2006-01637, Fidelity Construction Inc, t/a Fidelity Custom Homes (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Fidelity Construction Inc, t/a Fidelity Custom Homes (Respondent) nor anyone on its behalf appeared at the IFF or the board meeting. Kathleen and James Slade appeared at the IFF and the board meeting.**

**File Number  
2006-03031  
Fidelity  
Construction  
Inc, t/a  
Fidelity  
Custom  
Homes**

As the Board Representative, **Mr. Modisett** was not present and did not vote. After discussion, a motion was made by **Mr. Orange** 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Fidelity Construction Inc violated the following sections of its Regulations:

**(Effective September 1, 2001)**

**Count 1: 18 VAC 50-22-260 B 29 (three violations)**

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

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

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

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

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

After discussion a motion was made by **Mr. Orange** and seconded by **Mr. Smith** to impose the following sanctions: \$1,200.00 monetary penalty for the violation of Count 1; \$2,000.00 monetary penalty for the violation of Count 2; \$2,000.00 monetary penalty for the violation of Count 3; \$1,500.00 monetary penalty for the violation of Count 4; and \$1,000.00 monetary penalty for the violation of Count 5. Total monetary penalty is \$7,700.00. As to Counts 4 and 5, the Board voted to impose revocation of license (Number 2705-058598) for the violations. The Board further require Fidelity Construction Inc have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the order.

The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.** As the board representative, Mr. Modisett did not participate and did not vote.

**In the matter of Disciplinary File Number 2006-02508, Frederick Martin, t/a Martin Contracting (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. As the Board Representative, **Mr. Modisett** was not present and did not vote. **Izaak D. Glasser, attorney for Frederick Martin, t/a Martin Contraction** requested a continuance via a letter (handed out to the Board members). After discussion, a motion was made by **Mr. Walton** and seconded by **Ms. Wood** to reconvene this case to an Informal Fact Finding Conference (IFF). The motion was approved unanimously. Members voting "Yes" were: **Kinser, Kirby, Cronin, Miller, Smith, Orange, Walton, Tomlin, Hart, Wood, Redifer and Rackas Pate.**

**File Number**  
**2006-02508**  
**Frederick**  
**Martin t/a**  
**Martin**  
**Contracting**

**In the matter of Consent Order File Number 2006-03231, Board v. Carl G. Andrews, t/a Andrews Electric Service, the Board reviewed the Consent Order.**

**File Number  
2006-03231  
Carl G.  
Andrews, t/a  
Andrews  
Electric  
Service**

**Carl G. Andrews, t/a Andrews Electric Service, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.8 \$100.00. A total monetary penalty of \$100.00 is hereby imposed. In addition, Carl G. Andrews agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. Carl G. Andrews also agrees to pay \$150.00 in Board costs.**

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

**In the matter of Consent Order File Number 2005-04056, Board v. T Musgrove Construction Co Inc, t/a T Musgrove Construction Co Inc., the Board reviewed the Consent Order.**

**File Number  
2005-04056  
T Musgrove  
Construction  
Co Inc, t/a  
Musgrove  
Construction  
Co Inc**

**T Musgrove Construction Co Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.27 \$150.00 and Count 2: 18 VAC 50-22-260.B.27 \$150.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, T Musgrove Construction Co Inc. agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. T Musgrove Construction Co Inc. also agrees to pay \$150.00 in Board costs.**

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

**In the matter of Consent Order File Number 2006-04056, Board v. James H. Payne, t/a Payne's Construction, the Board reviewed the Consent Order.**

**File Number  
2006-00345  
James H.  
Payne, t/a  
Payne's  
Construction**

**James H. Payne, t/a Payne's Construction, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.8 \$0.00. A total monetary penalty of \$0.00 is hereby**

**imposed. In addition, for the violation of Count 1, James H. Payne agrees to revocation of his license (Number 2701-031666)**

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

**In the matter of Consent Order File Number 2006-00390, Board v. Donald Winston Terry, t/a AAA Construction, the Board reviewed the Consent Order.**

