

BOARD FOR CONTRACTORS BOARD MEETING

MINUTES DRAFT

The Board for Contractors met on Tuesday, July 31st, 2012 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the members present was qualified to vote, except where a specific reason for disqualification is stated. There are 15 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

E .G. Middleton, III, Chairman
Bailey Dowdy
Herbert “Jack” Dyer, Jr.
Michael Gelardi
Doug Murrow
James Oliver
E.C. “Chick” Pace
Troy Smith
Homer Pete Sumpter
Deborah Tomlin
Dwight Todd Vander Pol
Walton H. Walton, III
A. Bruce Williams

Mr. David Giesen and Mr. Chancey Walker were not present at the meeting.

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

Gordon Dixon, Director
Eric L. Olson, Executive Director
Adrienne Mayo, Regulatory Boards Administrator
Sheila Watkins, Administrative Assistant, Compliance Specialist
Karen Bullock, Administrative Assistant, Compliance Specialist
Kristen Clay, Legal Analyst
Candace Howard, Legal Analyst
Chris Kunkel, Licensing Education Specialist
Steven Jack, Assistant Attorney General

Chairman E. G. Middleton called the meeting to order at 9:13 a.m. and declared a quorum of board members was in attendance.

Call
To Order

A motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to approve the agenda. The motion passed unanimously. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Approval of the Agenda

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

Approval of Minutes

June 5th, 2012 Board for Contractors Meeting
November 1, 2011 Board for Contractors Meeting
April 18th, 2012 Informal Fact Finding Conference
April 20th, 2012 Informal Fact Finding Conference
April 26th, 2012 Informal Fact Finding Conference
May 3rd, 2012 Informal Fact Finding Conference
May 8th, 2012 Informal Fact Finding Conference
May 15th, 2012 Informal Fact Finding Conference
May 16th, 2012 Informal Fact Finding Conference
May 17th, 2012 Informal Fact Finding Conference
May 18th, 2012 Informal Fact Finding Conference
May 22nd, 2012 Informal Fact Finding Conference
June 15th, 2012 Informal Fact Finding Conference
June 14th, 2012 Informal Fact Finding Conference
June 12th, 2012 Informal Fact Finding Conference
June 7th, 2012 Informal Fact Finding Conference

Mr. Gelardi seconded the motion and it was unanimously approved by members: Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

There was no public comment.

Public Comment Period

In the matter of Recovery Fund File Number 2011-03917, Thomas Owens III (Claimants) vs. C & R Unlimited LLC, (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **C & R Unlimited LLC (Regulant) did not** appear at the board meeting in person or by counsel or by any other qualified representative. **Thomas Owens III (Claimants)** did not attend the Board meeting.

File Number
2011-03917
Thomas Owens III
(Claimants) vs.
C & R Unlimited LLC
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer's recommendations and summary and approve payment of the claim in the amount of **\$17,151.00**. The Claim Review and Summary are incorporated as a part of this Order.

Upon payment of this claim, the license of C & R Unlimited LLC. will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

Mr. Vander Pol offered a substitute motion to reduce the payment of the claim to **\$10,000.00**. Because the contractor held a class C license and the dollar amount cap for each individual is **\$10,000.00**. Steven Jack, Counsel for the Board shared that there is no language in the statute to support the Board having authority to limit caps of Recovery Fund payouts based on the license class of the Regulant. The motion failed due to lack of a second.

During further discussion Mr. Dyer share that he felt the claim should be denied based on the default judgment, untimely and unprofessional work and not misconduct and his concerns about the residence and being that of the claimants. Mr. Dyer withdrew his comments.

After further discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Pace** to remand the case back to staff in order to conduct and Informal Fact Finding Conference.

The motion passed by a majority vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Pace, Sumpter, Tomlin, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

Mr. Oliver and Mr. Smith voted "no".

In the matter of Recovery Fund File Number 2011-03920, Thomas Owens III (Claimant) vs. Isaac Hawkins t/a Diversified Residential Services (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Isaac Hawkins t/a Diversified Residential Services (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Thomas Owens III (Claimants)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2011-03920
Thomas Owens III
(Claimant)
vs. Isaac Hawkins t/a
Diversified Residential
Services
(Regulant)

This is a Prima Facie case.

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

remand the claim back to staff in order to have an informal fact finding conference conducted.

The motion passed by a majority vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.** **Tomlin** voted “no”.

In the matter of Recovery Fund File Number 2011-04139, Jeff & Colleen Hall (Claimant) vs. Custom Renovations and Signs, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Custom Renovations and Signs, LLC. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Colleen Hall (Claimant)** did attend the Board meeting in person with counsel Holstram.

File Number
2011-04139
Jeff & Colleen Hall
(Claimant) vs.
Custom Renovations
and
Signs, LLC
(Regulant)

This is a Prima Facie case

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer’s recommendations and summary and pay the claim in the amount of **\$13,263.00.** Upon payment of this claim, the license of **Custom Renovations and Signs, LLC** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Recovery Fund File Number 2012-00074, Joyce Loney (Claimants) vs. Mark Hamlin t/a Hamlin Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Mark Hamlin t/a Hamlin Construction (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Joyce Loney (Claimants)** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

File Number
2012-00074
Joyce Loney
(Claimants) vs.
Mark Hamlin t/a
Hamlin
Construction (Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer’s recommendations and summary and pay the claim in amount of **\$6, 736.00.** Upon payment of this claim, the license of **Mark Hamlin t/a Hamlin Construction** will be revoked pursuant to Title 54.1

Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Recovery Fund File Number 2012-01122, Karilyn Shipman (Claimants) vs. Carroll Wayne Huffman (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Carroll Wayne Huffman t/a Wayne’s General Construction (Regulant)** did appear at the Board meeting. He addressed the Board. **Karilyn Shipman (Claimants) did not** attend the Board meeting.

File Number
2012-01122
Karilyn Shipman
(Claimants)
Carroll Wayne Huffman t/a
Wayne’s General
Construction
(Regulant)

This is a prima facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer’s recommendations and summary and deny payment of the claim in the amount of **\$20,000.00.** Upon payment of this claim, the license of **Carroll Wayne Huffman t/a Wayne’s General Construction** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Recovery Fund File Number 2012-01328, Casey & Nicole Rabach (Claimant) vs. Bobs Decks of Loudoun LLC t/a Bob’s Decks Porches and More LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Bobs Decks of Loudoun LLC t/a Bob’s Decks Porches and More LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Casey and Nicole Rabach (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-01328
Casey and Nicole Rabach
(Claimant) vs. Bobs Decks of
Loudoun LLC t/a Bob’s
Decks Porches and
More LLC
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Murrow** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00.** Upon payment of this claim, the license of **Bobs Decks of Loudoun LLC t/a Bob’s Decks Porches and More LLC** will be revoked pursuant to Title 54.1

Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Recovery Fund File Number 2012-01744, Christopher and Kinnet Ehring (Claimant) vs. Ronnie Shackelford t/a No Leak Roofing, Co. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Ronnie Shackelford t/a No Leak Roofing, Co. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Christopher and Kinnet Ehring (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-01744
Christopher & Kinnet
Ehring
(Claimants)
Vs.
Ronnie Shackelford t/a
No
Leak Roofing, Co.
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** to adopt the claim review and approve the payment of the claim in the amount of **\$15,064.00.** Upon payment of this claim, the license of **Ronnie Shackelford t/a No Leak Roofing, Co.** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Recovery Fund File Number 2012-02343, Cynthia Gaver (Claimant) vs. Hawley Construction, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Hawley Construction, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Cynthia Gaver (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-02343
Cynthia Gaver
(Claimants)
Vs
Hawley Construction,
LLC
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00.** Upon payment of this claim, the license of **Hawley Construction, LLC** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Recovery Fund File Number 2012-02383, George Earl (Claimant) vs. D&L Contracting, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **D & L Contracting, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **George Earl (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-02383
George Earl
(Claimants)
Vs
D & L Contracting,
LLC
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and approve the payment of the claim in the amount of **\$8,670.00.** Upon payment of this claim, the license of **D & L Contracting, LLC** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Recovery Fund File Number 2012-01507, Sheridan and Ruth Almeida (Claimant) vs. Class A Builders LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Class A Builders LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Sheridan and Ruth Almeida (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-01507
Sheridan and Ruth
Almeida
(Claimants)
Vs
Class A Builders LLC
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00.** Upon payment of this claim, the license of **Class A Builders LLC** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver,**

Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams. Members absent and not voting were: Walker and Giesen.

In the matter of Recovery Fund File Number 2012-01553, Robert Kaptain (Claimant) vs. Jim Powell Construction, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Jim Powell Construction LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Robert Kaptain (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

**File Number
2012-01553
Robert Kaptain
(Claimants)
Vs
Jim Powell Construction
LLC
(Regulant)**

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Pace** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00**. Upon payment of this claim, the license of **Jim Powell Construction LLC** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams. Members absent and not voting were: Walker and Giesen.**

In the matter of Recovery Fund File Number 2012-01834, Mark & Veronica Kiser (Claimant) vs. Spectrum Installations & Improvements, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Spectrum Installations & Improvements, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Mark & Veronica Kiser (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

**File Number
2012-01834
Mark & Veronica
Kiser
(Claimants)
Vs
Spectrum Installations
& Improvements,
LLC
(Regulant)**

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and approve the payment of the claim in the amount of **\$2,476.99**. Upon payment of this claim, the license of **Spectrum Installations & Improvements, LLC** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Recovery Fund File Number 2012-02329, Garland Hamlett III (Claimant) vs. Barry Wayne Dixon t/a Dixon Builders (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Barry Wayne Dixon t/a Dixon Builders (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Garland Hamlett III (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number

2012-02329

Garland Hamlett III

(Claimants)

Vs

Barry Wayne Dixon t/a

Dixon Builders

(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00.** Upon payment of this claim, the license of **Barry Wayne Dixon t/a Dixon Builders** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Recovery Fund File Number 2012-02613, Suzanne Wilson (Claimant) vs. Robert C Rutledge, Jr. t/a Premium Contracting (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Robert C Rutledge, Jr. t/a Premium Contracting (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Suzanne Wilson (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number

2012-02613

Suzanne Wilson

(Claimants)

Vs

Robert C Rutledge, Jr. t/a

Premium Contracting

(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Murrow** to adopt the claim review and approve the payment of the claim in the amount of **\$13,267.00.** Upon payment of this claim, the license of **Robert C. Rutledge, Jr. t/a Premium Contracting** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Recovery Fund File Number 2012-03133, Mary Ellen Freesland (Claimant) vs. Ideal Home Improvement, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Ideal Home Improvement, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Mary Ellen Freesland (Claimant)** did appear at the board meeting in person.

