

## BOARD FOR CONTRACTORS BOARD MEETING

### MINUTES

The Board for Contractors met on Tuesday, April 3rd, 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, Vice Chairman  
H. Bailey Dowdy  
Herbert "Jack" Dyer, Jr.  
Michael Gelardi  
David Giesen  
Doug Murrow  
James Oliver  
E.C. "Chick" Pace  
Homer Pete Sumpter  
Deborah Tomlin  
Dwight Todd Vander Pol  
Chancey Walker  
Walton H. Walton, III  
A. Bruce Williams

Mr Troy Smith was not present at the meeting.

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

Gordon Dixon, Director  
Mark Courtney, Deputy Director  
Eric L. Olson, Executive Director  
Adrienne Mayo, Regulatory Boards Administrator  
Sheila Watkins, Administrative Assistant, Compliance Specialist  
Karen Bullock, Administrative Assistant, Compliance Specialist  
Earlyne Perkins, Legal Analyst  
Kristen (Becker) Clay, Legal Analyst  
Chris Kunkel, Licensing Education Specialist  
Steven Jack, Assistant Attorney General

Vice Chairman E. G. Middleton called the meeting to order at 9:12 a.m. and declared a quorum of board members was in attendance.

Call  
To Order

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

Approval of the Agenda

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

Approval of Minutes

January 24<sup>th</sup>, 2012 Board for Contractors Meeting  
January 5<sup>th</sup>, 2012 Informal Fact Finding Conference  
January 9<sup>th</sup>, 2012 Informal Fact Finding Conference  
January 10<sup>th</sup>, 2012 Informal Fact Finding Conference  
January 20<sup>th</sup>, 2012 Informal Fact Finding Conference  
January 31<sup>st</sup>, 2012 Informal Fact Finding Conference  
February 7, 2012 Informal Fact Finding Conference  
February 9, 2012 Informal Fact Finding Conference  
February 15, 2012 Informal Fact Finding Conference  
February 21<sup>st</sup>, 2012 Informal Fact Finding Conference

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

**There was no public comment.**

Public Comment Period

**In the matter of Recovery Fund File Number 2007-01943, Vincent Dean (Claimants) vs. G & M Homes, LLC, Number III (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **G & M Homes, LLC, Number III (Regulant) did not** appear at the board meeting. **P Graffis counsel for the claimants (Claimants)** did attend the Board meeting. He addressed the Board and shared his client's disagreement with the recommendation.

File Number  
**2007-01943**  
**Vincent Dean**  
**(Claimants) vs.**  
**G & M Homes, LLC,**  
**Number III**  
**(Regulant)**

**Mrs. Tomlin** recused herself.

After discussion, a motion was made by **Mr. Dyer** 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.** The Claim Review and Summary are incorporated as a part of this Order. The motion passed by majority vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton,**

**Murrow, Oliver, Pace, Sumpter, Tomlin, and Williams. Member absent and not voting was: Smith.**

**Members voting “no” were: Walton, Walker and Vander Pol.**

**In the matter of Recovery Fund File Number 2007-01651, Jerome Fasano (Claimant) vs. G & M Homes, LLC, Number III (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **G & M Homes, LLC, Number III (Regulant)** did not appear at the board meeting. **Jerome Fasano was represented by counsel, P. Graffis (Claimants).** He did attend the Board meeting and he addressed the board on behalf of his client and shared their disagreement.

**File Number  
2007-01651  
Jerome Fasano (Claimant)  
vs. G & M Homes, LLC,  
Number III (Regulant)**

**Mrs. Tomlin** recused herself.

**Mr. Hollar** the Board’s Hearing Representative was not present and did not participate during the discussion or the vote.

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

**Members voting “no” were: Walton and Vander Pol.**

**In the matter of Recovery Fund File Number 2011-01153, Jeffrey W Welter (Claimant) vs. Ricardo A Conteras, t/a R C Home Services (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF. and the summary and recommendation. **Ricardo A Conteras, t/a R C Home Services (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Jeffrey W Welter (Claimant)** did not attend the Board meeting.

**File Number  
2011-01153  
Jeffrey W Welter  
(Claimant) vs Ricardo A  
Conteras, t/a R C Home  
Services (Regulant)**

**Mr. Redifer** the Board’s representative was not present and did not participate.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer’s recommendations and summary and pay the claim in the amount of \$12,529.69. The motion passed by unanimous vote.

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

**In the matter of Recovery Fund File Number 2011-01539, Gail Clandrino (Claimants) vs. Regina Cooke t/a Budget Painting & Home Repair**

**(Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Regina Cooke t/a Budget Painting & Home Repair (Regulant)** did not appear at the board meeting. **Gail Calandrino and her Counsel, Russell Watson (Claimants)** did attend the Board meeting. They shared their disagreement with the recommendation.

**File Number**

**2011-01539**

**Gail Calandrino**

**(Claimants) vs.**

**Regina Cooke t/a Budget Painting & Home Repair (Regulant)**

**Mrs. Tomlin was not present.**

After discussion, a motion was made by **Mr. Dyer** 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 amount of \$20, 000.00. The motion passed by majority vote.

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

**Member voting "no" was: Vander Pol.**

**In the matter of Recovery Fund File Number 2011-02666, Elizabeth Graham (Claimants) vs. Dewey Donald Nelson, t/a Dewey Donald Nelson (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Dewey Donald Nelson, t/a Dewey Donald Nelson (Regulant)** did not appear at the Board meeting. **Elizabeth Graham (Claimants)** did not attend the Board meeting.

**File Number**

**2011-02666**

**Elizabeth Graham (Claimant**

**Vs. Dewey Donald Nelson, t/**

**Dewey Donald Nelson**

**(Regulant)**

**Mr. Redifer the Board's representative was not present.**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of \$6,427.00. **The motion passed by majority vote. Members voting "Yes" were: Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Walker, Walton and Williams.** **Members absent and not voting were: Tomlin and Pace.**

**Mr. Vander Pol voted "no".**

**In the matter of Recovery Fund File Number 2011-03230, Marianne Rollings (Claimant) vs. Robert Daley t/a American Quality Construction (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Robert Daley t/a American Quality Construction (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Marianne Rollings (Claimant)** did

**File Number**

**2011-03230**

**Marianne Rollings**

**(Claimant) vs Robert Daley t**

**American Quality**

**Construction**

not appear at the board meeting in person or by counsel or by any other qualified representative.

**(Regulant)**

**Mrs. Tomlin was not present and did not vote.**

After discussion, a motion was made by **Mr Williams** and seconded by **Mr. Dyer** to adopt the claim review and approve the payment of the claim in the amount of **\$15,393.00**. **The Board voted to pay the claim. The motion passed by unanimous vote.**

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

**In the matter of Recovery Fund File Number 2011-04266, Brian and Sheila Adkins (Claimants) vs. Stone Creek Builders of Virginia LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Stone Creek Builders of Virginia LLC (Regulant)** did not appear at the Board meeting. **Brian and Sheila Adkins (Claimants)** did attend the Board meeting. They addressed the Board and shared their disagreement with the Recommendation.

**File Number  
2011-04266  
Brian and Sheila Adkins  
(Claimants) vs.  
Stone Creek Builders of  
Virginia LLC  
(Regulant) Prima Facie Case**

**Mr. Redifer the Board's representative was not present.**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of **\$10,282.19**. The motion passed by **majority vote**.

**Members voting "Yes" were: Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Walker, Walton and Williams.**

**Member absent and not voting were: Smith.**

**Mr. Vander Pol voted "no".**

**In the matter of Recovery Fund File Number 2011-04470, John Cardea (Claimants) vs. Jeffrey Charles Carmichael, t/a Carmichael Construction (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Jeffrey Charles Carmichael, t/a Carmichael Construction (Regulant)** did not appear at the Board meeting. **Dianne Cardea (Claimants)** did attend the Board meeting. She addressed the Board and shared her agreement with the Recommendation.

**File Number  
2011-04470  
John Cardea (Claimants) vs.  
Jeffrey Charles Carmichael,  
t/a Carmichael Construction  
(Regulant) Prima Facie case**

**This is a Prima Facie Case.**

After discussion, a motion was made by **Mr. Williams and seconded by Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$20,000.00**. **The motion passed by unanimous vote.**

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

**In the matter of Recovery Fund File Number 2011-05023, David M Gregory (Claimants) vs. San Diego Contractors Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **San Diego Contractors Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Michael & Stephanie Evanchick (Claimants)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number  
2011-05023  
David M Gregory  
(Claimants) vs.  
San Diego Contractors Inc.  
(Regulant)**

**Mr. Redifer** the Board's representative was not present.

After discussion, a motion was made by **Mr. Williams and seconded by Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$20,000.00**. The motion passed by majority vote.

**Members voting "Yes" were: Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**Member absent and not voting was: Smith.**

**Member voting "no:" was: Dyer.**

**In the matter of Recovery Fund File Number 2012-00049, Wayne & Sara Hatton (Claimants) 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. **Wayne & Sara Hatton (Claimants)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

**File Number  
2012-00049  
Wayne & Sara Hatton  
(Claimants) vs.  
Energy Saving Exteriors Inc.  
t/a National Remodeling  
Company (Regulant)  
Prima Facie Case**

**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 the hearing officer's recommendations and summary and pay the claim in the amount of **\$12,046.00**. **The motion passed by unanimous vote.**

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

**In the matter of Recovery Fund File Number 2012-00051, Timothy K. Kindrick (Claimants) vs. Custom Log Construction Inc, t/a Custom Log Construction Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Custom Log Construction Inc, t/a Custom Log Construction Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Timothy K. Kindrick (Claimants)** did attend the Board meeting in person. He addressed the Board and shared his agreement.