**File Number  
2006-00390  
Donald  
Winston  
Terry, t/a  
AAA  
Construction**

**Donald Winston Terry, t/a AAA Construction, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.9 \$150.00. A total monetary penalty of \$150.00 is hereby imposed. In addition, Donald Winston Terry agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six months of the effective date of the Order. Donald Winston Terry also agrees to pay \$150.00 in Board costs.**

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

**In the matter of Consent Order File Number 2006-01871, Board v. Stephen N. Gray, t/a Roofs Unlimited/Custom Builders Unlimited, the Board reviewed the Consent Order.**

**File Number  
2006-01871  
Stephen N.  
Gray, t/a  
Roofs  
Unlimited/C  
ustom  
Builders  
Unlimited**

**Stephen N. Gray, t/a Roofs Unlimited/Custom Builders Unlimited, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.9 \$400.00; Count 2: 18 VAC 50-22-260.B.6 \$600.00; Count 3: 18 VAC 50-22-260.B.30 \$600.00 and Count 4: 18 VAC 50-22-260.B.28 \$0.00. A total monetary penalty of \$1,600.00 is hereby imposed. In addition, for the violation of Count 4, Stephen N. Gray agrees to satisfy the judgment and provide the Board with proof of the satisfaction within sixty (60) days of the effective date of this Order. If Stephen N. Gray fails to comply with these conditions, then license revocation will be automatically imposed. Stephen N. Gray also agrees to pay \$500.00 in Board costs.**

Upon a motion by Mr. Redifer seconded by Ms. Rackas-Pate the board ratified the consent order with an unanimous vote: Members voting "Yes"

were: **Cronin, Hart, Kinser, Kirby, Miller, Modisett, Orange, Rackas-Pate, Redifer, Smith, Tomlin, and Walton.** As the board representative, Ms. Wood did not participate and did not vote.

**In the matter of Consent Order File Number 2006-03036, Board v. Interstate Service Co, Inc., t/a Interstate Service Co Inc., the Board reviewed the Consent Order.**

**File Number  
2006-03036  
Interstate  
Service Co  
Inc., t/a  
Interstate  
Service Co  
Inc.**

**Interstate Service Co Inc., t/a Interstate Service Co Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.19 \$700.00 and Count 2: 18 VAC 50-22-260.B.18 \$600.00. A total monetary penalty of \$1,300.00 is hereby imposed. In addition, Interstate Service Co Inc. agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within three (3) months of the effective date of the Order. Interstate Service Co Inc. also agrees to pay \$150.00 in Board costs.**

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

**In the matter of Consent Order File Number 2006-03033, Board v. Lauck Plumbing Inc., t/a Lauck Plumbing Inc., the Board reviewed the Consent Order.**

**File Number  
2006-03033  
Lauck  
Plumbing  
Inc, t/a  
Lauck  
Plumbing  
Inc.**

**Lauck Plumbing Inc., t/a Lauck Plumbing Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.19 \$400.00 and Count 2: 18 VAC 50-22-260.B.16 \$1,000.00. A total monetary penalty of \$1,400.00 is hereby imposed. In addition, Lauck Plumbing Inc. agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within three (3) months of the effective date of the Order. Lauck Plumbing Inc. also agrees to pay \$150.00 in Board costs.**

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

**In the matter of Consent Order File Number 2006-03196, Board v. Massey Wood & West Inc., the Board reviewed the Consent Order.**

**File Number  
2006-03196  
Massey  
Wood &  
West Inc**

**Massey wood & West Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.9 \$0.00 and Count 2: 18 VAC 50-22-260.B.5 \$500.00. A total monetary penalty of \$500.00 is hereby imposed. In addition, for the violation of Count 1, Massey Wood & West Inc. agrees to provide a copy of its current contract within thirty (30) days of the effective date of this Order.**

**In addition, Massey Wood & West Inc. agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within three (3) months of the effective date of the Order. Massey Wood & West Inc. also agrees to pay \$150.00 in Board costs.**