File Number
2012-03133
Mary Ellen Freesland
(Claimants)
Vs
Ideal Home Improvement,
LLC
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00.** Upon payment of this claim, the license of **Ideal Home Improvement, LLC** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Recovery Fund File Number 2012-03455, Patricia Phelps (Claimant) vs. Energy Saving Exteriors Inc. t/a National Remodeling Company (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Energy Saving Exteriors Inc. t/a National Remodeling Company (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Patricia Phelps (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-03455
Patricia Phelps
(Claimants)
Vs
Energy Saving
Exteriors Inc. t/a
National Remodeling
Company
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00.** Upon payment of this claim, the license of **Energy Saving Exterior Inc. t/a National Remodeling Company** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Recovery Fund File Number 2012-03461, Jonas and Darcey Geissler (Claimant) vs. Class A Builders, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Class A Builders LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Jonas and Darcey Geissler (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-03461
Jonas & Darcey
Geissler
(Claimants)
Vs
Class A Builders, LLC
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00.** Upon payment of this claim, the license of **Class A Builders, LLC** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Recovery Fund File Number 2012-01441, Stanley and Patricia Pawlowski (Claimant) vs. Harry Blankenship Builder, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Harry Blankenship Builder, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Stanley and Patricia Pawlowski (Claimant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

File Number
2012-01441
Stanley and Patricia
Pawlowski
(Claimants)
Vs
Harry Blankenship
Builder, Inc.
(Regulant)

Mr. Redifer the Hearing Officer was not present and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and approve the payment of the claim in the amount of **\$20,000.00.** Upon payment of this claim, the license of **Harry Blankenship Builder, Inc.** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver,**

Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams. Members absent and not voting were: Walker and Giesen.

In the matter of Recovery Fund File Number 2011-02375, Scott and Holly Price (Claimant) vs. WhitCo Development LLC t/a Harvest Tree Company (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **WhitCo Development LLC t/a Harvest Tree Company (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Holly Price (Claimant)** did appear at the board meeting in person. **Attorney Amy McCoulaugh** appeared and addressed the Board.

**File Number
2011-02375
Scott and Holly Price
(Claimants)
Vs
WhitCo Development
LLC
t/a Harvest Tree
Company
(Regulant)**

Mrs. Tomlin the Hearing Officer was not present and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and approve the payment of the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The board finds substantial evidence that the actions of **Harvest Tree Company** fall within the statutory definition of improper or dishonest conduct. Upon payment of this claim, the license of **Harvest Tree Company** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Vander Pol, Walton and Williams. Members absent and not voting were: Walker and Giesen.**

Tomlin was not present and did not vote.

In the matter of Recovery Fund File Number 2012-01056, Keith and Carol Kendall (Claimant) vs. Lacey Custom Homes, Ltd. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Lacey Custom Homes (Regulant)** did not attend the IFF in person, by counsel nor by any other representative.

**File Number
2012-10156
Keith and Carol
Kendall
(Claimants)
Vs
Lacey Custom
Homes, Ltd.
(Regulant)**

Michael Lacy for Lacey Custom Homes, Ltd. (Regulant) did appear at the board meeting in person. He addressed the Board. **Keith and Carol Kendall (Claimant)** did appear at the board meeting in person. They addressed the Board.

Mrs. Tomlin the Hearing Officer was not present and did not vote.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Sumpter** to

adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and approve the payment of the claim in the amount of **\$20,000.00**. The Claim Review and Amended Summary are incorporated as a part of this Order. The board finds there is language in the order that supports the conclusion that the court found that the actions of **Lacey Custom Homes Ltd** involved improper or dishonest conduct. Upon payment of this claim, the license of **Lacey Custom Homes Ltd** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

Tomlin was not present and did not vote.

In the matter of Recovery Fund File Number 2012-01119, Maggie and Tri Luu (Claimant) vs. American Investments Real Estate Corporation t/a Kibra Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

Mrs. Tomlin the Hearing Officer was not present and did not vote.

The Board was given a handout to become a part of the record.

After discussion, a motion was made by **Mr. Dowdy** and seconded by **Mr. Gelardi** to continue the case to the Board’s October meeting for hearing.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

Tomlin was not present and did not vote.

File Number
2012-01119
Maggie and Tri Luu
(Claimants)
Vs
American Investments Real
Estate Corporation t/a
Kibra Construction
(Regulant)

In the matter of Recovery Fund File Number 2012-01246, Eric and M. Abigail Briggs (Claimant) vs. Cutting Edge Landscaping, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Cutting Edge Landscaping, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Eric and M. Abigail Briggs (Claimant)** did not appear at the

File Number
2012-01246
Eric and M. Abigail
Briggs
(Claimants)
Vs

board meeting in person or by counsel or by any other qualified representative.

Mrs. Tomlin the Hearing Officer was not present and did not vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Smith** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and approve the payment of the claim in the amount of **\$3,125.00**. The Claim Review and Summary are incorporated as a part of this Order. The board finds substantial evidence that the actions of **Cutting Edge Landscaping, LLC** fall within the statutory definition of improper or dishonest conduct. Upon payment of this claim, the license of **Cutting Edge Landscaping, LLC** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

Tomlin was not present and did not vote.

In the matter of Recovery Fund File Number 2012-01328, Barbara Ruth Weinstock (Claimant) vs. John J. Barham t/a Barham Builders (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **John J. Barham t/a Barham Builders (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Barbara Weinstock (Claimant)** did appear at the board meeting in person.

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Williams** to adopt the claim review and approve the payment of the claim in the amount of **\$13,776.00**. Upon payment of this claim, the license of **John Barham t/a Barham Builders** will be revoked pursuant to Title 54.1 Chapter 11, Article 2, of the Code of Virginia.

The motion passed by majority vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

Mr. Dyer voted “no”.

**Cutting Edge
Landscaping,
LLC
(Regulant)**

**File Number
2012-01189
Barbara Ruth Weinstock
(Claimants)
Vs
John J. Barham t/a Barham
Builders
(Regulant)**

In the matter of License Application File Number 2011-03128, Rhonda Jean Brodok, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2011-03128
Rhonda Jean Brodok

Applicant **Rhonda Jean Brodok** appeared at the IFF. He did **not** attend the Board meeting.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and denies approval of a license. The Board has considered its 2008 Regulations: 18 VAC 50-22-40 C & D, 18 VAC 50-22-260 B and other applicable law: §54.1-204 of the Code of Virginia. The Board denies the application based upon the record. After reviewing the facts the board finds that Brodock was given an opportunity to provide information related to any past due debts judgments, outstanding tax obligations defaults on bonds or pending or past bankruptcies and has failed to do so. The Board felt they could not protect the health, safety and welfare of the public without first having the opportunity to address the information Brodock failed to disclose on the application.

The motion passed with a unanimous vote. Members voting “yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-00860, Erick Omar Acosta Reyes, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-00860
Erick Omar Acosta Reyes

Applicant **Erick Omar Acosta Reyes** appeared at the IFF. He did attend the Board meeting.

The presiding Board representative **Mrs. Brigil** was not present

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approves issuing a license. The motion passed by unanimous vote.

Members voting “yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-01513, Stevenson Leasing LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-01513
Stevenson Leasing LLC

Applicant **Stevenson Leasing LLC** appeared at the IFF. Counsel **Kari Frank** did attend the Board meeting on behalf of **Stevenson Leasing LLC**. Counsel addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny issuing a license due to the recent nature and ongoing proceedings of the bankruptcy, the concern of Stevenson Leasing LLC's current and future liabilities, and in light of the questionable financial statement submitted, that Stevenson Leasing LLC does not have the minimum skills necessary to operate a financially sound business. See order for additional information. The motion passed by unanimous vote.

Members voting "yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

In the matter of License Application File Number 2012-02013, Steven Marice Mann, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-02013
Steven Marice Mann

Applicant **Steven Marice Mann** appeared at the IFF. He did attend the Board meeting.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approves issuing a license. The motion passed by unanimous vote.

Members voting "yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

In the matter of License Application File Number 2012-02180, Alexander Robinson Collins, III, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-02180
Alexander Robinson Collins, III

Applicant Alexander Robinson Collins, III appeared at the IFF. He did not appear at the board meeting in person or by counsel or by any other qualified representative.

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

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02316, The Handy Ski LLC the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-02316
The Handy Ski LLC

Applicant The Handy Ski LLC appeared at the IFF. **Matthew Liszewski** for **The Handy Ski LLC** did attend the Board meeting.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license. The motion passed by majority vote.

Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Member voting “No” was: Dyer.

In the matter of License Application File Number 2012-02364, Thomas Beazley, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-02364
Thomas Beazley

Thomas Beazley appeared at the IFF. He did not appear at the board meeting in person or by counsel or by any other qualified representative. **Matthew Liszewski** attended the Board meeting.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and to deny a 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. After reviewing the facts and serious nature of the crimes, the Board thoroughly considered the record, the Summary of the IFF and Recommendation. The Board is of the opinion that due to Beazley's lack of evidence to demonstrate his rehabilitation, the nature and seriousness of his crimes, and due to the unclearness whether issuing Beazley a license will offer him opportunity to repeat the same criminal behavior, that using a license would not be in the best interest of protecting the safety, health, and welfare of the public. Therefore, 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 passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02365 Professional Associate Contractors, Inc., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-02365
Professional Associate
Contractors, Inc.

Applicant **Professional Associate Contractors, Inc.** appeared at the IFF. He did not appear at the board meeting in person or by counsel or by any other qualified representative

The presiding Board representative **Mrs. Brigil** was not present, did not participate in the discussion.