**File Number**  
**2012-00051**  
**Timothy K Kindrick**  
**(Claimants) vs.**  
**Custom Log Construction In**  
**t/a Custom Log Construction**  
**Inc.**  
**(Regulant)**

**Mr. Redifer** the Board's representative was not present.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000.00.

**During discussion, Mr. Dyer offered a substitute motion** seconded by Mr. Walton to deny payment of the claim. The motion failed due to lack of majority vote. Members voting "no" were: **Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walker and Williams.** Member absent and not voting were: **Smith.** Members voting "yes" were: Walton and Dyer. The motion failed.

**The Board voted on the original motion to pay the claim in the amount of \$20,000.00.** The motion passed by majority vote.

**Members voting "Yes" were: Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walker and Williams.**

**Member absent and not voting was: Smith.**

**Members voting "no:" were: Dyer and Walton.**

**In the matter of Recovery Fund File Number 2012-00358, Kenneth E. Moore (Claimants) vs. SDG 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. **SDG Construction, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Kenneth E. Moore (Claimants)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2012-00358**  
**Kenneth E. Moore**  
**(Claimants) vs.**  
**SDG 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 the hearing officer's recommendations and summary and pay the claim in the amount of **\$20,000.00**. **The motion passed by unanimous vote.**

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

**In the matter of Recovery Fund File Number 2012-00127, Robert Fuller (Claimants) vs. Ready Septic Tanks, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Ready Septic Tanks, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Robert Fuller (Claimants)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2012-00127**  
**Robert Fuller**  
**(Claimants) vs.**  
**Ready Septic Tanks, Inc.**  
**(Regulant)**

**This is a Prima Facie Case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$20,000.00**. **The motion passed by unanimous vote.**

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



**In the matter of Recovery Fund File Number 2012-00398, Leonardo & Resurreccion Pascual (Claimants) vs. Stone 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 attend the Board meeting. Leonardo & Resurreccion Pascual (Claimants) did not attend the Board meeting.**

**File Number  
2012-00398  
Leonardo & Resurreccion  
Pascual  
(Claimants) vs.  
Energy Saving Exteriors, Inc  
t/a National Remodeling  
Company  
(Regulant) Prima Facie Case**

**This is a Prima Facie Case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Oliver** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$8,306.00**. The motion passed by unanimous vote.

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

**In the matter of Recovery Fund File Number 2012-00434, Christine Cann (Claimants) vs. Abel Paints LLC, t/a Abel Dream Center (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Abel Paints LLC, t/a Abel Dream Center (Regulant) did not appear at the board meeting. Christine Cann (Claimants) attended the Board meeting and voiced her agreement with the recommendation to the Board.**

**File Number  
2012-00434  
Christine Cann  
(Claimant) vs.  
Abel Paints LLC, t/a Abel  
Dream Center  
(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 the amount of **\$17,546.00**. The motion passed by unanimous vote.

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

**In the matter of Recovery Fund File Number 2012-00602, Eric Weissmann (Claimants) vs. Lewis Thompson t/a Melvin Thompson Construction (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Lewis Thompson t/a Melvin Thompson Construction (Regulant) did not appear at the board meeting. He sent a letter for the Board's consideration. The Handout was distributed to the Board members for review and consideration. The Regulant requested that the case be remanded to an Informal Fact Finding Conference so that he may be present and**

**File Number  
2012-00602  
Eric Weissmann  
(Claimant) vs.  
Lewis Thompson t/a Melvin  
Thompson  
Construction  
(Regulant) Prima Facie Case**

present evidence for consideration. **Eric Weissmann (Claimants)** did not attend the Board meeting.

**This is a Prima Facie Case.**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Williams** to **remand the case back to staff for preparation of and Informal Fact Finding Conference.** The motion passed by **unanimous vote.**

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

**In the matter of Recovery Fund File Number 2012-00604, Robert Zulandi (Claimant) vs. R & H Design and Build LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **R & H Design and Build LLC (Regulant)** did not appear at the board meeting. **Robert Zulandi (Claimant)** did not attend the Board meeting.

**File Number  
2012-00604  
Robert Zulandi  
(Claimant) vs.  
R&H Design and Build LLC  
(Regulant)  
Prima Facie**

**This is a Prima Facie Case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Oliver** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$20,000.00.** The motion passed by **unanimous vote.**

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

**In the matter of Recovery Fund File Number 2012-00633, Hubert & Dawn Muellersman (Claimants) vs. Riverfront Enterprises, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Riverfront Enterprises, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Timothy Culp counsel for the (Claimants)** did appear at the board meeting. **He addressed the Board and shared his agreement with the Recommendation.**

**File Number  
2012-00633  
Hubert & Dawn Muellersma  
(Claimants) vs.  
Riverfront Enterprises, Inc.  
(Regulant)**

**Mr. Redifer the Board's hearing officer was not present.**

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 the amount of **\$20, 000.00.** **The motion passed by unanimous vote.**

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

**In the matter of Recovery Fund File Number 2012-00680, Janet A. Prezio (Claimants) vs. Red Hawk Remodeling & 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. **Red Hawk Remodeling & Construction LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Janet A. Prezio (Claimants)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

**File Number  
2012-00680**

**Janet A. Prezio  
(Claimants) vs.  
Red Hawk Remodeling &  
Construction LLC  
(Regulant)**

**This is a Prima Facie Case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Dyer** to adopt the claim review and the hearing officer’s recommendations and summary and pay the claim in the amount of **\$19, 769.00**. **The motion passed by unanimous vote.**

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

**In the matter of Recovery Fund File Number 2012-00781, Charles Hilstrom, Sr. (Claimants) vs. Rightway Remodelers, Inc. (Regulant);** the board reviewed the

record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Rightway Remodelers, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Charles Hilstrom, Sr. and Shannon Hilstrom (Claimants)** did appear at the board meeting in person. They addressed the Board and shared their disagreement.

**File Number  
2012-00781**

**Charles Hilstrom, Sr.  
(Claimants) vs.  
Rightway Remodelers, Inc.  
(Regulant)**

**Mrs. Tomlin the Board’s representative was not present and did not vote.**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer’s recommendations and summary and deny payment of the claim. **The motion passed by majority vote.**

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

**Members voting “no” were: Walton, Vander Pol and Pace.**

**In the matter of Recovery Fund File Number 2012-00969, Michael & Janet Duncan (Claimants) vs. Angela Williams t/a Mark's Remodeling and Landscaping (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Angela Williams t/a Mark's Remodeling and Landscaping (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. They did send a hand out to the Board for consideration. The handout was give to the Board members. **Michael & Janet Duncan (Claimants)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2012-00969**  
**Michael & Janet Duncan**  
**(Claimants) vs.**  
**Angela Williams t/a Mark's**  
**Remodeling and Landscapin,**  
**(Regulant)**

**This is a Prima Facie Case.**

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to honor the request of the Regulant and turn the case over to Staff for processing an Informal Fact Finding conference. **The motion passed by unanimous vote.**

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

**In the matter of Recovery Fund File Number 2012-00136, Sharon Faina and James Kurdziet (Claimants) vs. Taurus Properties LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Taurus Properties LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Sharon Faina and James Kurdziet (Claimants)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2012-00136**  
**Sharon Faina and James**  
**Kurdziet**  
**(Claimants) vs.**  
**Taurus Properties 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 the hearing officer's recommendations and summary and pay the claim in the amount of **\$20, 000.00**. **The motion passed by unanimous vote.**

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

**In the matter of Recovery Fund File Number 2012-01601, Wayne & Sara Hatton (Claimants) 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.

**File Number**  
**2012-01601**  
**Charleene H. Howell**  
**(Claimants) vs.**  
**Energy Saving Exteriors**  
**Inc., t/a National Remodeling**

**Charleene H. Howell (Claimants)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

**Company  
(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 the hearing officer's recommendations and summary and pay the claim in the amount of **\$3, 209.00**. **The motion passed by unanimous vote.**

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

**The Board members took a 10 minute recess. They recessed at 10:10 am.**

**Recess**

**The Board reconvened at 10:20 am to continue Board Business.**

**Reconvene**

**In the matter of Disciplinary File Number 2012-00286, Dong Soo Choi, (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  
2012-00286  
Dong Soo Choi**

**Dong Soo Choi (Respondent)** appeared at the IFF. **He also** attended the Board meeting.

The presiding Board representatives **Mrs. Clay** 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 Board votes to close this case with a finding of no violation.

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

**In the matter of License Application File Number 2012-00263, Dong Soo Choi, 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  
2012-00263  
Dong Soo Choi**

**Applicant Dong Soo Choi appeared at the IFF. He did not attend the Board meeting.**

**The presiding Board representative Mrs. Clay 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. Giesen** 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: Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams. Member absent and not voting was: Smith.**

**In the matter of License Application File Number 2012-00858, Michael Osment t/a MOJO Fence & Home Remodeling**, 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  
2012-00858  
Michael Osment t/a MOJO  
Fence & Home Remodeling**

**Applicant Michael Osment** appeared at the IFF and the Board meeting. Mr. Osment addressed the Board. He shared his agreement with the recommendation.

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

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

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

**In the matter of License Application File Number 2012-00859, Richard J. Dillow**, 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  
2012-00859  
Richard J. Dillow**

**Applicant Richard J. Dillow** appeared at the IFF. He 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. Williams** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The motion passed by unanimous vote.