**Upon a motion by Mr. Redifer seconded by Ms. Rackas-Pate the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Cronin, Hart, Kirby, Miller, Modisett, Orange, Rackas-Pate, Redifer, Smith, Tomlin, Walton and Wood. As the board representative, Mr. Kinser did not participant and did not vote.**

**In the matter of Consent Order File Number 2006-03269, Board v. Richard G. Duckett, t/a Duckett Construction, the Board reviewed the Consent Order.**

**File Number  
2006-03269  
Richard G.  
Duckett, t/a  
Duckett  
Construction**

**Richard G. Duckett, t/a Duckett Construction, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.11 \$200.00. A total monetary penalty of \$200.00 is hereby imposed. In addition, Richard G. Duckett agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. Richard G. Duckett also agrees to pay \$150.00 in Board costs.**

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

**In the matter of Consent Order File Number 2006-03292, Board v. William f. Hickey III, t/a Hickey Electric Co, the Board reviewed the Consent Order.**

**File Number  
2006-03292  
William F.  
Hickey III,**

**William F. Hickey III, t/a Hickey Electric Co., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.31 \$350.00. A total monetary penalty of \$350.00 is hereby imposed. In addition, William F. Hickey III agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. William F. Hickey III also agrees to pay \$150.00 in Board costs.**

**t/a Hickey  
Electric Co.**

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

**In the matter of Consent Order File Number 2006-03649, Board v. S A May Construction Corporation, the Board reviewed the Consent Order.**

**File Number  
2006-03649  
S A May  
Construction  
Corporation**

**S A May Construction Corporation, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.15 \$1,000.00 and Count 2: 18 VAC 50-22-260.B.30 \$1,00.00. A total monetary penalty of \$2,000.00 is hereby imposed. In addition, S A May Construction Corporation agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within three (3) months of the effective date of the Order. S A May also agrees to pay \$150.00 in Board costs.**

Upon a motion by Mr. Redifer seconded by Ms. Wood the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Cronin, Hart, Kinser, Kirby, Miller, Modisett, Orange, Redifer, Smith, Tomlin, Walton and Wood. As the board representative, Ms. Rackas-Pate did not participant and did not vote.

**In the matter of Consent Order File Number 2006-03681, Board v. Hamlet & Company Inc, t/a Ocean Construction & Development, the Board reviewed the Consent Order.**

**File Number  
2006-03681  
Hamlet &  
Company  
Inc., t/a  
Ocean  
Construction  
&  
Development**

**Hamlet & Company Inc., t/a Ocean Construction & Development, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.31 \$400.00. A total monetary penalty of \$400.00 is hereby imposed. In addition, Hamlet & Company Inc. agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's**

**contracting license class within six (6) months of the effective date of the Order. Hamlet & Company Inc. also agrees to pay \$150.00 in Board costs.**

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

**In the matter of Consent Order File Number 2006-03731, Board v. Uwe M McClendon, t/a McClendon Framing, the Board reviewed the Consent Order.**

**File Number  
2006-03731  
Uwe M.  
McClendon,  
t/a  
McClendon  
Framing**

**Uwe M McClendon, t/a McClendon Framing, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-230. A. \$100.00; Count 2: 18 VAC 50-22-260.B.9 \$100.00; Count 3: 18 VAC 50-22-260.B.11 \$100.00 and Count 4: 18 VAC 50-22-260.B.27 \$200.00. A total monetary penalty of \$500.00 is hereby imposed. In addition, Uwe M McClendon agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. Uwe M McClendon also agrees to pay \$150.00 in Board costs.**

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

**In the matter of Consent Order File Number 2006-03846, Board v. Frank L. Kelley, t/a Hampton Roads Contractors, the Board reviewed the Consent Order.**

**File Number  
2006-03846  
Frank L.  
Kelley, t/a  
Hampton  
Roads  
Contractors**

**Frank L. Kelley, t/a Hampton Roads Contractors, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.27 \$0.00; Count 2: 18 VAC 50-22-260.B.15 \$0.00; Count 3: 18 VAC 50-22-260.B.16 \$0.00 and Count 4: 18 VAC 50-22-260.B.28 \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, frank L. Kelley agrees to revocation of his license (Number 2705-025640).  
Frank l Kelley also agrees to pay \$150.00 in Board costs.**

Upon a motion by **Mr. Redifer** seconded by **Ms. Rackas-Pate** the board ratified the consent order with an unanimous vote: Members voting "Yes"

were: Cronin, Hart, Kinser, Kirby, Miller, Modisett, Orange, Rackas-Pate, Redifer, Smith, Tomlin, and Walton. As the board representative, Ms. Wood did not participate and did not vote.