After discussion **Mr. Williams** offered a motion that was seconded by **Mr. Smith** to deny issuance of a license based upon the record. After reviewing the facts, the Board, thoroughly considered the record, the Summary of the IFF and the Recommendation. The Board is of the opinion that the recent nature of the bankruptcy and the appearance of a reoccurring history of failing to pay material bills is of concern. The Board determined that allowing Professional Associate Contractors, Inc. licensure would not be in the interest of protecting the health, safety, and welfare of the public and therefore voted to deny the application for licensure at this time. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02957 Timothy Shane Boutchyard, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number

2012-02957

Timothy Shane Boutchyard

Timothy Shane Boutchyard appeared at the IFF. He also attended the Board meeting and addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Williams** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license with conditions. The motion passed by majority vote with 7 yes and 6 no.

Members voting “Yes” were: **Middleton, Murrow, Sumpter, Smith, Tomlin, Vander Pol and Williams.** Members absent and not voting were: **Walker and Giesen.**

Members voting “no” were: **Dyer, Oliver, Walton, Dowdy, Gelardi and Pace.**

In the matter of License Application File Number 2012-03022 Samuel Ray Pulliam, Jr., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number

2012-03022

Samuel Ray Pulliam, Jr.

Samuel Ray Pulliam, Jr., appeared at the IFF. He did not appear at the board meeting in person or by counsel or by any other qualified representative

The presiding Board representative **Mrs. Brigil** was not present.

After further discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-03107, Leibert Corporation, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-03107
Leibert Corporation

Leibert Corporation appeared at the IFF. **Leibert Corporation** did not appear at the board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve a license.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

In the matter of License Application File Number 2012-03129 Danny Wayne Gordon, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-03129
Danny Wayne Gordon

Applicant **Danny Wayne Gordon** appeared at the IFF. He attended the Board meeting and addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present, did not participate in the discussion.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

In the matter of License Application File Number 2012-03209, Eastern Electrical Construction LLC, the Board members reviewed the record, which consisted of the

File Number
2012-03209

application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**Eastern Electrical
Construction LLC**

Applicant Eastern Electrical Construction LLC appeared at the IFF. **Wayne Smith** for **Eastern Electrical Construction LLC** did attend the Board meeting. He addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Pace** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issues a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02491 Arman Amiri the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-02491
Arman Amiri

Applicant **Arman Amiri** appeared at the IFF. He did not appear at the board meeting in person or by counsel or by any other qualified representative

The presiding Board representative **Mrs. Clay** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02642 Jeremy Vincent Reedinger the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-02642
**Jeremy Vincent
Reedinger**

Applicant **Jeremy Vincent Reedinger** appeared at the IFF. He did not appear at the board meeting in person or by counsel or by any other qualified representative

The presiding Board representative **Mrs. Clay** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Sumpter** to grant a license with conditions. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02643 Sky High Services, LLC the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2012-02643
Sky High Services, LLC**

Applicant **Sky High Services, LLC** the appeared at the IFF. He did not appear at the board meeting in person or by counsel or by any other qualified representative

The presiding Board representative **Mrs. Clay** was not present.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02723 Custom Carpet & Floor USA, Inc. the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2012-02723
Custom Carpet & Floor
USA, Inc.**

Applicant **Custom Carpet & Floor USA, Inc.** appeared at the IFF. **Sin Ho Lee for Custom Carpet & Floor USA, Inc.** did appear at the board meeting in person. He addressed the Board.

The presiding Board representative **Mrs. Clay** was not present.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Dowdy** to deny issuing a license. The Board determined that allowing Custom Carpets & Floor USA Inc. licensure would not be in the interest of protecting the health, safety, and welfare of the public and there voted to deny the application for licensure. For additional information see Final opinion and order 2012-02723. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02724 Brandon Richard McDonald the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-02724
Brandon Richard McDonald

Applicant **Brandon Richard McDonald** appeared at the IFF. **Brandon Richard McDonald** did appear at the board meeting in person. He addressed the Board.

The presiding Board representative **Mrs. Clay** was not present.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to grant a license with conditions. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02779 William E Ball, Jr. the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-02779
William E Ball, Jr.

Applicant **William E Ball, Jr.** appeared at the IFF. **William E Ball, Jr.** did appear at the board meeting in person. He addressed the Board.

The presiding Board representative **Mrs. Clay** was not present.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Sumpter** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02780 Michael W. Gribbin the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-02780
Michael W. Gribbin

Applicant **Michael W. Gribbin** appeared at the IFF. He did not appear at the board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Clay** was not present.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Sumpter** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02781 Exterior Solutions, LLC the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-02781
Exterior Solutions, LLC

Applicant **Exterior Solutions, LLC** appeared at the IFF. **Shawn Jensen on behalf of Exterior Solutions, LLC** did appear at the board meeting in person. He addressed the Board.

The presiding Board representative **Mrs. Clay** was not present.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02782 Jonathan Cagle the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-02782
Jonathan Cagle

Applicant **Jonathan Cagle** appeared at the IFF. **Jonathan Cagle and Thomas Sullivan** did appear at the board meeting in person. Thomas Sullivan was not at the IFF. **Jonathan Cagle** addressed the Board.

The presiding Board representative **Mrs. Clay** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Sumpter** to deny issuing a license. The Board thoroughly considered the record, the Summary of the IFF and the Recommendation, and testimony from Cagle. The Board is of the opinion that due to the amount of time that has elapsed since Cagle’s last involvement in the commission of a crime, the relationship of the crime to Cagle’s fitness required to perform the duties and discharge the responsibilities of the occupation, the nature and seriousness of Cagle’s crimes, the opportunity for Cagle to engage in criminal activity of the same type, allowing Cagle certification would not serve to protect the health,

safety and welfare of the public. For addition information see final opinion and order 2012-02782. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02783 Coleman Floor, LLC the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number

2012-02783

Coleman Floor, LLC

Applicant **Coleman Floor, LLC** appeared at the IFF. He did not appear at the board meeting in person or by counsel or by any other qualified representative

The presiding Board representative **Mrs. Clay** was not present.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Sumpter** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02936 3D Builders of VA, Inc. the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number

2012-02936

3D Builders of VA, Inc.

Applicant **3D Builders of VA, Inc.** appeared at the IFF. He did not appear at the board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Clay** was not present.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Sumpter** to grant a license. The motion passed by majority vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Middleton, voted “no”.

In the matter of License Application File Number 2012-02939 H2OS Home Improvements, Inc. the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2012-02939
H2OS Home Improvements,
Inc.**

Applicant **H2OS Home Improvements, Inc.** appeared at the IFF. He did not appear at the board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Clay** was not present.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by majority vote.

Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Member voting “no” was: **Dyer.**

In the matter of License Application File Number 2012-02182 C&E Electrical Services, LLC the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2012-02182
C&E Electrical Services,
LLC**

Applicant **C&E Electrical Services, LLC** appeared at the IFF. **Charles E Terry for C&E Electrical Services, LLC** did appear at the board meeting in person. He addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Sumpter** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02717 Melvin Turcotte, Jr. t/a Ambassador Door the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2012-02717
Melvin Turcotte, Jr. t/a
Ambassador Door**

Applicant **Melvin Turcotte, Jr. t/a Ambassador Door** appeared at the IFF. **Thomas Casey and Melvin Turcotte for Melvin Turcotte, Jr. t/a Ambassador Door** did appear at the board meeting in person. Mr. Turcotte addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Sumpter** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Disciplinary File Number 2012-02720, Over the Top Construction, LLC (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2012-02720
Over the Top Construction,
LLC**

Martin and Anthony Adams for Over the Top Construction, LLC (Respondent) did appear at the IFF. **Martin and Anthony Adams for Over the Top Construction, LLC** did attend the Board meeting. They addressed the Board.

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

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

Violations	February 1, 2008
Count 1:	18 VAC 50-30-260 B22
Count 2:	18 VAC 50-30-260 B 23

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

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

Sanctions		
Count 1:		\$00.00
Count 2:		\$750.00
Total		\$750.00

In addition, for violation of count 2, the Board voted to require Over the Top Construction, LLC have a member of responsible management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02718 Over the Top Construction, LLC the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-02718
Over the Top Construction,
LLC

Applicant **Anthony and Martin Adams** for **Over the Top Construction, LLC** appeared at the IFF. They did appear at the board meeting in person. They addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to deny issuing a license. The Board adopts the informal fact finding conference referral memorandum, which contained the facts regarding the application, and adopts the Summary. Th Informal Fact Finding Conference Referral Memorandum and Summary are incorporated as a part of the order. The Board has considered its Regulations: 18 VAC 50-22-50 G and other applicable law: 54.1-204 & 54.1-1108 of the Code of Virginia. After reviewing the facts and the serious nature of the crimes, the Board thoroughly considered the record, the Summary of the IFF, the Recommendation and testimony from Adams and Anthony Adams. The Board is of the opinion that due to

the extent and nature of Adams' offenses, the recentness of his last involvement in the commission of a crime, the appearance of a relationship between Adams' crime and the business' ability to perform the duties of the profession, and the unsatisfactory evidence of Adams' rehabilitative efforts, upgrading Over the Top's license would not be in the best interest of protecting the health, safety, and welfare of the public. 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 passed by majority vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol and Williams.** Members absent and not voting were: **Walker and Giesen.**

Member voting "no" was: Walton.

In the matter of License Application File Number 2012-02785, Credle Concrete, Inc the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2012-02785
Credle Concrete, Inc.**

Applicant **Tracey Credle for Credle Concrete, Inc.** appeared at the IFF. **Tracey Credle for Credle Concrete, Inc.** did appear at the board meeting in person and addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Walton** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02854 JS Electrical & Building, Inc. the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2012-02854
JS Electrical & Building, Inc.**

Applicant **JS Electrical & Building, Inc.** appeared at the IFF. **Michael Ott for JS Electrical & Building, Inc.** did appear at the board meeting in person and addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02855 Blazer Heating & Air Conditioning, LLC the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2012-02855
Blazer Heating & Air
Conditioning, LLC**

Applicant **Blazer Heating & Air Conditioning, LLC** appeared at the IFF. **Blazer Heating & Air Conditioning, LLC** did not appear at the board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02856 Jerry Layton Turner the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2012-02856
Jerry Layton Turner**

Applicant **Jerry Layton Turner** appeared at the IFF. **Jerry Layton Turner and Amanda Turner** did appear at the board meeting in person and **Jerry Turner** addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02937 Richard Faron Capehart the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number

2012-02937

Richard Faron Capehart

Applicant **Richard Faron Capehart** appeared at the IFF. **Richard Faron Capehart** and Caroline Capehart did appear at the board meeting in person. Mr. Capehart addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Walton** offered a motion that was seconded by **Mr. Williams** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-00498 Brooks Drywall of VA, Inc. the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number

2012-00498

Brooks Drywall of VA, Inc.