**Members voting “Yes” were: Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**Member absent and not voting was: Smith.**

**In the matter of License Application File Number 2012-00929, A Plus Chimney Cleaners, 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  
2012-00929  
A Plus Chimney Cleaners,  
LLC**

**A Plus Chimney Cleaners, LLC** appeared at the IFF. He did not attend the Board meeting.

The presiding Board representatives **Mrs. Clay and Mrs. Brigil** were not present, did not participate in the discussion and did not vote.

**Mrs. Perkins** addressed the Board and asked that a correction be noted for the record when a decision is made. She asked that in the Summary, page 1, reflect File number 2012-00929 not 2012-00948. She also requested that under numbers 2 and 3 in the Summary that the name should read as follows: ‘..Baxter and not Harley...’.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Walton** to include the correction as noted by Mrs. Perkins in the record and to grant a license. The motion passed by unanimous vote.

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

**In the matter of License Application File Number 2012-00948 Matthew Harley t/a M & T Affordable Handyman Services**, 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  
2012-00948  
Matthew Harley t/a M & T  
Affordable Handyman  
Services**

**Applicant Matthew Harley** 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. Vander Pol** 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: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**  
**Member absent and not voting was: Smith.**

**In the matter of License Application File Number 2012-00956 Larry Dove**, 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  
2012-00956  
Larry Dove**

**Larry Dove** appeared at the IFF. **He** also attended the Board meeting.

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

**Mrs. Perkins** addressed the Board and asked that a correction be noted for the record when a decision is made. She asked that in the Record state that Mr. Dove applied for a Master's Plumber's license and not an Electrical.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Sumpter** to adopt the recommendation (with the correction as noted by Mrs. Perkins) contained in the Summary of the Informal Fact-Finding Conference and grants a license. The motion passed by unanimous vote.

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

**In the matter of License Application File Number 2012-00965 Tommy Shifflet Tile Co., 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  
2012-00965  
Tommy Shifflet Tile Co., Inc.**

**Tommy Shifflet** appeared at the IFF. **He** also attended the Board meeting and addressed the Board.

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

Mrs. Perkins shared with the Board that a correction needed to be made to the record. On page 2 of the record it should read- regulation - 18 VAC 50-22-50 E - (not - 40 C) applying for a Class B license.

After discussion Mr. Walton offered a motion to grant a temporary license. Mr. Olson shared with the Board they do not have the authority to issue a temporary license but they do have the authority to issue a conditional license. The motion failed due to lack of a second.

After further discussion **Mr. Vander Post** offered a motion that was seconded by **Mr. Pace** to adopt the recommendation contained in the Summary of the Informal Fact-



Finding Conference along with the corrections noted by Mrs. Perkins and grants a license. The motion passed by majority vote.

Members voting "Yes" were: **Dowdy, Gelardi, Giesen, Middleton, Pace, Sumpter, Tomlin, Vander Pol, and Walker, Member absent and not voting was: Smith.**

Members voting "no" were: **Oliver, Walton, Dyer Williams and Murrow.**

**In the matter of License Application File Number 2012-00966, Jason Ferguson t/a AA & D Painting,** 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  
2012-00966  
Jason Ferguson t/a AA & D  
Painting**

**Jason Ferguson** appeared at the IFF. **Jason Ferguson t/a AA & D Painting** did not 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 a license.

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

**Mr. Williams** voted "NO".

**In the matter of License Application File Number 2012-00968 Ask International, Inc. t/a Environmental Technologies Division,** 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  
2012-00968  
Ask International, Inc. t/a  
Environmental Technologies  
Division**

**Applicant Ask International, Inc. t/a Environmental Technologies Division** appeared at the IFF. **Ask International, Inc. t/a Environmental Technologies Division** did not attend the Board meeting.

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

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Oliver** 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: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**Member absent and not voting was: Smith.**

**In the matter of License Application File Number 2012-01076, Matthew Henegar,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF). **Applicant Matthew Henegar** appeared at the IFF. He did attend the Board meeting. **Mr. Henegar** shared his agreement with the Recommendation.

**File Number**  
**2012-01076**  
**Matthew Henegar**

**Mrs. Perkins** addressed the Board and asked that a correction be noted for the record when a decision is made. She asked that in the Summary **Recommendation – 2<sup>nd</sup> paragraph** should be – ‘...which govern **licensed** electricians.’ – (not – ‘**certified**’ electricians).

The presiding Board representative **Mrs. Clay** 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. Pace** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve a conditional license including Mrs. Perkins recommendation for correction to the file. The motion passed by unanimous vote.

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

**In the matter of License Application File Number 2012-01077 Robert Dunning, Jr. t/a Dunning’s Painting** 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**  
**2012-01077**  
**Robert Dunning, Jr. t/a**  
**Dunning’s Painting**

**Applicant Robert Dunning, Jr. t/a Dunning’s Painting** appeared at the IFF. He did not attend the Board meeting.

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

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

**In the matter of License Application File Number 2012-01079, Jason Holtz,** 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**  
**2012-01079**  
**Jason Holtz**

**Applicant Jason Holtz** appeared at the IFF and the Board meeting. He addressed the Board.

The presiding Board representative **Mrs. Clay** 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. Pace** 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: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**  
Member absent and not voting was: **Smith.**

**In the matter of License Application File Number 2012-01080 William Malooney, III t/a East Coast Diverse Flooring,** 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**  
**2012-01080**  
**William Malooney, III t/a Ea**  
**Coast Diverse Flooring**

**Applicant William Malooney, III t/a East Coast Diverse Flooring** appeared at the IFF. He called and shared with staff he would be unable to attend the meeting. He also shared that he agreed with the recommendation.

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

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 approve a license. The motion passed by majority vote.

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

Member voting "no" was **Dyer.**

**In the matter of License Application File Number 2012-01081, Austin Craig t/a Caliber Contracting,** 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**  
**2012-01081**  
**Austin Craig t/a Caliber**  
**Contracting**

**Applicant Austin Craig t/a Caliber Contracting** appeared at the IFF and the Board meeting. He addressed the Board.

The presiding Board representative **Mrs. Clay** was not present, did not participate in

the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Vander Pol** 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: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**  
Member absent and not voting was: **Smith.**

**In the matter of License Application File Number 2012-01272, Samuel Moore t/a Handy Man Sam,** 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  
**2012-01272**  
**Samuel Moore t/a Handy Ma**  
**Sam**

**Applicant Samuel Moore t/a Handy Man Sam** appeared at the IFF. He attended the Board meeting addressed the Board.

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

**Mrs. Perkins** addressed the Board and asked that a correction be noted for the record when a decision is made. She asked that in the IRM to add--- 18 VAC 50-22-60 F.

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 grant a license. The motion passed by unanimous vote.

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

**In the matter of Disciplinary File Number 2012-01273, Terry Jones t/a Terry's Drywall & Painting (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  
**2012-01273**  
**Terry Jones t/a Terry's**  
**Drywall & Painting**

**Terry Jones t/a Terry's Drywall & Painting (Respondent)** appeared at the IFF. **Terry Jones t/a Terry's Drywall & Painting** attended the Board meeting. He addressed the Board.

The presiding Board representative **Mrs. Clay** 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 will grant a conditional license with the following conditions:

- 1) Jones must provided the Board with documentation of completing an eight (8) hour in-classroom remedial education course within sixty (60) days of approval of his license;
- 2) Jones must report any and all judgments entered against himself and his company within thirty (30) days of the judgment being final for a period of one (1) year;
- 3) Failure to comply with any of the above provisions will result in a suspension of Jones' license until compliance is met;
- 4) Any and all other conditions deemed appropriate by the Board.

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

**In the matter of License Application File Number 2012-01274, Thomas Weidemoyer, 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**  
**2012-01274**  
**Thomas Weidemoyer, Jr.**

**Applicant Thomas Weidemoyer, Jr.** appeared at the IFF. Mr. Weidemoyer was unable to attend the Board meeting so he sent a handout for the Board's review. The handout was given to the board members for review.

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

During discussion Mr. Middleton and Mr. Vander Pol expressed concerns with the recent timeframe and the number of convictions of the applicant.

After discussion **Mr. Walker** offered a motion that was seconded by **Mr. Williams** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference allow the applicant to sit for the exam.

**The motion passed by majority vote.**

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

**In the matter of License Application File Number 2012-01275 David Wayne Boyce,** 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**  
**2012-01275**  
**David Wayne Boyce**

**Applicant David Wayne Boyce** appeared at the IFF via telephone. He did not attend the Board meeting. Linda Boyce appeared at the IFF in person. Linda Boyce appeared at the Board meeting for her husband. She addressed the Board.

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

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Dyer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and allow David B. Boyce to take the master electrician's exam and upon passing said exam grant him certification. The motion passed by unanimous vote.

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

**In the matter of License Application File Number 2012-01317 Brian Ferguson,** 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  
2012-01317  
Brian Ferguson**

**Applicant Brian Ferguson** appeared at the IFF. He also attended the Board meeting. He shared his agreement with the Board.

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

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 issues a conditional license to **Brian Ferguson.** The motion passed by a unanimous vote.

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

**In the matter of License Application File Number 2012-01318 Rashaan Pride,** 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  
2012-01318  
Rashaan Pride**

**Applicant Rashaan Pride** appeared at the IFF. **Rashaan Pride** did attend the Board meeting. He addressed the Board and shared his agreement.

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

After discussion **Mr. Gelardi** 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 to **Rashaan Pride**. The motion passed with a unanimous vote.

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

**In the matter of License Application File Number 2012-01319 Perry Taylor**, 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**  
**2012-01319**  
**Perry Taylor**

**Applicant Perry Taylor** contacted the Board's staff and requested that his case be continued to the Board's next meeting of June, 2012 because he is unable to attend the meeting today and he wants to be present.