**In the matter of Consent Order File Number 2006-03960, Board v. Richard Coe, t/a Ricks Repair Service, the Board reviewed the Consent Order.**

**File Number  
2006-03960  
Richard Coe,  
t/a Ricks  
Repair  
Service**

**Richard Coe, t/a Ricks Repair Service, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.8 \$300.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, Richard Coe agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. Richard Coe also agrees to pay \$150.00 in Board costs.**

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

**In the matter of Consent Order File Number 2006-04138, Board v. Steven William Lucas, t/a Lucas Home Improvements, the Board reviewed the Consent Order.**

**File Number  
2006-04138  
Steven  
William  
Lucas, t/a  
Lucas Home  
Improvements**

**Steven William Lucas, t/a Lucas Home Improvements, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: § 54.1-1110 of the Code of Virginia \$0.00. A total monetary penalty of \$0.00 is hereby imposed.**

**In addition, Lucas agrees to reimburse the Contractor Recovery Fund pursuant to the terms of the Board's Final Order in File Number 2004-02457, within nine (9) months of entry of this Order. Failure to reimburse the Contractor Recovery Fund will result in suspension of Lucas's license until the amount owed is paid in full. Steven William Lucas also agrees to pay \$350.00 in Board costs.**

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

**In the matter of Consent Order File Number 2006-04167, Board v. Harkins Builders Inc, t/a Harkins Builders Inc, the Board reviewed the Consent Order.**

**File Number  
2006-04167  
Harkins  
Builders Inc,  
t/a Harkins  
Builders Inc**

**Harkins Builders Inc, t/a Harkins Builders Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.6 \$250.00; Count 2: 18 VAC 50-22-220.A \$250.00; Count 3: 18 VAC 50-22-220.B \$250.00 and Count 4: 18 VAC 50-22-260.B.13 \$650.00. A total monetary penalty of \$1,400.00 is hereby imposed. In addition, Harkins Builders Inc agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. Harkins Builders Inc also agrees to pay \$150.00 in Board costs.**

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

**In the matter of Consent Order File Number 2006-04170, Board v. Zaccaria Construction LLC, t/a Zaccaria Construction LLC, the Board reviewed the Consent Order.**

**File Number  
2006-04170  
Zaccaria  
Construction  
LLC, t/a  
Zaccaria  
Construction  
LLC**

**Zaccaria Construction LLC, t/a Zaccaria Construction LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.9 \$350.00; Count 2: 18 VAC 50-22-260.B.31 \$350.00; Count 3: 18 VAC 50-22-260.B.29 (Two Violations @ \$500.00 each) \$1,000.00; Count 4: 18 VAC 50-22-260.B.6 \$1,000.00; Count 5: 18 VAC 50-22-260.B.14 \$1,000.00 and Count 6: 18 VAC 50-22-260.B.6 \$500.00. A total monetary penalty of \$4,200.00 is hereby imposed. In addition, Zaccaria Construction LLC agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order.**

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

**In the matter of Consent Order File Number 2006-04171, Board v. Thomas L Baith & Jose L Silva & James Pearson, t/a Dalewood**

**File Number  
2006-04171**

**Remodeling & Construction Co, the Board reviewed the Consent Order.**

**Thomas L Baith & Jose L Silva & James Pearson, t/a Dalewood Remodeling & Construction Co, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.8 \$300.00 and Count 2: 18 VAC 50-22-260.B.27 \$700.00. A total monetary penalty of \$1,000.00 is hereby imposed. In addition, Thomas L Baith & Jose L Silva & James Pearson, t/a Dalewood Remodeling & Construction Co agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. Thomas L Baith & Jose L Silva & James Pearson also agree to pay \$150.00 in Board costs.**