Applicant **Brooks Drywall of VA, Inc.** appeared at the IFF. **Brooks Drywall of VA, Inc.** did not appear at the board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Walton** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by majority vote.

Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Member voting “no” was: **Dyer.**

In the matter of License Application File Number 2012-01511 Nolasco, Inc. the Board members reviewed the record, which consisted of the application file, transcript,

File Number

2012-01511

exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

Nolasco, Inc.

Applicant Ronald Nolasco for **Nolasco, Inc.** appeared at the IFF. **Ronald Nolasco for Nolasco, Inc.** did appear at the board meeting in person and addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Sumpter** to grant a license with conditions. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02585 William Wiita, Jr. t/a Homeland Enterprises 2 the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-02585
William Wiita, Jr. t/a
Homeland Enterprises 2

Applicant **William Wiita, Jr. t/a Homeland Enterprises 2** appeared at the IFF. **William Wiita, Jr. t/a Homeland Enterprises 2** did appear at the board meeting in person and addressed the Board.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of License Application File Number 2012-02641 Perfect Touch Painting Company, LLC the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2012-02641
Perfect Touch Painting
Company, LLC

Applicant **Perfect Touch Painting Company, LLC.** appeared at the IFF. **Perfect Touch Painting Company, LLC** did not appear at the board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Brigil** was not present.

After discussion **Mr. Walton** offered a motion that was seconded by **Mr. Gelardi** to grant a license with conditions. The motion passed by majority vote.

Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin and Vander Pol.** Members absent and not voting were: **Walker and Giesen.**

Members voting “No” were: **Dyer, Walton and Williams.**

The Board took a break at 10:25 am.

Break

The Board meeting reconvened at 10:39 am.

Reconvene

In the matter of Disciplinary File Number 2012-00045, John M Albertson, t/a John Albertson Builders (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number

2012-00045

John M Albertson, t/a John Albertson Builders

John M Albertson, t/a John Albertson Builders (Respondent) did not appear at the board meeting in person or by counsel or by any other qualified representative. **John M Albertson, t/a John Albertson Builders** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

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

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 27	

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

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

Sanctions		
Count 1:		\$350.00
Count 2:		\$700.00
Count 3:		\$750.00
	Total	\$1,800.00
<p>In addition, for violation of Count 1, 2 and 3-, the Board voted to require John M Albertson, t/a John Albertson Builders have a member of responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective of the order.</p>		

The motion passed by majority vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Disciplinary File Number 2012-00486, Daniel Stanley III (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2012-00486
Daniel Stanley III**

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

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

Violations	February 1, 2006	
Count 1:	18 VAC 50-30-260 B9	
Count 2:	18 VAC 50-30-260 B 28	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

After discussion, **Mr. Walton** offered a motion seconded by **Mr. Smith** to impose the following sanctions:

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

As to violation of **Count 1**, the Board voted to require **Daniel Stanley III** have a member of responsible management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The Board imposed revocation of license for violation of count 2.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

In the matter of Disciplinary File Number 2012-00510, Daniel Stanley III (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2012-00510
Daniel Stanley III**

Daniel Stanley III (Respondent) did not appear at the IFF in person or by counsel or by any other qualified representative. **Daniel Stanley III** did not appear at the board meeting in person or by counsel or by any other qualified representative.

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

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

Violations	February 1, 2006
Count 1:	18 VAC 50-22-260 B 8
Count 2:	18 VAC 50-22-260 B 28

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

After discussion, **Mr. Walton** offered a motion seconded by **Mr. Sumpter** to impose the following sanctions:

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

As to violation of **Count 1**, the Board voted to require **Daniel Stanley III** have a member of responsible management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The Board imposed revocation of license for violation of count 2.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

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

In matter of the Disciplinary File Number 2012-01060, Scott J Greeno, t/a Taylor Bryce Construction (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number
2012-01060
Scott J Greeno, t/a Taylor
Bryce Construction

Scott J Greeno, t/a Taylor Bryce Construction (Respondent) did not appear at the IFF in person or by counsel or by any other qualified representative. **Scott J Greeno, t/a Taylor Bryce Construction** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

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

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

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 28	
Effective:	September 1, 2001	

Count 2:	18 VAC 50-22-220 B2 8	
----------	-----------------------	--

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

Sanctions		
Count 1:		\$1,850.00
Count 2:		\$350.00
Total		\$2,200.00

In addition for violation of **Counts 1 and 2**, the Board voted to impose revocation of license.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Disciplinary File Number 2012-01629, The Davis Contracting Company (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number
2012-01629
The Davis Contracting Company

The Davis Contracting Company (Respondent) did not appear at the IFF. **The Davis Contracting Company** did not appear at the Board meeting in person or by counsel or by any other qualified person. **Molly A Kneble (Complainant)** and Joanne Robinson Witness, appeared at the IFF

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

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

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 14	
Count 2:	18 VAC 50-22-260 B 16	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Mr. Dowdy the board hearing officers did not participate in the discussion and vote.

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

Sanctions	
Count 1:	\$2,000.00
Count 2:	\$1,850.00
Total	\$3,850.00
The Board imposed revocation of license for the violation of count 1 and 2.	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Mr. Dowdy the board hearing officers did not participate in the discussion and vote.

In the matter of Disciplinary File Number 2011-04723, Robert M Jacobs Jr, t/a City Point Service Plumbing (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2011-04723
Robert M Jacobs Jr, t/a City
Point Service Plumbing**

Robert M Jacobs Jr, t/a City Point Service Plumbing (Respondent) appeared at the IFF. **Robert M Jacobs Jr, t/a City Point Service Plumbing** did not attend the Board meeting in person or by counsel or by any other qualified representative. **Gladys Franco (Complaint)** attended the IFF meeting.

The presiding Board representatives **Mr. Dyer and Mr. Redifer** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Williams** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Robert M Jacobs Jr, t/a City Point Service Plumbing** violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 8	
Count 2:	18 VAC 50-22-260 B 31	
Count 3:	18 VAC 50-22-260 B 6	
Count 4:	18 VAC 50-22-260 B 2	

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

Mr. Dyer and Mr. Redifer the board hearing officers did not participate in the discussion and vote.

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

Sanctions		
Count 1:		\$350.00
Count 2:		\$500.00
Count 3:		\$750.00
Count 4:		\$1,000.00
Total		\$2,600.00

In addition, for violation of Count 1, 2, 3 and 4-, the Board voted to require **Robert M Jacobs Jr, t/a City Point Service Plumbing** have a member of responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective of the order

The motion passed by unanimous vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and**

Giesen.

In the matter of Disciplinary File Number 2012-01498, Concrete Restoration & Design, Inc. (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2012-01498
Concrete Restoration &
Design, Inc.**

Concrete Restoration & Design, Inc. (Respondent) appeared at the IFF. **Concrete Restoration & Design, Inc.** did not attend the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives **Mr. Giesen and Mr. Pace** were not present, did not participate in the discussion and did not vote.

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

Violations	February 1, 2006
Count 1:	18 VAC 50-22-260 B 9
Count 2:	18 VAC 50-22-260 B 14
Count 3:	18 VAC 50-22-260 B 16
Count 4:	18 VAC 50-22-260 B 17
Count 5:	18 VAC 50-22-260 B 28

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Mr. Giesen and Mr. Pace the board hearing officers did not participate in the discussion and vote.

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

Sanctions	
Count 1:	\$350.00
Count 2:	\$1,700.00

Count 3:		\$1,000.00
Count 4:		\$1,350.00
Count 5:		\$1,850.00
Total		\$6,250.00

The Board imposed Revocation of license for the violation of Count 2, 3, 4 and 5. In addition, for violation of Count 1, the Board voted to require **Concrete Restoration & Design, Inc.** have a member of responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective of the order

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

The Board’s hearing officers **Mr. Giesen and Mr. Pace** did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2010-05921, Piedmont Landscapes, LLC (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2010-05921
Piedmont Landscapes,
LLC**

Kevin Johnson on behalf of Piedmont Landscapes, LLC (Respondent) did appear at the IFF. **Piedmont Landscapes, LLC** did not attend the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives **Mr. Pace, Mr. Giesen and Mr. Smith** were not present, did not participate in the discussion and did not vote.

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

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 27	
Count 2:	18 VAC 50-22-260 B 27	
Count 3:	18 VAC 50-22-260 B 29	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Mr. Pace, Mr. Giesen and Mr. Smith the board hearing officers did not participate in the discussion and vote.

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

Sanctions		
Count 1:		\$300.00
Count 2:		\$300.00
Count 3:		\$300.00
Total		\$900.00

In addition the Board voted to require **Piedmont Landscapes, LLC**, have a member of responsible management successfully complete a Board approved remedial education within 90 days of the order.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

The Board’s hearing officers Mr. Pace, Mr. Giesen and Mr. Smith did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2011-01827, CDS Painting & Decorating inc, t/a Degage (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2011-01827
CDS Painting & Decorating
Inc, t/a Degage**

Trudy Simmons, on behalf of **CDS Painting & Decorating Inc, t/a Degage (Respondent)** appeared at the IFF. **Trudy Simmons** on behalf of **CDS Painting & Decorating Inc, t/a Degage** attended the Board meeting and she addressed the Board and requested leniency as this was her first offense and she shared it was not intentional. **Mark Friedlander, attorney** on behalf of **Mary McVay (Complainant)** attended the IFF and the Board meeting. He addressed the Board on behalf of **Mrs. McVay** and shared their disagreement and agreement.

The presiding Board representative **Mr. Kinser** was not present, did not participate in

the discussion and did not vote.

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

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 27	
Count 2:	18 VAC 50-22-260 B 27	
Count 3:	18 VAC 50-22-260 B 29	

The motion passed by majority vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Mr. Kinser the board hearing officer did not participate in the discussion and vote.