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

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Giesen** to move the case to the June docket based on the applicant's request.

The motion passed with a unanimous vote.

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

**In the matter of License Application file number 2012-01321, Roof Systems By Pegram 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**  
**2012-01321**  
**Roof Systems By Pegram LL**

**Applicant William Pegram for Roof Systems By Pegram LLC** appeared at the IFF. **He** also attended the Board meeting. He addressed the Board and shared his agreement.

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

During discussion **Mr. Dyer** raised some concerns about net worth.

After discussion **Mr. Vander Pol** offered a motion that was seconded by **Mrs. Tomlin** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license to **Roof Systems By Pegram LLC**. The motion passed with a majority vote.

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

**Members voting “no” were: Dyer and Oliver.**

**In the matter of License Application File Number 2012-01322 Huckstep Construction Co., 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  
2012-01322  
Huckstep Construction  
Co., LLC**

**Applicant Ricky Woodard for Huckstep Construction Co., LLC** appeared at the IFF. **Ricky Woodard for Huckstep Construction Co., LLC** did attend the Board meeting. He addressed the Board and shared his agreement.

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

**Mrs. Perkins** addressed the Board and asked that a correction be noted for the record when a decision is made. She asked that in the record show that– Huckstep Exhibit 1 missing from electronic file and on page 2 of the record we need to add – 18 VC 50-22-60 D (net worth) if recommendation is based on this also\_ (not ‘Noticed’ on financial net worth issue).

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Giesen** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and in cooperate the corrections as noted by Mrs. Perkins and grants a conditional license to **Huckstep Construction Co., LLC**. The motion passed with a majority vote.

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

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

**In the matter of License Application File Number 2012-01503 Wilmon Culley II**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2012-01503  
Wilmon Culley II**

**Applicant Wilmon Culley II** appeared at the IFF. **He** did attend the Board meeting. He addressed the Board.

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



**Mrs. Perkins** addressed the Board and asked that a correction be noted for the record when a decision is made. She asked that in the Summary and Recommendation, paragraph 4 and 8 that- Culley has Master ELE in West VA - (not - Maryland) and the name should read as ‘..Matthew DeFeo...’.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Oliver** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and to include the recommendations as identified by Mrs. Perkins and grants a license based on reciprocity to **Wilmon Culley II**. The motion passed with a unanimous vote.

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

**In the matter of License Application File Number 2012-01508 Gary Donahue,** 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**  
**2012-01508**  
**Gary Donahue**

**Applicant Gary Donahue** appeared at the IFF. **Gary Donahue** did not attend the Board meeting.

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

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

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

**In the matter of License Application File Number 2012-01510 Mark D. Bell,** 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**  
**2012-01510**  
**Mark D Bell**

**Applicant Mark D. Bell** appeared at the IFF. **Mr. Bell** did attend the Board meeting. He addressed the Board and shared his agreement.

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

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

Conference and grants a license to **Mark D. Bell**. The motion passed with a unanimous vote.

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

**In the matter of License Application File Number 2012-01512 Gaio 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**  
**2012-01512**  
**Gaio Construction LLC**

**Applicant Gaio Construction LLC** appeared at the IFF. **He** did not attend the Board meeting.

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

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

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

**Member voting ‘no’ was: Mr. Dyer.**

**In the matter of License Application File Number 2012-01514 ABL-A Better Home Improvement and Construction Inc.**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2012-01514**  
**ABL-A Better Home Improvement and Construction Inc.**

**Applicant ABL-A Better Home Improvement and Construction Inc.** appeared at the IFF. **Warren Williford for ABL-A Better Home Improvement and Construction Inc.** did attend the Board meeting. He addressed the Board and shared his agreement.

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

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 grants a license to **ABL-A Better Home Improvement and Construction Inc.** The motion passed with a unanimous vote.

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

**In the matter of License Application File Number 2012-01517 William Beals t/a WG Beals Construction Management & Consulting**, 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**  
**2012-01517**  
**William Beals t/a WG Beals**  
**Construction Management &**  
**Consulting**

**Applicant William Beals t/a WG Beals Construction Management & Consulting** appeared at the IFF. **William Beals t/a WG Beals Construction Management & Consulting** did attend the Board meeting. He addressed the Board and shared his agreement.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Oliver** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license to **William Beals t/a WG Beals Construction Management & Consulting**. The motion passed with a majority vote.

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

Member voting “no” was: **Mr. Dyer.**

**In the matter of License Application File Number 2012-01519 B and B Mechanical, 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**  
**2012-01519**  
**B and B Mechanical, LLC**

**Applicant B and B Mechanical, LLC**, appeared at the IFF. **James Battle for B and B Mechanical, LLC**, did attend the Board meeting. He addressed the Board and shared his agreement.

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

**Mrs. Perkins** addressed the Board and asked that a correction be noted for the record when a decision is made. She asked that in the Summary that the name should read as follows: ‘..James E Battle...’and not Settle.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Walton** to

adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license to **B and B Mechanical, LLC**. The motion passed with a majority vote.

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

**Members voting "no" were: Walker, Dyer and Vander Pol.**

**In the matter of License Application File Number 2012-01623 Herman Powell**, 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**  
**2012-01623**  
**Herman Powell**

**Applicant Herman Powell** appeared at the IFF. **Herman Powell** did attend the Board meeting. He addressed the Board and shared his agreement.

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

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 grants approval to sit for the exam and upon passing Herman Powell may then be granted a license. The motion passed with a unanimous vote.

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

**In the matter of Disciplinary File Number 2012-01624, Herman Powell (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**  
**2012-01624**  
**Herman Powell**

**Herman Powell (Respondent)** appeared at the IFF. **Herman Powell** attended the Board meeting. He shared his agreement with the Recommendation.

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

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** 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 **Herman Powell** violated the following sections of its Regulations:

Violations	November 15, 2007	
Count 1:	18 VAC 50-30-190 11	
Count 2:	18 VAC 50-30-190 12	

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

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

Sanctions		
Count 2:		\$400.00
Total		\$400.00

As to violation of **Count 1**, the Board voted to **impose no monetary penalty for the violation of its Regulation.**

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

**In the matter of License Application File Number 2012-01633 Eugene Johnson t/a Top Notch Painting & Home Improvement**, 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  
 2012-01633  
 Eugene Johnson t/a Top  
 Notch Painting & Home  
 Improvement**

**Applicant Eugene Johnson t/a Top Notch Painting & Home Improvement** appeared at the IFF. **Eugene Johnson t/a Top Notch Painting & Home Improvement** did not attend the Board meeting.

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

After discussion **Mr. Gelardi** 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 to **Eugene Johnson t/a Top Notch Painting & Home Improvement.** The motion passed with a unanimous vote.

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

**In the matter of Disciplinary File Number 2011-01634, Eugene Johnson t/a Top Notch Painting & Home Improvement (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**  
**2012-01634**  
**Eugene Johnson t/a Top Notch Painting & Home Improvement**

**Eugene Johnson t/a Top Notch Painting & Home Improvement (Respondent)** appeared at the IFF. **Neither Eugene Johnson t/a Top Notch Painting & Home Improvement, counsel nor any other qualified person attended the Board meeting.**

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

**Mrs. Perkins** addressed the Board and asked that a correction be noted for the record when a decision is made. She asked that in Count 1 it be specifically state "is a violation".

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

Violations	February 1, 2006
Count 1:	18 VAC 50-22-260 B 22
Count 2:	18 VAC 50-22-260 B 23

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

**Mrs. Clay** the board hearing officer did not participate in the discussion and did not vote.

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

Sanctions	September 1, 2001
Count 2:	\$500.00
Total	\$500.00

For violation of **Count 1** the Board voted to impose a finding of no monetary penalty. In addition, for violation of Count 2, **Eugene Johnson t/a Top Notch Painting & Home Improvement** have a member of responsible management successfully complete remedial education within 60 days of the order.

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

**In the matter of License Application File Number 2012-01750 Brian Davis t/a T D & D,** 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  
2012-01750  
Brian Davis t/a T D & D**

**Applicant Brian Davis** appeared at the IFF. **Brian Davis** did attend the Board meeting. He addressed the Board and shared his agreement.

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

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 grants a license to **Brian Davis t/a T D & D.** The motion passed with a unanimous vote.

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

**In matter of the Disciplinary File Number 2011-02466, Associated Realtors LLC t/a Infinity Builders & Renovations, 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  
2011-02466  
Associated Realtors LLC  
t/a Infinity Builders &  
Renovations, LLC**

**Associated Realtors LLC t/a Infinity Builders & Renovations, LLC (Respondent)** appeared at the IFF. **Neither Associated Realtors LLC t/a Infinity Builders & Renovations, LLC,** counsel nor any other qualified person attended the Board meeting. **John Bilotta,** (Complainant) attended the IFF and the Board meeting. Mr. Bilotta addressed the Board.

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

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** 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 **Associated Realtors LLC t/a Infinity Builders & Renovations, 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 31	
Count 3:	18 VAC 50-22-260 B 26	

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

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

Sanctions		
Count 1:		\$1,200.00
Count 2:		\$400.00
Count 3:		\$650.00
Total		\$2,250.00

In addition for violation of **Counts 1, 2 and 3**, the Board voted to require **Associated Realtors LLC t/a Infinity Builders & Renovations, LLC** 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: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.** Member absent and not voting was: **Smith.**

**In the matter of Disciplinary File Number 2011-03388, Edward Walker, t/a Education Walker Builder (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**  
**2011-03388**  
**Edward Walker, t/a Educati**  
**Walker Builder**

**Edward Walker, t/a Education Walker Builder (Respondent)** appeared at the IFF. **Neither Edward Walker, t/a Education Walker Builder,** counsel nor any other qualified person attended the Board meeting.