**Thomas L  
Baith & Jose  
L Silva &  
James  
Pearson, t/a  
Dalewood  
Remodeling  
&  
Construction  
Co**

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

**In the matter of Consent Order File Number 2006-04172, Board v. Davis Martinez, t/a Martinez Bros, the Board reviewed the Consent Order.**

**Board v. Davis Martinez, t/a Martinez Bros., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.9 (Four Violations @ \$25.00 each) \$100.00; Count 2: 18 VAC 50-22-260.B.27 \$200.00 and Count 3: 18 VAC 50-22-260.B.6 \$200.00. A total monetary penalty of \$500.00 is hereby imposed. In addition, for the violation of Count 1, Davis Martinez agrees to provide a copy of his current contract within thirty (30) days of the effective date of the Order. Further, for the violations of Count 1, Davis Martinez agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within three (3) months of the effective date of the Order. Davis Martinez also agrees to pay \$150.00 in Board costs.**

**File Number  
2006-04172  
Davis  
Martinez, t/a  
Martinez  
Bros**

Upon a motion by Mr. Redifer seconded by Ms. Rackas-Pate the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Cronin, Hart, Kinser, Kirby, Miller, Modisett, Rackas-Pate, Redifer, Smith, Tomlin, Walton and Wood. As the board representative, Mr. Orange did not participant and did not vote.

**In the matter of Consent Order File Number 2006-04304, Board v. John H Morgal, t/a John H Morgal Plumbing**

**File Number  
2006-04304  
John H**

**John H Morgal, t/a John H Morgal Plumbing, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.9 \$300.00; Count 2: 18 VAC 50-22-260.B.27 \$600.00 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, John H Morgal agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. John H Morgal also agrees to pay \$150.00 in Board costs.**

**Morgal, t/a  
John H  
Morgal  
Plumbing**

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

**In the matter of Consent Order File Number 2006-04407, Board v. Kirk P Darville, t/a 3-D Builder, the Board reviewed the Consent Order.**

**File Number  
2006-04407  
Kirk P  
Darville, t/a  
3-D Builder**

**Kirk P Darville, t/a 3-D Builder, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.27 \$600.00; Count 2: 18 VAC 50-22-260.B.27 \$600.00 and Count 3: 18 VAC 50-22-260.B.27 \$600.00. A total monetary penalty of \$1,800.00 is hereby imposed. In addition, Kirk P Darville, t/a 3-D Builder agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. Kirk P Darville also agree to pay \$150.00 in Board costs.**

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

**In the matter of Consent Order File Number 2006-04497, Board v. Steven S Waterholter, t/a Payless Fencing Co, the Board reviewed the Consent Order.**

**File Number  
2006-04497  
Steven S  
Waterholter,  
t/a Payless  
Fencing Co**

**Steven S Waterholter, t/a Payless Fencing Co, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.9 \$375.00 and Count 2: 18 VAC 50-22-260.B.15 \$1,000.00. A total monetary penalty of \$1,375.00 is hereby imposed. In addition, Steven S Waterholter agrees to have a member of**

**Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. Also, Steven S Waterholter agrees to pay the monetary penalty within sixty (60) days of the effective date of the Order. Steven S Waterholter also agrees to pay \$150.00 in Board costs within sixty (60) days of the effective date of the Order.**

Upon a motion by Mr. Redifer seconded by Ms. Rackas-Pate the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Cronin, Hart, Kirby, Miller, Modisett, Orange, Rackas-Pate, Redifer, Smith, Tomlin, Walton and Wood. As the board representative, Mr. Kinser did not participant and did not vote.