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

Sanctions		
Count 1:		\$1,300.00
Count 2:		\$1,300.00
Count 3:		\$1,500.00
Total		\$4,100.00

For violation of **Counts 1 and 2** the recommendation of a 1 year term of probation with no violations and no complaints being lodged and founded within this period of time or the license would be suspended.

The motion was withdrawn by **Mr. Middleton.**

After further discussion a motion was offered by **Mr. Vander Pol** and seconded by **Mr. Gelardi** to amend the hearing officer’s recommendation and remove the revocation and maintain the recommended fines and require successful completion of remedial education within 90 days of the order.

Count 1:		\$1,300.00
Count 2:		\$1,300.00
Count 3:		\$1,500.00
Total		\$4,100.00

In addition, for violation of Count 1, 2 and 3, the Board voted to require **CDS Painting & Decorating, Inc t/a Degage** have a member of responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective of the order

The motion passed by majority vote. Members voting “Yes” were: **Dowdy, Gelardi, Middleton, Murrow, Pace, Sumpter, Smith, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Members voting “No” were: **Dyer, Oliver, and Tomlin.**

The Board’s hearing officer **Mr. Kinser** did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number **2011-00427, Concrete Restoration & Design Inc (Respondent)**; the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number
2011-00427
Concrete Restoration & Design Inc

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

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

After discussion, a motion was made by **Mr. Sumpter** 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 adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Concrete Restoration & Design Inc**, violated the following sections of its Regulations:

Sanctions		
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 6	
Count 3:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and**

Giesen.

Mr. Pace the board hearing officers did not participate in the discussion and vote.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Williams** to impose the following sanctions for violation of the Boards regulations as follows:

Count 1:		\$ 350.00
Count 2:		\$750.00
Count 3:		\$1,850.00
Total		\$2,950.00

In addition, for violation of Count 1, the Board voted to require **Concrete Restoration & Design Inc** have a member of responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective of the order.

The Board imposed revocation of license for violation of count 3.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Mr. Pace the board hearing officer did not participate in the discussion and vote.

In the matter of Disciplinary File Number 2012-00274, Creteman Custom Hardscapes LLC (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2012-00274
Creteman Custom
Hardscapes LLC**

Creteman Custom Hardscapes LLC (Respondent) did not appear at the IFF. **Creteman Custom Hardscapes LLC** did not attend the Board meeting in person or by counsel or by any other qualified representative. Patrick Dennis (Complainant) appeared at the IFF.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Williams** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence

that **Creteman Custom Hardscapes LLC**, violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 6	
Count 2:	18 VAC 50-22-260 B 2	
Count 3:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Mr. Pace the board hearing officer did not participate in the discussion and vote.

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

Sanctions	February 1, 2006	
Count 1:		\$750.00
Count 2:		\$1,000.00
Count 3:		\$1,850.00
Total		\$3,600.00

In addition for violation of **Count 2 and 3** the Board voted to revoke **Creteman Custom Hardscapes LLC, license 2705-131243.** In addition, for violation of Count 1 the Board voted to require **Creteman Custom Hardscapes LLC** have a member of responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective of the order

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Mr. Pace the board hearing officer did not participate in the discussion and vote.

In the matter of Disciplinary File Number 2011-02301, Superior Mechanical Services LLC (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number
2011-02301
Superior Mechanical
Services LLC

James Sitton, attorney for Superior Mechanical Services LLC (Respondent) did appear at the IFF. **Superior Mechanical Services LLC**, did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

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

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 2	Five violations
Count 2:	18 VAC 50-22-260 B 20	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

Mr. Pace the board hearing officer did not participate in the discussion and vote.

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

Sanctions	
Count 1:	\$00.00
Count 2:	\$00.00
Total	\$3,150.00
Revocation of license for the violation of Count 1 and 2.	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

The Board's hearing officer **Mr. Pace** did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2011-04647, **John L Bisnett Sr, t/a JL Bisnett Construction (Respondent)**; the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number
2011-04647

John L Bisnett Sr, t/a JL Bisnett Construction

Laura Bisnett for John L Bisnett Sr, t/a JL Bisnett Construction (Respondent) did appear at the IFF. **John L Bisnett Sr, t/a JL Bisnett Construction** did not attend the Board meeting in person or by counsel or by any other qualified representative.

Ralph Miller (Complainant) attended the IFF meeting.

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

After discussion, a motion was made by **Mr. Sumpter** 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 adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **John L Bisnett Sr, t/a JL Bisnett Construction** violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-230 B 6	Two violations
Count 2:	18 VAC 50-22-260 B 22	Two violations

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

Mr. Pace the board hearing officer did not participate in the discussion and vote.

Mrs. Clay shared with the Board that John L Bisnett Sr. t/a JL Bisnett Construction has prior disciplinary action. In April 2011 a Consent Order, 2010-05931 with 2 violations resulting in penalties and Board costs and remedial education was entered into.

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

Sanctions		
Count 1:		\$00.00
Count 2:		\$00.00
Total		\$00.00

Revocation of license 2705-103295 for violation of Count 1 and 3. As to 18 VAC 50-22-260 B.11, the Board closes this aspect of the file with a finding of no violation.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

The Board’s hearing officer Mr. Pace, did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2011-04915, Southern Floors & Acoustics, Inc. (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2011-04915
Southern Floors & Acoustics,
Inc.**

Southern Woodworking of the Peninsula, Inc. (Respondent) did not appear at the IFF. **Southern Woodworking of the Peninsula, Inc.** did not attend the Board meeting in person or by counsel or by any other qualified representative. Kelly Litzner (Complainant) appeared at the IFF and the Board meeting. Litzner addressed the Board.

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

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

Violations	September 1, 2001	
Count 1:	18 VAC 50-22-220 A	

Board for Contractors Meeting Minutes Draft

July 31st, 2012

Page 51 of 89

Count 2:	18 VAC 50-22-220 B	
Count 3:	18 VAC 50-22-220 C	
Count 5:	18 VAC 50-22-230 A	
Effective	February 1, 2006	
Count 4:	18 VAC 50-22-260 B 9	
Count 6:	18 VAC 50-22-260 B 27	
Count 7:	18 VAC 50-22-260 B 16	
Count 8:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Mr. Pace the board’s hearing officers did not participate in the discussion and vote.

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

Sanctions		
Count 1:		\$600.00
Count 2:		\$500.00
Count 3:		\$600.00
Count 4:		\$350.00
Count 5:		\$350.00
Count 6:		\$ 650.00
Count 7:		\$ 2,500.00
Count 8:		\$1,850.00
Total		\$7,400.00

In addition, for violation of **Count 1, 2, 3, 6, 7 and 8** the Board voted to revoke **Southern Floors & Acoustics, Inc.** license.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

The Board’s hearing officer Mr. Pace did not vote and did not participate in the discussion.

In the matter of Disciplinary File Number 2012-01220, Kenneth Wayne Ferguson, File Number

t/a **First Class Roofing/Landscaping & Tree Service (Respondent)**; the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

2012-01220
Kenneth Wayne Ferguson,
t/a
First Class Roofing/
Landscaping & Tree Service

Kenneth Wayne Ferguson, t/a First Class Roofing/Landscaping & Tree Service (Respondent) did not appear at the IFF. **Kenneth Wayne Ferguson, t/a First Class Roofing/Landscaping & Tree Service** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

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

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

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

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

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

Sanctions		
Count 1:		\$300.00
Total		\$300.00

In addition, for violation of **Count 1** the Board voted to require **Kenneth Wayne Ferguson, t/a First Class Roofing/Landscaping & Tree Service** have a member of responsible management successfully complete remedial education within 90 days of the order.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy,**

Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams. Members absent and not voting were: Walker and Giesen.

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

In the matter of Disciplinary File Number 2012-00725, Richard L Seely Jr, t/a R L Seely Homes (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number

2012-00725

Richard L Seely Jr, t/a

R L Seely Homes

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

Earl and Julie Gentile(Complainant) attended the IFF. **Julie Gentile** attended the Board meeting and addressed the Board.

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

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

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 19	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams. Members absent and not voting were: Walker and Giesen.**

Mr. Pace the board hearing officer did not participate in the discussion or the vote.

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

Sanctions		
Count 1:		\$500.00
Total		\$ 500.00

In addition, for violation of **Count 1** the Board voted to require **Richard L Seely Jr, t/a R L Seely Homes** have a member of responsible management successfully complete remedial education within 90 days of the order.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Disciplinary File Number 2011-04613, Royal Decorating & Design, Inc (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number
2011-04613

Royal Decorating & Design, Inc

Royal Decorating & Design, Inc (Respondent) did not appear at the IFF. **Royal Decorating & Design, Inc (Complainant)** did not attend the Board meeting in person or by counsel or by any other qualified representative. James Hart, attorney for Michael and Elodia Howard attended the IFF but not the Board meeting.

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

A handout was given to the Board to become a part of the record.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Gelardi** to hear the case. The motion passed by majority vote. Members voting “yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol and Williams.** Members absent and not voting were: **Walker and Giesen.**

Member voting “no” was: Walton.

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

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

Board for Contractors Meeting Minutes Draft

July 31st, 2012

Page 55 of 89

Count 2:	18 VAC 50-22-260 B 6	Two violations
Count 3:	18 VAC 50-22-260 B 27	
Count 4:	18 VAC 50-22-260 B 26	
Count 5:	18 VAC 50-22-260 B 31	
Count 6:	18 VAC 50-22-260 B 2	
Count 7:	18 VAC 50-22-220 A	
Count 8:	18 VAC 50-22-220 B	
Count 9:	18 VAC 50-22-220 C	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Pace, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Mr. Smith the board hearing officer did not participate in the discussion or the vote.

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

Sanctions		
Count 1:		\$600.00
Count 2:		\$4,000.00
Count 3:		\$2, 500.00
Count 4:		\$1,500.00
Count 5:		\$400.00
Count 6:		\$1,500.00
Count 7:		\$1,000.00
Count 8:		\$700.00
Count 9:		\$500.00
Total		\$12,700.00

In addition, for violation of **Count 1 and 5** the Board voted to require **Royal Decorating & Design, Inc** have a member of responsible management successfully complete remedial education within 90 days of the order.