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



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

Violations	September 1, 2001	
Count 1:	18 VAC 50-22-230 B	
Count 2:	18 VAC 50-22-260 B 24	Eff: Feb.1, 2006

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

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

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

Sanctions	September 1, 2001	
Count 1:		\$100.00
Count 2:		\$400.00
Total		\$500.00

For violation of **Count 2**, the Board voted to require **Edward Walker** 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: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.** Member absent and not voting was: **Smith.**

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

**In the matter of Disciplinary File Number 2011-04609, McLellan Construction Co 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**  
**2011-04609**  
**McLellan Construction Co Inc**

**McLellan Construction Co Inc (Respondent)** appeared at the IFF. **Neither Doug McLellan** on behalf of **McLellan Construction Co Inc**, counsel nor any other qualified person attended the Board meeting.

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

After discussion, a motion was made by **Mr. Gelardi** 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 **McLellan Construction Co Inc** violated the following sections of its Regulations:

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

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

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

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

Sanctions	February 1, 2006
Count 1:	\$500.00
Total	\$500.00

As for violation of **Count 2** the Board voted to close this aspect with a finding of no violation.

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

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

In the matter of Disciplinary File Number 2012-00423, **Robert R Egan, II, t/a An Honest Hand Construction (Respondent)**; the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding

**File Number**  
**2012-00423**  
**Robert R Egan II, t/a An**

Conference (IFF), and the Summary and recommendation.

**Honest Hand Construction**

**Neither Robert R Egan II**, on behalf of **t/a An Honest Hand Construction (Respondent)** appeared at the IFF. **Neither Robert R Egan II, t/a An Honest Hand Construction**, counsel nor any other qualified person attended the Board meeting.

The presiding Board representatives **Mr. Murrow** 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. Geisen** 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 R Egan II, t/a An Honest Hand Construction** violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 13	
Count 2:	18 VAC 50-22-230 B	Eff: Sept. 1, 2001

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

**Mr. Murrow** 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:		\$500.00
Count 2:		\$100.00
Total		\$600.00

In addition, for violation of **Count 1**, the Board voted to **require Robert R Egan II** 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: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.** Member absent and not voting was: **Smith.**

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

In the matter of Disciplinary File Number 2011-03496, **David R Baumbach, t/a David Baumbach 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**  
**2011-03496**  
**David R Baumbach, t/a David Baumbach General Contracting**

**David R Baumbach** on behalf of **David R Baumbach, t/a David Baumbach General Contracting (Respondent)** appeared at the IFF. Neither **David R Baumbach t/a David Baumbach General Contracting**, counsel nor any other qualified person attended the Board meeting. **Christian Faust**, (Complainant) attended the IFF.

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

Mr. Dowdy chaired this case.

After discussion, a motion was made by **Mr. Gelardi** 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 **David R. Baumbach** violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-200 A	Eff. Sept. 1, 2001
Count 3:	18 VAC 50-22-260 B 8	Eff. Feb. 1, 2006
Count 4:	18 VAC 50-22-260 B 31	
Count 5:	18 VAC 50-22-260 B 6	
Count 6:	18 VAC 50-22-260 B 6	
Count 7:	18 VAC 50-22-260 B 27	
Count 8:	18 VAC 50-22-260 B 15	

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

**Mr. Murrow and Mr. Middleton** the board hearing officers did not participate in the discussion and vote.

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

Sanctions		
Count 1:		\$350.00
Count 2:		\$100.00
Count 3:		\$350.00
Count 4:		\$100.00
Count 5:		\$500.00
Count 6:		\$750.00
Count 7:		\$1,000.00
Count 8:		\$500.00
Total		\$3,650.00

The Board also imposes the following Sanctions: Revocation of license for the violation of Count 8.

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

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

**In the matter of Disciplinary File Number 2011-03236, Coverall 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**  
**2011-03236**  
**Coverall Construction, Inc.**

**David Clay Jones** on behalf of **Coverall Construction, Inc (Respondent)** appeared at the IFF. **Neither Coverall Construction, Inc.,** counsel nor any other qualified person attended the Board meeting.

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

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** 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 **Coverall Construction, Inc.** 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 6	

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

**Mr. Oliver** the board hearing officer did not participate in the discussion and vote. After discussion, **Mr. Gelardi** offered a motion seconded by **Mr. Sumpter** to impose the following sanctions:

Sanctions		
Count 1:		\$350.00
Count 2:		\$750.00
Total		\$1,100.00

For violation of **Counts 1 and 2** the Board voted to **Coverall Construction, Inc.** have a member of responsible management successfully complete remedial education within 90 days of the order.

Further the Board imposed that the license be placed on Probation for one (1) year. During Probation, **Coverall Construction Inc** shall not violate the regulations of the Board.

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

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

**In the matter of Disciplinary File Number 2011-03698, W M Jordon Company, 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**  
**2011-03698**  
**W M Jordon Company, Inc.**

**Ken Taylor and James Burnette** on behalf of **W M Jordon Company Inc (Respondent)** appeared at the IFF. **They also** attended the Board meeting.

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

the discussion and did not vote.

After discussion, a motion was made by **Mr. Gelardi** 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 that **W M Jordon Company, Inc** did not violate the Board's Regulations and to close the file with a finding of no violation.

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

**In the matter of Disciplinary File Number 2012-00205, Charles Thacker, t/a Thacker's Roofing 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**  
**2012-00205**  
**Charles Thacker, t/a Thacker's Roofing Co.**

**Charles Thacker** on behalf of **Charles Thacker, t/a Thacker's Roofing Co. (Respondent)** appeared at the IFF by telephone. **Neither Charles Thacker, t/a Thacker's Roofing Co.,** counsel nor any other qualified person attended the Board meeting.

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

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** 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 **Charles Thacker** violated the following sections of its Regulations:

Violations	February 1, 2006
Count 1:	18 VAC 50-22-260 B 28
Count 2:	18 VAC 50-22-260 B 13

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

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

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

Sanctions	February 1, 2006	
Count 1:		\$1,900.00
Count 2:		\$500.00
Total		\$2,400.00

For violation of **Count 1**, the Board voted to revoke **Charles Thacker, t/a Thacker's Roofing Co., 2705-035261**. For violation of count 1, the Board voted to stay imposition of the monetary penalty of \$1,900.00 and revocation of license and place Thacker's license on Probation with the following conditions:

- 1.) Thacker shall have a member of Responsible Management successfully complete a Board –approved remedial education class within ninety (90) days of the effective date of the Order; and
- 2.) Thacker shall provide evidence acceptable to the Board within ninety (90) days of the effective date of this Order that he has satisfied the outstanding judgments.

If Thacker fails to comply with the terms of the Probation, then the monetary penalty and license revocation specified above shall be imposed.

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

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

In the matter of Disciplinary File Number 2011-04772, **Clinny Joseph Crochet II (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**  
**2011-04772**  
**Clinny Joseph Crochet II**

**Clinny Joseph Crochet II (Respondent)** did not appear at the IFF. Neither **Clinny Joseph Crochet II**, counsel nor any other qualified person attended the Board meeting.

The presiding Board representatives **Mr. Redifer** 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. 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 **Crochet** violated the following sections of its Regulations:

Violations	July 9, 1999
Count 1:	18 VAC 50-22-190 11
Count 2:	18 VAC 50-22-190 12

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

**Mr. Redifer** 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
Revocation of license for the violation of Count 1 and Count 2. For violation of count 1, the Board voted to impose no monetary penalty for the violation of its Regulation.

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

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

**In the matter of Disciplinary File Number 2012-00413, Angie's Remodeling, 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**  
**2012-00413**  
**Angie's Remodeling, Inc.**

**Sukh Preet S. Sodhi** on behalf of **Angie's Remodeling, Inc. (Respondent)** appeared at the IFF. **Neither Angie's Remodeling, Inc.,** counsel nor any other qualified person attended the Board meeting.

The presiding Board representatives **Mr. Redifer** 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 **Angie's Remodeling, 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 16
Count 3:	18 VAC 50-22-260 B 17
Count 4:	18 VAC 50-22-260 B 28

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

**Mr. Redifer** the board hearing officer 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:		\$350.00
Count 2:		\$1,000.00
Count 3:		\$1,000.00
Count 4:		\$1,550.00
Count 5:		\$2,500.00
Total		\$4,850.00

Revocation of license 2705-121042 for violation of Count 4. In addition, for Count 4, the Board stays the license revocation and waives \$1,500.00 of the \$2,500 monetary penalty conditioned on the following:

Angies Remodeling Inc's license is placed on Probation for a period of two (2) years.

During this Probation period of two (2) years, Angies Remodeling Inc shall provide evidence acceptable to the Board, within 90 days of the effective date of the Order, that it has satisfied the judgment owed to Ramiro Rioja.

If Angies Remodeling Inc fails to comply with the terms of Probation, then the full monetary penalty and license revocation specified above shall be imposed.

The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Tomlin, Sumpter, Vander**

**Pol, Walker, Walton and Williams. Member absent and not voting was: Smith.**

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

**In the matter of Disciplinary File Number 2011-04062, Mazda Custom Home Design Inc. t/a Mazda Custom Interiors & Iron Work (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  
**2011-04062**  
**Mazda Custom Home Design Inc. t/a Mazda Custom Interiors & Iron Work**

**Ahdieh Bassam** on behalf of **Mazda Custom Home Design Inc. t/a Mazda Custom Interiors & Iron Work (Respondent)** appeared at the IFF. **Neither Mazda Custom Home Design Inc. t/a Mazda Custom Interiors & Iron Work** counsel nor any other qualified person attended the Board meeting.