**In the matter of Consent Order File Number 2006-04567, Board v. Daniel B Blake IV, t/a Blake Fourth Specialties, the Board reviewed the Consent Order.**

**File Number  
2006-04567  
Daniel B.  
Blake IV, t/a  
Blake  
Fourth  
Specialties**

**Daniel B Blake IV, t/a Blake Fourth Specialties, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.31 \$300.00. A total monetary penalty of \$300.00 is hereby imposed. In addition, Daniel B. Blake IV, t/a Blake Fourth Specialties agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. Daniel B. Blake IV also agrees to pay \$150.00 in Board costs.**

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

**In the matter of Consent Order File Number 2006-04586, Board v. HMS Services Inc, the Board reviewed the Consent Order.**

**File Number  
2006-04586  
HMS  
Services Inc**

**HMS Services Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: § 54.1-1110 of the Code of Virginia \$0.00. A total monetary penalty of \$0.00 is hereby imposed. Upon a motion by Mr. Redifer seconded by Ms. Rackas-Pate the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Cronin, Hart, Kinser, Kirby, Miller, Modisett, Orange, Rackas-Pate, Redifer, Smith, Tomlin, Walton and Wood.**

**In the matter of Consent Order File Number 2006-04899, Board v. Canale & Associates Inc, t/a Canale & Associates Inc, the Board reviewed**

**File Number  
2006-04899**

the Consent Order.

**Canale & Associates Inc., t/a Canale & Associates Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.9 \$50.00 and Count 2: 18 VAC 50-22-260.B.31 \$350.00. A total monetary penalty of \$400.00 is hereby imposed. In addition, Canale & Associates Inc agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. Canale & Associates Inc also agree to pay \$150.00 in Board costs.**

**Canale &  
Associates  
Inc, t/a  
Canale &  
Associates  
Inc**

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

**In the matter of Consent Order File Number 2006-0555, Board v. B & K Contractors Inc, t/a B & K Contractors Inc, the Board reviewed the Consent Order.**

**File Number  
2006-05155  
B & K  
Contractors  
Inc, t/a B &  
K  
Contractors  
Inc**

**B & K Contractors Inc, t/a B & K Contractors Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.22 \$500.00. A total monetary penalty of \$1,000.00 is hereby imposed. In addition, for the violation of Count 1, B & K Contractors agree to revocation of its license (Number 2705-056587). However, the Board shall waive imposition of the \$500.00 monetary penalty and revocation of license provided B & K Contractors removes Donald Ray Matney as qualified individual and reports a change in the qualified individual within sixty (60) days of the effective date of this Order. If B & K Contractors fails to comply with this condition, then the full monetary penalty and license revocation will be automatically imposed. B & K Contractors Inc also agrees to pay \$150.00 in Board costs.**

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

**In the matter of Consent Order File Number 2006-05404, Board v. Carl R Cassell, t/a Cassell Builders, the Board reviewed the Consent Order.**

**File Number  
2006-05404  
Carl R**

**Carl R Cassell, t/a Cassell Builders, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260, B.22 \$0.00. A total monetary penalty of \$0.00 is hereby imposed. It is noted that Carl R Cassell is not required to complete remedial education due to the circumstances of this subject matter and that Carl R Cassell reported the convictions to the Board within the required thirty days. Carl R Cassell also agrees to pay \$150.00 in Board costs.**

**Cassell, t/a  
Cassell  
Builders**

Upon a motion by Mr. Redifer seconded by Ms. Rackas-Pate the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Cronin, Hart, Kinser, Kirby, Miller, Modisett, Orange, Rackas-Pate, Redifer, Tomlin, Walton and Wood. As the board representative, Mr. Smith did not participant and did not vote.

**In the matter of Consent Order File Number 2007-00037, Board v. Thomas L. Hogge, t/a Eastern Virginia Mechanical, the Board reviewed the Consent Order.**

**File Number  
2007-00037  
Thomas L.  
Hogge, t/a  
Eastern  
Virginia  
Mechanical**

**Thomas L Hogge, t/a Eastern Virginia Mechanical, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-210. \$400.00 and Count 2: 18 VAC 50-22-230.A \$350.00. A total monetary penalty of \$7500.00 is hereby imposed. In addition, Thomas L. Hogge agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within three (3) months of the effective date of the Order. Thomas L Hogge also agrees to pay \$150.00 in Board costs.**