As to violation of count 2, 3, 6, 7, 8 and 9, the Board voted to revoke the license 2705-083179 for this violation.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

In the matter of Disciplinary File Number 2012-01880, Virginia Air Duct Inc, t/a Virginia Air Mechanical Heating & Cooling (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number

2012-01880

**Virginia Air Duct Inc, t/a
Virginia Air Mechanical
Heating & Cooling**

James Sitton attorney for Virginia Air Duct Inc, t/a Virginia Air Mechanical Heating & Cooling (Respondent) did appear at the IFF. **Virginia Air Duct Inc, t/a Virginia Air Mechanical Heating & Cooling** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Virginia Air Duct Inc, t/a Virginia Air Mechanical Heating & Cooling**, violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 8	
Count 3:	18 VAC 50-22-260 B 6	
Count 4:	18 VAC 50-22-260 B 32	
Count 5:	18 VAC 50-22-260 B 25	
Count 6:	18 VAC 50-22-260 B 16	
Count 7:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

Mr. Pace the board hearing officer did not participate in the discussion and vote.

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

Sanctions		
Count 1:		\$0.00
Count 2:		\$0.00
Count 3:		\$0.00

Board for Contractors Meeting Minutes Draft

July 31st, 2012

Page 57 of 89

Count 4:		\$0.00
Count 5:		\$0.00
Count 6:		\$0.00
Count 7:		\$0.00
Total		\$0.00

In addition, for violation of **Counts 1, 2, 3, 4, 5, 6 and 7** the Board voted to revoke the license 2705-102609 for this violation.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

In the matter of Disciplinary File Number 2012-00200, Top Hat Chimney Sweeps, Inc (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2012-00200
Top Hat Chimney Sweeps,
Inc.**

Paul Behneman on behalf of Top Hat Chimney Sweeps, Inc (Respondent) did appear at the IFF. **RRI LLC** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

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

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

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and**

Giesen.

Mr. Redifer the board hearing officer did not participate in the discussion and vote.

After discussion, **Mr. Sumpter** offered a motion seconded by **Mr. Murrow** to impose the following sanctions:

Sanctions		
Count 1:		\$0.00
Total		\$0.00

In addition, for violation of count 1 the Board voted to impose Revocation of license 2705-029319 for the violation of the regulations.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

In the matter of Disciplinary File Number 2011-05129 Ron Mitchell & Son Landscaping & Lawn Service Inc (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2011-05129
Ron Mitchell & Son
Landscaping & Lawn
Service Inc**

Ronald K Mitchell on behalf of Ron Mitchell & Son Landscaping & Lawn Service Inc (Respondent) did appear at the IFF. **Ron Mitchell & Son Landscaping & Lawn Service Inc** did not attend the Board meeting in person by counsel or any other representative.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Williams** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Ron Mitchell & Son Landscaping & Lawn Service Inc** violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 27	
Count 2:	18 VAC 50-22-260 B 17	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

After discussion, **Mr. Dyer** offered a motion seconded by **Mr. Williams** to impose the recommended monetary penalties and impose the following sanctions:

Sanctions	
Count 2:	\$1,350.00
As to count 1 the Board imposed a finding of no penalty for the violation.	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

In the matter of Disciplinary File Number 2012-00850, Travis Shaffer, t/z Tri State Paving & Sealcoating (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2012-00850
Travis Shaffer, t/z Tri State
Paving & Sealcoating**

Travis Shaffer, t/z Tri State Paving & Sealcoating (Respondent) did not appear at the IFF. **Travis Shaffer, t/z Tri State Paving & Sealcoating** did not attend the Board meeting in person, by counsel nor any other representative.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and

Summary are incorporated as part of the Order. The Board finds substantial evidence that **Travis Shaffer** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

After discussion, **Mr. Oliver** offered a motion to impose the following sanctions:

Count 1:		\$900.00
Count 2:		\$0.00
Total		\$900.00
The Board voted to impose no monetary penalty for the violation of the regulation for violation of Count 2. The Board also impose Revocation of license 2705-139501.		

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

In the matter of Disciplinary File Number 2011-04749, Solidare Construction Inc. (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2011-04749
Solidare Construction Inc.**

Solidare Construction Inc. (Respondent) did not appear at the IFF. **Solidare Construction Inc.** did not attend the Board meeting in person or by counsel or by any

other qualified representative.

The presiding Board representatives **Mr. Sumpter and Mr. Kinser** were not present, did not participate in the discussion and did not vote.

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

Violations	September 1, 2001	
Count 1:	18 VAC 50-22-220 A	
Count 2:	18 VAC 50-22-220 B	
Count 3:	18 VAC 50-22-260 C	
Count 4:	18 VAC 50-22-230 A	
Count 5:	18 VAC 50-22-230 B	Eff: February 1, 2006
Count 6:	18 VAC 50-22-260 B 9	
Count 7:	18 VAC 50-22-260 B 6	
Count 9:	18 VAC 50-22-260 B 14	
Count 10:	18 VAC 50-22-260 B 16	
Count 11:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

The presiding Board representatives **Mr. Sumpter and Mr. Kinser** were not present, did not participate in the discussion and did not vote.

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

Sanctions		
Count 1:		\$800.00
Count 2:		\$800.00
Count 3:		\$800.00
Count 4:		\$500.00
Count 5:		\$500.00
Count 6:		\$400.00
Count 7:		\$1,500.00
Count 9:		\$1,500.00
Count 10:		\$1,500.00

Count 11:		\$1,500.00
Total		\$9,800.00

In addition, for violation of **Count 1, 2, 3, 4, 5, 6 and 7** the Board voted to require **Solidaire Construction Inc**, have a member of responsible management successfully complete remedial education within 90 days of the order.

The Board voted to revoke the license 2705-129846 for violation of its Regulations.

As to Count 8 the Board closes this aspect of the file with a finding of no violation.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Smith, Tomlin, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

The presiding Board representatives **Mr. Sumpter and Mr. Kinser** were not present, did not participate in the discussion and did not vote.

In the matter of Disciplinary File Number 2012-01095, Gibson Excavating LLC (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2012-01095
Gibson Excavating LLC**

Gibson Excavating LLC (Respondent) did not appear at the IFF. **Gibson Excavating LLC** did not attend the Board meeting in person or by counsel or by any other qualified representative. Eliona Gibson (Complainant) and Andrew Gibson (Witness) attended the IFF.

The presiding Board representatives **Mr. Sumpter and Mr. Kinser** were not present, did not participate in the discussion and did not vote.

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

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 14	
Count 2:	18 VAC 50-22-260 B 16	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

The presiding Board representatives **Mr. Sumpter and Mr. Kinser** were not present, did not participate in the discussion and did not vote..

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

Sanctions		
Count 1:		\$2,500.00
Count 2:		\$2,500.00
Total		\$ 5,000.00

In addition, for violation of **Count 1 and 2**, the Board voted to revoke the license.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Smith, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

The presiding Board representatives **Mr. Sumpter and Mr. Kinser** were not present, did not participate in the discussion and did not vote.

In the matter of Disciplinary File Number 2011-04748, Classic Touch Unlimited, Inc. (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number
2011-04748
Classic Touch Unlimited,
Inc.

Classic Touch Unlimited, Inc. (Respondent) did not appear at the IFF. **Gene Crandall for Classic Touch Unlimited, Inc.** attended the Board meeting. He addressed the Board and requested the Board consider remanding the case to an IFF. The Board reviewed the handout that given to them.

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Oliver** to remand the case back to staff for an Informal Fact Finding.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

In the matter of Disciplinary File Number 2012-00376 Shenandoah Environmental And Maintenance Co (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number

2012-00376

**Shenandoah Environmental
And Maintenance Co**

Niles O Elliott, Jr. on behalf of Shenandoah Environmental And Maintenance Co (Respondent) did appear at the IFF. **Shenandoah Environmental And Maintenance Co** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

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

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

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

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

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

Sanctions		
Count 1:		\$250.00
Count 2:		\$1,500.00
Total		\$1,750.00

In addition, the Board voted to require **revocation of license 2705-135130**. In addition, for violation of Count 1, the Board voted to require Shenandoah Environmental And Maintenance Co have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walton and Williams**. Members absent and not voting were: **Walker and Giesen**.

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

In the matter of Disciplinary File Number 2012-00750, Danny L Snipes, t/a DLS General Contracting (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number

2012-0750

**Danny L Snipes, t/a DLS
General Contracting**

Danny L Snipes, t/a DLS General Contracting (Respondent) did not appear at the IFF. **Danny L Snipes, t/a DLS General Contracting** counsel nor any other qualified person attended the Board meeting. Faissai Aridi (Complainant) attended the IFF.

The presiding Board representatives **Mr. Walton and Mr. Redifer** were not present, did not participate in the discussion and did not vote.

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

Violations		February 1, 2006
Count 1:	18 VAC 50-22-260 B 14	
Count 2:	18 VAC 50-22-260 B 16	
Count 3:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Smith and Williams.** Members absent and not voting were: **Walker and Giesen.**

The presiding Board representatives **Mr. Walton and Mr. Redifer** were not present, did not participate in the discussion and did not vote.

Mrs. Clay shared with the Board that **Danny L Snipes, t/a DLS General Contracting** entered into a previous consent order in January 2012 and has not fulfilled the terms as of this meeting date.

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

Sanctions		
Count 1:		\$1,000.00
Count 2:		\$1,000.00
Count 3:		\$1,000.00
Total		\$3,000.00

In addition, for violation of **Count 1, 2 and 3** the Board voted to impose revocation of license.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Smith and Williams.** Members absent and not voting were: **Walker and Giesen.**

The presiding Board representatives **Mr. Walton and Mr. Redifer** were not present, did not participate in the discussion and did not vote.

In the matter of Consent Order File Number 2012-02542 Board v. Culver Design Build Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2012-02542
Culver Design Build Inc.

The Board was given a handout from the complainant that has been incorporated into the record.

Mark V. Holmes (complainant) attended the Board meeting.

During Board discussion advice was requested and given by staff counsel.

After further discussion **Mr. Oliver** offered a motion seconded by **Mr. Smith** to remand the case back to staff to have an Informal Fact Finding conducted.