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

**Mrs. Perkins** addressed the Board and asked that a correction be noted for the record when a decision is made. She asked that in the Summary in the 5<sup>th</sup> paragraph the participants names Valentin Lucas Perez and Somm Samian be added.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Giesen** 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 **Mazda Custom Home Design Inc. t/a Mazda Custom Interiors & Iron Work** violated the following sections of its Regulations:

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

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

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

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

Sanctions	
Count 1:	\$350.00

Total	\$350.00
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In addition, for violation of **Count 1** the Board voted to require **Mazda Custom Home Design Inc. t/a Mazda Custom Interiors & Iron Work** have a member of responsible management successfully complete remedial education within 90 days of the order.

As to count 2, 3 and 4, the Board voted to close these matters with a finding of no violation.

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

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

In the matter of **Disciplinary File Number 2011-04232, Lawrence Ambuhl t/a E Helping Hand (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**  
**2011-04232**  
**Lawrence Ambuhl t/a E**  
**Helping Hand**

**L Ambuhl and Bill Bayliss (Counsel)** on behalf of **Lawrence Ambuhl t/a E Helping Hand (Respondent)** appeared at the IFF. **Neither Lawrence Ambuhl t/a E Helping Hand** counsel nor any other qualified person attended the Board meeting.

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

A handout for the Board's consideration was distributed to the Board members.

After discussion, a motion was made by **Mr. Gelardi** 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 **Lawrence C Ambuhl** violated the following sections of its Regulations:

Violations	February 1, 2006
Count 1:	18 VAC 50-22-260 B 20
Count 2:	18 VAC 50-22-260 B 9
Count 3:	18 VAC 50-22-260 B 15

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

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

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

Sanctions		
Count 1:		\$950.00
Count 2:		\$500.00
Count 3:		\$1,550.00
Total		\$3,000.00

In addition, for violation of **Count 2** the Board voted to require **Lawrence C Ambuhl** have a member of responsible management successfully complete remedial education within 90 days of the order.

As to count 1, and 3, the Board voted to revoke the license 2705-130630 for this violation.

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

**In the matter of Disciplinary File Number 2011-03154, Kenneth Hinkle, t/a Hinkle's (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**  
**2011-03154**  
**Kenneth Hinkle, t/a Hinkle's**

**Kenneth Hinkle, t/a Hinkle's (Respondent)** appeared at the IFF by phone. **Neither Kenneth Hinkle, t/a Hinkle's** counsel nor any other qualified person attended the Board meeting. **Wade Brooks and Robert Matthews (Complainant)** attended the IFF. They also attended the Board meeting and addressed the Board.

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

After discussion, a motion was made by **Mr. Gelardi** 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 **Kenneth Hinkle** violated the following sections of its

Regulations:

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

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

**Mr. Sumpter and Mrs. Wood** the board hearing officers did not participate in the discussion or the vote.

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

Sanctions		
Count 1:		\$800.00
Count 2:		\$650.00
Count 3:		\$750.00
Count 4:		\$1,300.00
Total		\$3,500.00

In addition, for violation of **Count 3** the Board voted to require **Kenneth Hinkle** have a member of responsible management successfully complete remedial education within 90 days of the order.

As to count 1, 2 and 4, the Board voted to revoke the license 2705-083976 for this violation.

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

**In the matter of Disciplinary File Number 2011-03417, D & L Enterprise Inc, t/a Y.W. Rhee Design & Build (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**  
**2011-03417**  
**D & L Enterprise Inc, t/a Y.W.**  
**Design & Build**

**D & L Enterprise Inc, t/a Y.W. Rhee Design & Build (Respondent)** appeared at

the IFF. Neither **D & L Enterprise Inc, t/a Y.W. Rhee Design & Build** counsel nor any other qualified person attended the Board meeting.

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

After 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 **D & L Enterprise Inc** 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 2
Count 3:	§54.1-1110 of the Code of VA

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

**Mr. Sumpter and Mrs. Wood** the board hearing officers did not participate in the discussion or the vote.

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

The Board imposes revocation of license 2705-062601 for violation of Count 1, 2 and 3.
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The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Walton and Williams**. Members absent and not voting were: **Smith and Sumpter**.

In the matter of Disciplinary File Number 2011-04256, **Mark S Foster, t/a Mark S Foster Custom Carpentry (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**  
**2011-04256**  
**Mark S Foster, t/a Mark S Foster Custom Carpentry**

**Mark S Foster, t/a Mark S Foster Custom Carpentry (Respondent)** did not

appear at the IFF. **Neither Mark S Foster, t/a Mark S Foster Custom Carpentry** counsel nor any other qualified person attended the Board meeting.

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

After 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 **mark S Foster** 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
Count 4:	18 VAC 50-22-260 B 15
Count 5:	18 VAC 50-22-260 B 13
Count 6:	18 VAC 50-22-230 B

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

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

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

Sanctions	
Count 1:	\$500.00
Count 2:	\$500.00
Count 3:	\$750.00
Count 4:	\$1,500.00
Count 5:	\$1,500.00
Count 6:	\$500.00
Total	\$5,250.00

In addition, for violation of **Count 1, 2 and 3** the Board voted to require **Mark S Foster** have a member of responsible management successfully complete remedial education within 90 days of the order.

As to count 4, 5 and 6, the Board voted to revoke the license 2705-129593 for this



violation.

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

**In the matter of Disciplinary File Number 2011-04655, Michael Lawrence Flammia (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  
2011-04655  
Michael Lawrence Flammia**

**Michael Lawrence Flammia (Respondent)** did appear at the IFF. **Neither Michael Lawrence Flammia** counsel nor any other qualified person attended the Board meeting. Toni Sappingfield (Complainant) did attend the IFF.

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

After 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 **Michael Lawrence Flammia** violated the following sections of its Regulations:

Violations	July 9, 1999
Count 1:	18 VAC 50-30-190 9
Count 2:	18 VAC 50-30-190 8

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

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

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

Sanctions		
Count 1:		\$450.00
Count 2:		\$500.00
Total		\$950.00

**The total monetary penalty assessed shall be paid within 90 days from the date of entry of the final order.**

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

**In the matter of Disciplinary File Number 2011-04730, Eric Walton t/a Walford 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**  
**2011-04730**  
**Eric Walton t/a Walford**  
**Company**

**Eric Walton t/a Walford Company (Respondent)** did not appear at the IFF. **Neither Eric Walton t/a Walford Company** counsel nor any other qualified person attended the Board meeting.

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

After 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 **mark S Foster** violated the following sections of its Regulations:

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

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

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

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

Sanctions	
Count 1:	\$400.00
Total	\$400.00

In addition, for violation of **Count 1**, the Board voted to require **suspension of license 2705-081481** remain in place until such time that Walton submits another individual

as Designated Employee who meets the requirements of the Board's regulations..

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

**In the matter of Disciplinary File Number 2012-040124, Masonry Restoration 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**  
**2012-00124**  
**Masonry Restoration Inc**

**Todd on behalf of Masonry Restoration Inc (Respondent)** did appear at the IFF by telephone. **Masonry Restoration Inc** counsel nor any other qualified person attended the Board meeting.

The presiding Board representative **Mr. Walton** 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 **Masonry Restoration Inc** violated the following sections of its Regulations:

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

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

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

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

Sanctions		
Count 1:		\$750.00
Total		\$750.00

In addition, for violation of **Count 1**, the Board voted to require **Masonry Restoration Inc** have a member of Responsible management successfully complete a Board-approved remedial education class within 90 days of the effective date of the

order.

Revocation of license 2705-129352 for the violation of the regulation. Also, the Board voted to stay the imposition of license revocation and place Masonry Restoration Inc on Probation subject to the following condition:

Masonry Restoration Inc shall provide evidence acceptable to the Board within 90 days of the effective date of the Order that Watson is no longer an officer of **Masonry Restoration Inc**.

**If Masonry Restoration Inc** fails to comply with the terms of Probation then the license revocation specified in the Order shall be imposed.

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

**In the matter of Disciplinary File Number 2012-00400, Mark S Foster, t/a Mark S Foster Custom Carpentry (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

**2012-00400**

**Mark S Foster, t/a Mark S Foster Custom Carpentry**

**Mark S Foster, t/a Mark S Foster Custom Carpentry (Respondent)** did not appear at the IFF. **Neither Mark S Foster, t/a Mark S Foster Custom Carpentry** counsel nor any other qualified person attended the Board meeting.

The presiding Board representative **Mr. Walton** 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 **Mark S Foster** 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 15
Count 3:	18 VAC 50-22-260 B 16

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

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

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

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

In addition, for violation of **Count 1** the Board voted to require **Mark S Foster** have a member of responsible management successfully complete remedial education within 90 days of the order.

As to count 2 and 3, the Board voted to revoke the license 2705-129593 for this violation.

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

**In the matter of Disciplinary File Number 2012-00575, Richard Curtis Reed, t/a Dominion Roofing (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  
 2012-00575  
 Richard Curtis Reed, t/a  
 Dominion Roofing**

**Richard Curtis Reed, t/a Dominion Roofing (Respondent)** did not appear at the IFF. **Neither Richard Curtis Reed, t/a Dominion Roofing** counsel nor any other qualified person attended the Board meeting.