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

**In the matter of Consent Order File Number 2007-00098, Board v. Maurice V Lockett, t/a E Z Way Plumbing Maintenance, the Board reviewed the Consent Order.**

**File Number  
2007-00098  
Maurice V  
Lockett, t/a  
E Z Way  
Plumbing  
Maintenance**

**Maurice V Lockett, t/a E Z Way Plumbing Maintenance, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.6 \$250.00. A total monetary penalty of \$250.00 is hereby imposed. In addition, Maurice V Lockett, t/a E Z Way Plumbing Maintenance agrees to have a member of Responsible Management successfully complete the remedial education by attending**

**the Board's contracting license class within six (6) months of the effective date of the Order. Maurice V Lockett, t/a E Z Way Plumbing Maintenance also agree to pay \$150.00 in Board costs.**

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

**In the matter of Consent Order File Number 2007-00201, Board v. Craig Alexander, t/a Alexander's Blacktop Paving, the Board reviewed the Consent Order.**

**Craig Alexander, t/a Alexander's Blacktop Paving, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260. B.8 \$350.00. A total monetary penalty of \$350.00 is hereby imposed. In addition, Craig Alexander, t/a Alexander's Blacktop Paving agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within six (6) months of the effective date of the Order. Craig Alexander, t/a Alexander's Blacktop Paving also agree to pay \$150.00 in Board costs.**

File Number  
**2007-00201**  
**Craig**  
**Alexander,**  
**t/a**  
**Alexander's**  
**Blacktop**  
**Paving**

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

**In the matter of Consent Order File Number 2007-00294, Board v. Duane A Plain, the Board reviewed the Consent Order.**

**Duane A Plain acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-30-190.4 \$500.00. A total monetary penalty of \$500.00 is hereby imposed. In addition, Duane A Plain agrees to have a member of Responsible Management successfully complete the remedial education by attending the Board's contracting license class within three (3) months of the effective date of the Order. Duane A Plain also agrees to pay \$150.00 in Board costs.**

File Number  
**2007-00294**  
**Duane A**  
**Plain**

Upon a motion by Mr. Redifer seconded by Ms. Rackas-Pate the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Cronin, Hart, Kirby, Miller, Modisett, Orange, Rackas-Pate, Redifer, Smith, Tomlin, Walton and Wood. As the board representative, Mr. Kinser did not participant and did not vote.

**In the matter of File 2005-01317.** After discussion a motion was offered by Mr. Kirby and seconded by Mr. Walton to vacate the previous Final Opinion and Order entered on October 18, 2005, against Classic Touch Unlimited Inc. and ratified a Consent Order. The Board acknowledges that Classic Touch Unlimited Inc. has paid the monetary penalty of \$3,100.00 imposed in this matter. The Board voted to require Classic Touch Unlimited, Inc., to successfully complete the Board's Advanced Contracting Licensing Class (remedial education). In addition, the board acknowledges that Classic touch Unlimited Inc has reimbursed Janice Fuller in the amount of \$2,500.00. Also, Classic Touch Unlimited Inc. agrees to its license being placed on Probation for two (2) years from the date of the order. Further, the Board acknowledges that Classic Touch Unlimited Inc has paid the \$600.00 in Board costs. The motion passed unanimously. Members voting "yes" were: Hart, Kinser, Kirby, Orange, Rackas Pate, Smith, Cronin, Modisett, Tomlin, Miller, Redifer, Walton and Wood.