The motion passed by unanimous vote. Members voting “yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Consent Order File Number 2012-02542 Board v. Bobby Haga t/a Haga Construction; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2012-02542
Bobby Haga t/a Haga
Construction

Bobby Haga t/a Haga 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 18	\$ 800.00
Board Costs		\$ 150.00
Total		\$ 950.00

In addition for violation of Count 1, **Bobby Haga t/a Haga Construction;** agrees to have a member of responsible management successfully complete a Board approved remedial education class.

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

In the matter of Consent Order File Number 2012-01055 Board v. Stephen Lyon, t/a Ace Home Improvements; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2012-01055
Stephen Lyon, t/a Ace Home
Improvements**

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

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

Further, **Stephen Lyon, t/a Ace Home Improvements;** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

In the matter of Consent Order File Number 2012-00949 Board v. Harley Enterprises Inc; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2012-00949
Harley Enterprises Inc**

Harley Enterprises Inc; acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

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

Further, for violation of Count 1 and 2, **Harley Enterprises Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Oliver** seconded by **Mrs. Tomlin**, the Board ratified the

Consent Order with a unanimous vote: Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walton and Williams.** Members absent and not voting were: **Walker and Giesen.**

In the matter of Consent Order File Number 2012-01008 Board v. A B L E Construction & Renovations LLC; the Board reviewed the Consent Order.

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

File Number

2012-01008

A B L E Construction & Renovations LLC

A B L E Construction & Renovations 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 8	\$ 350.00
Count 2:	18 VAC 50-22-260 B 6	\$ 750.00
Count 3:	18 VAC 50-22-260 B 11	\$ 450.00
Board Costs		\$ 150.00
Total		\$ 1,700.00

Further, for violation of Count 1 -3, **A B L E Construction & Renovations LLC** agrees to have a member of Responsible Management successfully complete a Board – approved remedial education class.

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

In the matter of Consent Order File Number 2012-01062 Board v. Philip

Wangensteen, t/a Blue Ridge Homecrafters; the Board reviewed the Consent Order.

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

File Number

2012-01062

Philip Wangensteen, t/a Blue Ridge Homecrafters

Philip Wangensteen, t/a Blue Ridge Homecrafters; 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:

Board for Contractors Meeting Minutes Draft

July 31st, 2012

Page 70 of 89

Count 1:	18 VAC 50-22-260 B 9	\$ 350.00
Count 2:	18 VAC 50-22-260 B 29 (2 @ \$500.00 ea.)	\$ 1,000.00
Count 3:	18 VAC 50-22-260 B 28	\$ 500.00
Count 4:	18 VAC 50-22-260 B 28	\$ 500.00
Count 5:	18 VAC 50-22-260 B 28 (4 violations at \$500.00 each)	\$2,000.00
Board Costs		\$ 150.00
Total		\$ 4,500.00

In addition, for violation of Count 1, **Philip Wangenstein, t/a Blue Ridge Homecrafters**; agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Further, for violation of Counts 3, 4, and 5, Philip Wangenstein agrees to suspension of his license beginning six months after the order.

The Board shall waive imposition of the monetary penalties for Counts 3, 4 and 5 and the license suspension provided Philip Wangenstein satisfies the judgments referenced in those Counts and provides the Board with proof of the satisfaction within six (6) months of the order. If Wangenstein fails to comply with these conditions, then the full monetary penalties for Counts 3, 4, and 5 will be automatically imposed and Philip Wangenstein's license will be suspended until such time as Philip Wangenstein comes into compliance with the conditions.

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

In the matter of Consent Order File Number 2012-01075 Board v. Kasper Construction Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2012-01075
Kasper Construction Inc.

Kasper Construction Inc.; acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Board for Contractors Meeting Minutes Draft

July 31st, 2012

Page 71 of 89

Count 1:	18 VAC 50-22-260 B 19	\$ 650.00
Board Costs		\$ 150.00
Total		\$ 800.00
In addition, for violation of Count1, Kasper Construction Inc.; agrees to revocation of its license.		

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

In the matter of Consent Order File Number 2012-01205 Board v. Venning Inc; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2012-01205
Venning Inc**

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

Count 1:	18 VAC 50-22-260.B 8	\$ 350.00
Count 2:	18 VAC 50-22-260 B 9	\$ 100.00
Count 3:	18 VAC 50-22-260 B 31	\$ 400.00
Count 4:	18 VAC 50-22-260 B 6	\$ 750.00
Board Costs		\$ 150.00
Total		\$ 1,750.00
In addition, for violation of Count 1-4, Venning Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

In the matter of Consent Order File Number 2012-01252 Board v. Joe Allen Hash, t/a Hash Construction; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2012-01252
Joe Allen Hash, t/a
Hash Construction**

Joe Allen Hash, t/a Hash 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	\$ 350.00
Board Costs		\$ 150.00
Total		\$ 500.00
Further, for violation of Count 1, Joe Allen Hash , agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

In the matter of Consent Order File Number 2012-01324 Board v. Paul A Raines; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2012-01324
Paul A Raines

Paul A Raines; 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	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 550.00
Further, for violation of Count 1, Paul A Raines agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the order.		

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

In the matter of Consent Order File Number 2012-01331 Board v. Duncan Properties and Construction Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2012-01331
Duncan Properties and
Construction Inc

Duncan Properties and Construction Inc.; acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 350.00
Board Costs		\$ 150.00
Total		\$ 500.00
Further for violation of Count 1, Duncan Properties and Construction Inc. , agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

In the matter of Consent Order File Number 2012-01407 Board v. King General Contracting LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2012-01407
King General Contracting
LLC

King General Contracting 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 8	\$ 350.00
Board Costs		\$ 150.00
Total		\$ 500.00
In addition, for violation of Count 1, King General Contracting LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the order.		

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

In the matter of Consent Order File Number 2012-01224 Board v. Brown & Son

File Number

Septic Service; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**2012-01224
Brown & Son Septic
Service**

Brown & Son Septic 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	\$ 200.00
Count 2:	18 VAC 50-22-260 B 6	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 750.00
In addition, for violation of Count 1, Brown & Son Septic Service agrees to have a member of Responsible Management successfully complete remedial education within ninety (90) days of the order.		

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

In the matter of Consent Order File Number 2012-01431 Board v. Ronald I Fogg, t/a Williams & Fogg Heating Air Plumbing & Electrical; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2012-01431
Ronald I Fogg, t/a Williams
& Fogg Heating Air
Plumbing & Electrical**

Ronald I Fogg, t/a Williams & Fogg Heating Air Plumbing & Electrical; 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 14	\$ 00.00
Board Costs		\$ 150.00
Total		\$ 500.00
In addition for violation of Count 1 and 2, Ronald I Fogg, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

In the matter of Consent Order File Number 2012-01483 Board v. Glenn Loran Reed, t/a Comfort Homes; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2012-01483
Glenn Loran Reed, t/a
Comfort Homes

Glenn Loran Reed, t/a Comfort Homes; acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 250.00
Count 2:	18 VAC 50-22-260 B 27	\$ 450.00
Board Costs		\$ 150.00
Total		\$ 850.00

In addition, for violation of Count 1, **Glenn Loran Reed;** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

In the matter of Consent Order File Number 2012-01491 Board v. D R Barb & Company LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2012-01491
D R Barb & Company LLC

D R Barb & Company 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 50-22-230 B	\$ 00.00
Count 2:	18 VAC 50-22-260 B 8	\$ 350.00
Count 3:	18 VAC 50-22-260 B 6	\$ 750.00

Board Costs		\$ 150.00
Total		\$ 1,250.00
In addition, for violation of Counts 1,2 and 3, D R Barb & Company LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

In the matter of Consent Order File Number 2012-01550 Board v. Donald Wade Linkous Sr, t/a New Century Builders; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2012-01550
Donald Wade Linkous Sr,
t/a
New Century Builders**

Donald Wade Linkous Sr, t/a New Century 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 6	\$ 400.00
Count 2:	18 VAC 50-22-260 B 6	\$ 400.00
Count 3:	18 VAC 50-22-260 B 29 (one violation at \$250.00 and one violation at \$500.00)	\$ 750.00
Count 4:	18 VAC 50-22-260 B 31	\$ 200.00
Board Costs		\$ 150.00
Total		\$ 1,900.00
In addition, for violation of Count 1-4, Donald Wade Linkous Sr, t/a New Century Builders agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the order.		

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

In the matter of Consent Order File Number 2012-01729 Board v. Workhorse Contracting LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2012-01729
Workhorse Contracting
LLC**

Workhorse Contracting 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 8	\$ 1,000.00
Count 2:	18 VAC 50-22-260 B 9	\$ 1,000.00
Count 3:	18 VAC 50-22-260 B 6	\$ 750.00
Count 4:	18 VAC 50-22-220 B	\$ 700.00
Count 5:	18 VAC 50-22-220 C	\$ 800.00
Board Costs		\$ 150.00
Total		\$ 4,400.00
Workhorse Contracting LLC terminated license number 2705133497.		

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

In the matter of Consent Order File Number 2012-01743 Board v. HDC Consulting LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2012-01743
HDC Consulting LLC**

HDC Consulting 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 8	\$ 00.00
Count 2:	18 VAC 50-22-260 B 31	\$ 00.00
Board Costs		\$ 150.00
Total		\$ 150.00
In addition, for violation of Counts 1 and 2, HDC Consulting		

LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

It is noted that HDC has financially satisfied the Hamrah's pursuant to a settlement agreement between those parties. Accordingly, no monetary sanctions are being imposed.

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

In the matter of Consent Order File Number 2012-01752 Board v. Central Roofing Company Inc; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2012-01752
Central Roofing Company
Inc

Central Roofing Company Inc; acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$ 350.00
Board Costs		\$ 150.00
Total		\$ 550.00

Further, for violation of Count 1, **Central Roofing Company Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

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

In the matter of Consent Order File Number 2012-01811 Board v. Stuart Lee

File Number

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

**2012-01811
Stuart Lee Graham**

Stuart Lee Graham 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 50-22-230 A	
Board Costs		\$ 150.00
Total		\$ 850.00
In addition, Stuart Lee Graham agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

In the matter of Consent Order File Number 2012-01854 Board v. Hyon Kim, t/a H K Construction; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2012-01854
Hyon Kim, t/a H K
Construction**

Hyon Kim, t/a H K 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 28	\$ 500.00
Board Costs		\$ 150.00
Total		\$ 650.00
Further, Hyon Kim, t/a H K Construction agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		
Further, the Board shall waive imposition of the \$500.00 monetary penalty and license suspension for Count 1, provided Hyon Kim satisfies the judgment and provides the Board with proof of the satisfaction within ninety (90) days of the order. If Hyon Kim fails		

to comply with these conditions, then the full monetary penalty and license suspension, until the judgment has been satisfied, will be automatically imposed.