The presiding Board representative **Mr. Walton** 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 **Richard Curtis Reed** 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 50-22-260 B 28

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

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

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

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

In addition, for violation of **Count 1**, the Board voted for **revocation of license 2705-099293.**

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

**In the matter of Disciplinary File Number 2011-03966, United Contractors Of Virginia (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**  
**2011-03966**  
**United Contractors Of**  
**Virginia LLC**

**Jo Eloise White on behalf of United Contractors Of Virginia (Respondent)** did appear at the IFF. **United Contractors Of Virginia** counsel nor any other qualified person attended the Board meeting.

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

After 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 **mark S Foster** violated the following sections of its Regulations:

Violations	September 1, 2001
Count 1:	18 VAC 50-22-220 B 2

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

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

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

Sanctions
For violation of <b>Count 1</b> , the Board voted to require <b>United Contractors Of Virginia</b> have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order. Further the Board voted to impose no monetary penalty for the violation.

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

**In the matter of Disciplinary File Number 2011-04279 Tri-Citie 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**  
**2011-04279**  
**Tri-Citie Mechanical Service**  
**LLC**

**Tri-Citie Mechanical Services LLC (Respondent)** did not appear at the IFF. **Neither Tri-Citie Mechanical Services LLC** counsel nor any other qualified person attended the Board meeting.

The presiding Board representative **Mr. Williams** 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. 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 **Tri-Citie Mechanical Services LLC** violated the following sections of its Regulations:

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

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

**Mr. Williams** 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:		\$1,500.00
Count 2:		\$ 650.00
Total		\$2,150.00

In addition, for violation of **Count 1 and 2**, the Board voted to require **revocation of license 2705-122336.**

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

**In the matter of Disciplinary File Number 2011-04730, EOC Cable 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**  
**2011-04835**  
**EOC Cable LLC**

**EOC Cable LLC (Respondent)** did not appear at the IFF. **Neither EOC Cable LLC** counsel nor any other qualified person attended the Board meeting.

The presiding Board representative **Mr. Williams** 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. 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 **EOC Cable LLC** violated the following sections of its Regulations:



Violations	September 1, 2001	
Count 1:	18 VAC 50-22-220 B	
Count 2:	18 VAC 50-22-230 B	

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

**Mr. Williams** the board hearing officer 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:		\$400.00
Count 2:		\$850.00
Total		\$1,250.00

In addition, for violation of **Count 1**, the Board voted to require **suspension of license 2705-130488** until such time that **EOC Cable LLC** submits another individual as Designated Employee who meets the requirements of the Board's regulations.

Revocation of the license is the sanction for the violation of Count 2.

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

**In the matter of Disciplinary File Number 2012-01114, Woodall Home Improvement 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.

**Woodall Home Improvement Inc (Respondent)** did not appear at the IFF. **Neither Woodall Home Improvement Inc** counsel nor any other qualified person attended the Board meeting.

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

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

**File Number**  
**2012-01114**  
**Woodall Home**  
**Improvement Inc**

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 **Woodall Home Improvement Inc** violated the following sections of its Regulations:

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

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

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

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

Sanctions		
Count 1:		\$1,350.00
Total		\$1,350.00

In addition, for violation of **Count 1**, the Board voted to require **revocation of license 2705-107817.**

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

**In the matter of Disciplinary File Number 2012-01228, Walter T Myrtle Jr, t/a Serenity Pool & Spa (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**  
**2012-01228**  
**Walter T Myrtle Jr, t/a**  
**Serenity Pool & Spa**

**Walter T Myrtle Jr, t/a Serenity Pool & Spa (Respondent)** did not appear at the IFF. **Neither Walter T Myrtle Jr, t/a Serenity Pool & Spa Company** counsel nor any other qualified person attended the Board meeting.

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

After 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 **Walter T myrtle Jr** violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 13	
Effective:	September 1, 2001	
Count 2:	18 VAC 50-22-230 B	

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

**Mr. Williams** the board hearing officer 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:		\$1,350.00
Count 2:		\$ 850.00
Total		\$2,200.00

In addition, for violation of **Count 1 and 2**, the Board voted to require **revocation of license 2705-113049.**

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

**In the matter of Disciplinary File Number 2012-01232, Samuel Werth 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**  
**2012-01232**  
**Samuel Werth LLC**

**Samuel Werth LLC (Respondent)** did not appear at the IFF. **Neither Samuel Werth LLC** counsel nor any other qualified person attended the Board meeting.

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

After 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 **Samuel Werth LLC** violated the following sections of its Regulations:

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

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

**Mr. Williams** the board hearing officer did not participate in the discussion and vote. After discussion, **Mr. Dyer** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

Sanctions
The Board voted to impose revocation of license 2705-045924 for the violation of its regulations.

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

**In the matter of Disciplinary File Number 2012-01387, Virginia Flooring & Interior Solutions 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**  
**2012-01387**  
**Virginia Flooring & Interior Solutions Inc**

**Virginia Flooring & Interior Solutions Inc (Respondent)** did not appear at the IFF. **Neither Virginia Flooring & Interior Solutions Inc** counsel nor any other qualified person attended the Board meeting.

The presiding Board representative **Mr. Williams** 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 **Virginia Flooring & Interior Solutions Inc** violated the following sections of

its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 13	
Effective	September 1, 2001	
Count 2:	18 VAC 50-22-230 B	

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

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

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

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

In addition, for violation of **Count 1 and 2**, the Board voted to require **revocation of license 2705-120665.** Employee who meets the requirements of the Board's regulations..

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

**Joseph Haughwout** of the Boards Adjudication division introduced his newest staff member, **Steven Kirschner.**

**Eric Olson, Executive Director of the Board for Contractors** introduced two new staff members to the Board: **Anika Carter and Roche Martin.** They are both **Licensing telephone specialist.**

**In the matter of Consent Order File Number 2011-04685 Board v. Aleigh Construction LLC;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**Aleigh Construction LLC** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following

**Introduction of Staff Membe**

**File Number**  
**2011-04685**  
**Aleigh Construction LLC**

term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$ 350.00
Board Costs		\$ 150.00
Total		\$500.00
Further, for violation of Counts 1 , <b>Aleigh Construction LLC</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

**In the matter of Consent Order File Number 2011-04933 Board v. Brian D Johnson, t/a Commonwealth Cooling & Heating;** 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  
 2011-04933  
 Brian D Johnson, t/a  
 Commonwealth Cooling  
 & Heating**

**Brian D Johnson, t/a Commonwealth Cooling & Heating;** 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	\$ 400.00
Board Costs		\$ 150.00
Total		\$550.00
Further, <b>Brian D Johnson</b> 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 an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Williams, Sumpter and Walton.** Member absent and not voting was: **Smith.**

**In the matter of Consent Order File Number 2011-04958 Board v. Scott Sweeney;** 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  
 2011-04958  
 Scott Sweeney**

Mr. Walton the Board’s hearing officer was not present and did not vote.

**Scott Sweeney**; 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 (three violations at \$250.00 each)	\$ 750.00
Count 2:	18 VAC 50 22 260 B 8 (3 violations at \$250.00)	\$ 750.00
Count 3:	18 VAC 50-22-260 B 9	\$250.00
Count 4:	18 VAC 50-22-260 B 27 (3 violations at \$300.00 each)	\$900.00
Count 5:	18 VAC 50-22-260 B 27	\$400.00
Count 6:	18 VAC 50-22-260 B 31	\$ 400.00
Count 7:	18 VAC 50-22-260 B 5	\$1,000.00
Board Costs		\$ 150.00
Total		\$ 4,600.00
<p>In addition, for violation of Count 1-7, <b>Scott Sweeney</b> agrees to revocation of its license.</p> <p>Further, the board shall waive imposition of the \$4,450.00 monetary penalty for Count 1 -7.</p> <p>Also, for violation of Count 7, <b>Scott Sweeney</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.</p>		

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

**In the matter of Consent Order File Number 2011-04960 Board v. John Thomas Rife, t/a Rife Remodeling and Flooring**; 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**  
**2011-04960**  
**John Thomas Rife, t/a Rife**  
**Remodeling and Flooring**

**John Thomas Rife, t/a Rife Remodeling and Flooring**; 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	\$ 1,850.00
Board Costs		\$ 150.00

Total	\$2,000.00
Further, for violation of Count 1, <b>John Thomas Rife, t/a Rife Remodeling and Flooring</b> agrees to revocation of its license.	
The Board shall waive imposition of the <b>\$1,850.00</b> , monetary penalty and license revocation for Count 1 provided John Thomas Rife satisfies the judgment and provides the Board with proof of the satisfaction within ninety days of the Order. If John Thomas Rife fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.	
Further, for violation of Count 1, John Thomas Rife 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 an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.** Member absent and not voting was: **Smith.**

**In the matter of Consent Order File Number 2011-05048 Board v. The Plumbing & Drain Co 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**  
**2011-05048**  
**The Plumbing & Drain**  
**Co Inc**

**The Plumbing & Drain Co Inc;** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 350.00
Count 2:	18 VAC 50-22-260 B 9	\$ 350.00
Count 3:	18 VAC 50-22-260 B 6	\$ 750.00
Board Costs		\$ 150.00
Total		\$1,600.00
Further, for violation of Counts 1,2 and 3, <b>The Plumbing &amp; Drain Co Inc</b> 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 an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol,**



**Walker, Sumpter, Williams and Walton. Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-05058 Board v. Chesley V Matthews, t/a CM 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  
 2012-05058  
 Chesley V Matthews, t/a CM  
 Construction**

**Chesley V Matthews, t/a CM 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 27	\$ 00.00
Count 2:	18 VAC 50-22-260 B 14	\$ 00.00
Count 3:	18 VAC 50-22-260 B 16	\$ 00.00
Board Costs		\$ 150.00
Total		\$ 150.00
In addition, for violation of Count 1 through 3, <b>Chesley V Matthews, t/a CM Construction</b> agrees to revocation of its license 2705-097460.		