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

**At 12:03 PM the Board took a break and reconvened at 12:12 PM.**

**Recess and**  
**Reconvened**

**Eric Olson, Executive Director- Board for Contractors,** discussed regulations update with the Board and requested the Board's approval to adopt the proposed Emergency Regulations. After a discussion a motion was made by Mr. Kirby and seconded by Mr. Walton to adopt the proposed Emergency Regulations. The motion passed unanimously. Members voting "yes" were: **Cronin, Hart, Kinser, Kirby, Miller, Modisett, Orange, Rackas-Pate, Redifer, Smith, Tomlin, Walton and Wood.**

**Other**  
**Business**

There being no further business to come before the board, the meeting was adjourned at 12:20 P.M. upon a motion by Ms. Wood and seconded by Mr. Kirby. The vote was unanimous. Members voting yes were: **Cronin, Hart, Kinser, Kirby, Miller, Modisett, Orange, Rackas-Pate, Redifer, Smith, Tomlin, Walton and Wood.**

**Adjourn-**  
**ment**

  
\_\_\_\_\_  
Mark D. Kinser, Chairman

  
\_\_\_\_\_  
Jay W. DeBoer, Secretary

**Copy teste:**

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**Custodian of the Record**

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

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

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\_\_\_\_\_

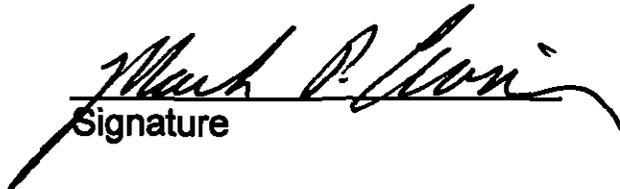
6. I declare that:

- (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

November 28, 2006  
Date

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

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

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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

November 28, 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: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

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\_\_\_\_\_

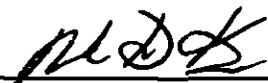
6. I declare that:

- (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

**November 28, 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: BOARD FOR CONTRACTORS MEETING
5. Nature of Personal Interest Affected by Transaction:

PUB. DE KIRBY, INC. , KIRBY & KIRBY ASSOC

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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:

AGC OF VA, BUILDING & CONSTRUCTION EXCH. PROGRAM

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

Robert Kirby  
Signature

November 28, 2006  
Date

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

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

\_\_\_\_\_

\_\_\_\_\_

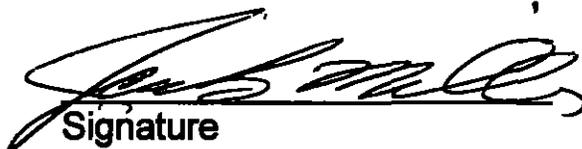
6. I declare that:

- (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

November 28, 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: BOARD FOR CONTRACTORS MEETING
5. Nature of Personal Interest Affected by Transaction:

None

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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:

Coyne, Menure & Dunn, Inc., Associated  
General Contractors of Va.

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

Jeffrey A. Modisett  
Signature

November 28, 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: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

N/A

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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. LU 666

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

  
Signature

November 28, 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: BOARD FOR CONTRACTORS MEETING
5. Nature of Personal Interest Affected by Transaction:

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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:

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\_\_\_\_\_

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

  
\_\_\_\_\_  
Signature

November 28, 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: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

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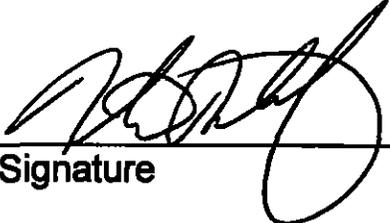
6. I declare that:

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

VBLOA VPMIA ILL IAEI NFPA

\_\_\_\_\_

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

  
\_\_\_\_\_  
Signature

November 28, 2006  
Date

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

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

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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

November 28, 2006  
Date

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

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

None

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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:

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

Deborah Tomlin  
Signature

November 28, 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: BOARD FOR CONTRACTORS MEETING
5. Nature of Personal Interest Affected by Transaction:

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6. I declare that:

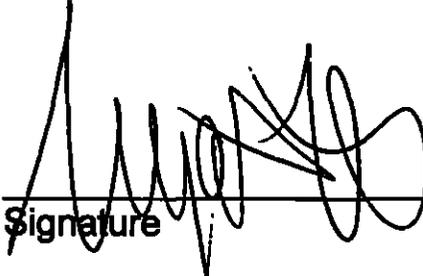
- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

\_\_\_\_\_

6  
(b)

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

  
Signature

November 28, 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: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

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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

November 28, 2006  
Date