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

In the matter of Consent Order File Number 2012-01981 Board v. Gregory James Kreiler, t/a Kreiler’s Renovation; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2012-01981
Gregory James Kreiler, t/a
Kreiler’s Renovation

Gregory James Kreiler, t/a Kreiler’s Renovation; acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

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

Further, **Gregory James Kreiler, t/a Kreiler’s Renovation** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

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

In the matter of Consent Order File Number 2012-02457 Board v. Joshua Casey, t/a J S Casey General Contractor; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2012-02457
Joshua Casey, t/a J S Casey
General Contractor

Joshua Casey, t/a J S Casey General Contractor; 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	\$ 350.00
Board Costs		\$ 150.00
Total		\$ 500.00

In addition, for violation of Count 1, **Joshua Casey, t/a J S Casey General Contractor** agrees to report a change in the designated employee within ninety (90) days of the effective date of the Order.

Further, for violation of Count 1, **Joshua Casey, t/a J S Casey General Contractor** agrees to have a member of Responsible Management successfully complete remedial education within ninety (90) days of the order.

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

In the matter of Consent Order File Number 2012-02579 Board v. Robert Allen Kettler, t/a Notable Renovations; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number

2012-02579

**Robert Allen Kettler, t/a
Notable Renovations**

Robert Allen Kettler, t/a Notable Renovations 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	\$ 00.00
Board Costs		\$ 150.00
Total		\$ 150.00

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

In the matter of Consent Order File Number 2012-02746 Board v. Ricky Lee Pence, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2012-02746
Ricky Lee Pence**

Ricky Lee Pence; 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 50-30-190.11	\$ 00.00
Count 2:	18 VAC 50-30-190.12	\$ 300.00
Board Costs		\$ 150.00
Total		\$ 450.00

In addition, **Ricky Lee Pence** agrees to successfully complete remedial education within ninety (90) days of the effective date of the Order..

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

In the matter of Consent Order File Number 2012-00470 Board v. Joel Smith; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2012-00470
Joel Smith**

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

Joel Smith 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	\$ 150.00
Count 2:	18 VAC 50-22-260 B 5	\$ 400.00
Count 3:	18 VAC 50-22-260 B 15	\$ 500.00
Count 4:	18 VAC 50-22-260 B 28	\$ 1,800.00
Board Costs		\$ 150.00
Total		\$ 3,000.00

In addition, for violation of Count 4, **Joel Smith**, agrees to probation of his license as of the effective date of the Order.

During the probation, Joel Smith agrees to:

Not be in violation of any regulations of the board for Contractors for transactions occurring after the effective date of the order;

Make payments towards the judgment referenced in Count 4 of the Report of Findings of a least \$200.00 each month until the judgment is satisfied; and

Provide to the Board, on a semi-annual basis, satisfactory supporting documentation of compliance with the terms listed.

This probation shall last until Joel smith provides satisfactory documentation to show that the judgment referenced in Count 4 of the Report of Findings has been satisfied. Should Joel Smith comply with the terms of this probation, the Board agrees to waive the \$1,800.00 monetary penalty for Count 4. If Joel Smith violates any terms of this probation, his license shall be automatically revoked and the full monetary penalty shall be automatically imposed. Joel Smith understands the right to have these sanctions considered in an informal fact-finding conference and/or formal hearing under Sections 2.2-4019, 2-2.4021 of the Code of Virginia, and knowingly and voluntarily waives any rights to these proceedings.

In addition, for violation of Counts 1 and 3, Joel Smith agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the order.

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

In the matter of Consent Order File Number 2012-01013 Board v. Stafford Home Improvements LC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2012-01013
Stafford Home
Improvements LC

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

Stafford Home Improvements LC, 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
Count 2:	18 VAC 50-22-260 B 27	\$ 400.00
Count 3:	18 VAC 50-22-260 B 17	\$ 600.00
Count 4:	18 VAC 50-22-260 B 31	\$ 150.00
Board Costs		\$ 150.00
Total		\$ 1,350.00

Further, for violation of Count 1-4, **Stafford Home Improvements LC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

In the matter of Consent Order File Number 2012-01102 Board v. Tidewater Rehab Design LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2012-01102
Tidewater Rehab Design
LLC

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

Tidewater Rehab Design 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 2	\$ 300.00
Board Costs		\$ 150.00
Total		\$ 450.00

In addition, for violation of Count 1, **Tidewater Rehab Design LLC**; agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

In the matter of Consent Order File Number 2012-00441 Board v. Premier Contract Solutions Inc; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2012-00441
Premier Contract
Solutions Inc**

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

Premier Contract Solutions 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 28	\$ 1,900.00
Board Costs		\$ 500.00
Total		\$ 2,400.00

In addition, **Premier Contract Solutions Inc;** agrees to revocation of its license. However, the Board shall stay the imposition of monetary penalties and the license revocation, and place Premier Contract Solutions Inc shall provide evidence acceptable to the Board, on or before August 31, 2012, that it has successfully complied with the payment agreement entered into with Leipertz, which is attached as Exhibit A and is incorporated into this order.

If Premier Contract Solutions Inc fails to comply with this term of the probation, then the monetary penalties and license revocation shall automatically be imposed.

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

In the matter of Consent Order File Number 2012-01696 Board v. STBR LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2012-01696
STBR LLC

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

STBR 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	\$ 00.00
Count 2:	18 VAC 50-22-230 B	\$ 00.00
Count 3:	18 VAC 50-22-260 B 15	\$ 00.00
Board Costs		\$ 150.00
Total		\$ 150.00
In addition, STBR LLC agrees to revocation of its license.		

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

Mr. Vander Pol left the meeting for the day.

Board Member Leaving Meeting

Adrienne Mayo, Regulatory Boards Administrator presented the committee report from the Board for Contractors Committee.

Committee Report

Education Provider Applications*

The following applications for proposed education providers and courses were reviewed by the committee and their recommendations are as follows:

Name	Education	Type	Staff Recommendation
------	-----------	------	----------------------

Board for Contractors Meeting Minutes Draft

July 31st, 2012

Page 87 of 89

ABC License for Contractors Inc (NEW)	Contractor Pre-License/ Remedial	Pre-L/ Rem in Classroom	Approval – 1 course (Pre-License/ Remedial)
E.M.S.I. Inc (NEW)	Continuing and Vocational	WWP in Classroom	Approval – 1 course
National Electrician Academy (NEW)	Continuing	ELE in Classroom	Approval – 1 course
C.R. Sledge Co. (NEW)	Continuing	ELE in classroom	Approval – 1 course
1 st Choice Education (NEW)	Contractor Pre-License/Remedial and ELE Continuing	Online	Approval -1 course (Pre-License/ Remedial) and 1 course (ELE CE)
@ 0 Gravity Training (NEW)	Contractor Pre-License/Remedial and ELE Continuing	Online	Approval -1 course (Pre-License/ Remedial) and 1 course (ELE CE)
@ 0 Cost Education (NEW)	Contractor Pre-License/Remedial and ELE Continuing	Online	Approval -1 course (Pre-License/ Remedial) and 1 course (ELE CE)
Elton Fahnestock, ELEC COMM LLC	Vocational	ELE in Classroom	Approval – 1 course
Energy Transfer Technology	Continuing and Vocational	ELE in Classroom	Approval – 1 course
@ 1 st Attempt	Continuing	GFC Online	Approval – 1 course
Ace Tech Institute	Continuing	HVAC, GFC in Classroom	Approval – 2 courses
American Ground Water Trust	Continuing	WWP in Classroom	Approval – 1 course (forum)
Virginia Water Well Association	Continuing and Vocational	WWP in Classroom	Approval – 1 course (6 workshop forum)

Meridien Consulting Group LLC – DBA ABC Construction Institute (NEW)	Contractor Pre-License/ Remedial	Pre-L/ Rem in Classroom	Approval – 1 course
--	----------------------------------	-------------------------	---------------------

A motion was offered by **Mr. Gelardi** and seconded by **Mr. Dowdy** to approve the recommendations from the Committee. The Motion passed by unanimous vote: Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Walton and Williams.** Members absent and not voting were: **Vander Pol, Walker and Giesen.**

Eric Olson, Executive Director of the Board for Contractors shared that Mr. Vander Pol had a suggestion for Board consideration that was discussed in the Committee meeting. In Mr. Vander Pol’s absence, Mr. Olson explained to the Board that Mr. Vander Pol would like to have the Recovery Fund work group to reconvene and to consider having the fund become Bond owners to try to make the fund more lucrative.

Recovery Fund Group Report

After discussion a motion was offered by **Mr. Gelardi and seconded by Mr. Pace** to reject the recommendation and not direct staff to secure bonds for the recovery fund and not to reconvene the Recovery fund workgroup at this time.

The motion passed by unanimous vote: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Walton and Williams.** Members absent and not voting were: **Vander Pol, Walker and Giesen.**

Sharon Verry, Finance Director for the Department, provided the Board with a Recovery Fund Report and a recommendation to the Board. After discussion the Board endorsed the recommendation of the Department’s Finance Division to maintain the \$50 renewal assessment for the Recovery Fund. Ms. Verry held a question and answer session at the end of her report.

Recovery Fund Assessment

The next Board meeting will be October 23rd, 2012.

Next Board meeting

The Board Chair asked all members to be certain to complete their Conflict of Interest Forms and Travel Vouchers and turn them in to Sheila Watkins prior to leaving the meeting.

Paperwork

There being no further business to come before the board, the meeting was adjourned at **12:58 p.m.** upon a motion by **Mr. Williams** and seconded by **Mr. Sumpter**. **Adjournment**

The Motion passed with a unanimous vote: Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Walton and Williams**. Members absent and not voting were: **Vander Pol, Walker and Giesen**.

E.G. Middleton, III, Chairman

Gordon N. Dixon, Secretary