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

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-00046 Board v. Dallas M Haynes, t/a C & H 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  
 2012-00046  
 Dallas M Haynes, t/a C & H  
 Construction**

Board Member Walton was not present and did not vote on this case.

**Dallas M Haynes, t/a C & H 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 2	\$ 00.00
Count 2:	18 VAC 50-22-260 B 22	\$ 00.00
Count 3:	18 VAC 50-22-260 B 23	\$ 00.00
Count 4:	18 VAC 50-22-260 B 28	\$ 00.00
Count 5:	18 VAC 50-22-260 B 2	\$ 00.00
Count 6:	18 VAC 50-22-260 B 2	\$ 00.00

Board Costs		\$ 150.00
Total		\$ 150.00
In addition, for violation of Counts 1 through 6, <b>Chesley V Matthews, t/a CM Construction</b> agrees to revocation of its license. 2705-098383		

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

**In the matter of Consent Order File Number 2012-00050 Board v. Dallas Matthew Haynes;** 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**  
**2012-00050**  
**Dallas Matthew Haynes**

**Dallas Matthew Haynes;** 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
Count 3:	18 VAC 50-30-190.2	\$ 250.00
Board Costs		\$ 150.00
Total		\$650.00
Further, the Board agrees to waive the \$300.00 monetary penalty for Count 2 and the \$250.00 monetary penalty for Count 3 contingent upon Haynes agreeing to and complying with the terms of a one year probation of his license as of the effective date of this order. During this one year probation, Haynes agrees to:		
(1) Not be in violation of any regulations of the Board for Contractors for transactions occurring after the effective date of this order; and		
(2) Not be in violation of any local, state, or federal laws or regulations.		
If Haynes violates any terms of this probation, the full monetary penalties for Counts 2 and 3 shall be imposed.		

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

**Members absent and not voting were: Smith and Walton.**

**In the matter of Consent Order File Number 2012-00128 Board v. David Wayne Moore, t/a Wythe Handy Man;** 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**  
**2012-00128**  
**David Wayne Moore, t/a**  
**Wythe Handy Man**

**David Wayne Moore, t/a Wythe Handy Man;** 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 (2 violations at \$350.00 each)	\$ 700.00
Count 2:	18 VAC 50-22-260 B 27	\$ 100.00
Count 3:	18 VAC 50-22-260 B 6	\$ 300.00
Board Costs		\$ 150.00
Total		\$ 1,250.00
Further, for violation of Count 1 through, <b>David Wayne Moore,</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		
In addition, the Board shall waive imposition of the \$700.00 monetary penalty for Count 1, provided <b>David Wayne Moore, t/a Wythe Handy Man</b> successfully completes remedial education within 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 an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**  
**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-00342 Board v. William Kenneth Randall, t/a Mr. Right Handyman;** 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**  
**2012-00342**  
**William Kenneth Randall**  
**t/a Mr. Right Handyman**

**William Kenneth Randall;** 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, <b>William Kenneth Randall</b> 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 an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-00417 Board v. Standard Carpet and Remodeling Co., t/a Standard Roofing and Remodeling;** 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  
2012-00417  
Standard Carpet and  
Remodeling Co., t/a  
Standard Roofing and  
Remodeling**

**Standard Carpet and Remodeling Co.;** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 350.00
Count 2:	18 VAC 50-22-260 B 9	\$ 100.00
Count 3:	18 VAC 50-22-260 B 31	\$ 200.00
Count 4:	18 VAC 50-22-260 B 17	\$ 500.00
Board Costs		\$ 150.00
Total		\$1,300.00

In addition, **Standard Carpet and Remodeling Co.** 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 an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-00528 Board v. Marlo Blanco Construction Company Inc., t/a Mario Blanco Construction 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  
2012-00528  
Marlo Blanco Construction  
Company Inc., t/a Mario  
Blanco Construction**

**Marlo Blanco Construction 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 50-22-220 B	\$ 350.00
Count 2:	18 VAC 50-22-220 C	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 900.00

The Board shall waive imposition of the \$350.00 monetary penalty for Count 1 provided Mario Blanco Construction Company Inc reports a change in the designated employee within ninety (90) days of the effective date of this Order. If Mario Blanco Construction Company Inc. fails to comply with this condition, then the full monetary penalty will be automatically imposed.

In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 2 provided Mario Blanco Construction Company Inc. reports a change in the qualified individual within ninety (90) days of the effective date of this Order. If Mario Blanco Construction Company Inc. fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Further, **Mario Blanco Construction Company 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 an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-00579 Board v. James McPherson, t/a James McPherson 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**  
**2012-00579**  
**James McPherson, t/a James**  
**McPherson General**  
**Contractor**

**James McPherson;** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$ 0.00
Count 2:	18 VAC 50-22-260 B 31	\$ 100.00
Count 3:	18 VAC 50-22-260 B 29	\$ 500.00
Count 4:	18 VAC 50-22-260 B 6	\$ 650.00

Board Costs		\$ 150.00
Total		\$1,400.00
<p>On January 27, 2012, James McPherson provided a contract template that appears to be in compliance with Board regulation 18 VAC 50-22-260 B 9. Therefore, no fine is being imposed for Count 1.</p> <p>Further, for violation of Counts 1 through 4, <b>James McPherson</b> agrees to have a member of Responsible Management successfully completes a Board-approved remedial education class.</p>		

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

**In the matter of Consent Order File Number 2012-00607 Board v. Todd Mobley Custom Carpentry 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**  
**2012-00607**  
**Todd Mobley Custom**  
**Carpentry Inc**

**Todd Mobley Custom Carpentry 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 6	\$ 750.00
Board Costs		\$ 150.00
Total		\$1,250.00
<p>Further, <b>Todd Mobley Custom Carpentry Inc,</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.</p>		

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

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-00660 Board v. Larry W Pippin, t/a Affordable Home Repairs;** 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**  
**2012-00660**  
**Larry W Pippin, t/a**  
**Affordable Home Repairs**

**Larry W Pippin**; 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 2:	§ 54.1-1110 of the Code of Virginia	\$ 0.00
Board Costs		\$ 150.00
Total		\$ 150.00
In addition, for violation of Count 1, Larry W Pippin agrees to revocation of his license.		

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

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-00672 Board v. James Lee Poe, t/a Concord Plumbing & Mechanical Contractors**; 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  
**2012-00672**  
**James Lee Poe, t/a Concord Plumbing & Mechanical Contractors**

**James Lee Poe**; acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 19	\$1,500.00
Board Costs		\$ 150.00
Total		\$1,650.00
Further, for violation of Count 1, <b>James Lee Poe</b> 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 an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-00675 Board v. Robert Berlingeri Sr., t/a Custom Paving & Sealcoating**; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains

File Number  
**2012-00675**  
**Robert Berlingeri Sr., t/a**

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

**Custom Paving & Sealcoatin**

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

**Robert Berlingeri Sr.**; acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$ 300.00
Count 2:	18 VAC 50-22-260 B 2	\$ 600.00
Count 3:	18 VAC 50-22-260 B 28	\$ 500.00
Board Costs		\$ 150.00
Total		\$1,550.00
Further, for violation of Counts 1 – 3, <b>Robert Berlingeri Sr.</b> 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 an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-00778 Board v. Carl Macchiarulo, t/a Five Star 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**  
**2012-00778**  
**Carl Macchiarulo, t/a**  
**Five Star Construction**

**Carl Macchiarulo;** 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
Count 3:	18 VAC 50-22-260 B 6	\$ 750.00
Board Costs		\$ 150.00
Total		\$1,900.00
In addition, for violation of Counts 1 through 3, <b>Carl Macchiarulo</b> agrees to have a member of Responsible Management successfully complete remedial education within ninety (90) days of the effective date of this order.		



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

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-00794 Board v. Sound 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  
 2012-00794  
 Sound Construction Inc**

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

**Sound 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 29 (two violations at \$250.00 each)	\$ 500.00
Count 2:	18 VAC 50-22-260 B 24	\$ 200.00
Board Costs		\$ 150.00
Total		\$ 850.00
Further, the Board shall waive the imposition of the \$200.00 monetary penalty for Count 2.		
Further, for violation of Counts 1 and 2, <b>Sound Construction Inc.</b> 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 an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams.**

**Members absent and not voting were: Smith and Walton.**

**In the matter of Consent Order File Number 2012-00836 Board v. Mark L. Bond, t/a Bond Building;** 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  
 2012-00836  
 Mark L. Bond, t/a Bond Building**

**Mark L. Bond;** 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	\$1,750.00
Board Costs		\$ 150.00
Total		\$1,900.00
<p>In addition for violation of Count 1, <b>Mark L Bond</b> agrees to revocation of its license.</p> <p>The Board shall waive imposition of the \$1,750.00 monetary penalty and license revocation for Count 1 provided Mark L Bond satisfies the judgment and provides the Board with proof of the satisfaction within ninety (90) days of the effective date of this Order. If Mark L Bond fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.</p> <p>Further, for violation of Count 1, <b>Mark L Bond</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.</p>		

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

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-00837 Board v. Charles R Duck, t/a C R Duck Home Improvement;** 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  
 2012-00837  
 Charles R Duck, t/a C R  
 Duck Home Improvement**

**Charles R Duck** 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 27	\$ 250.00
Count 3:	18 VAC 50-22-260 B 6	\$ 450.00
Board Costs		\$ 150.00
Total		\$1,050.00
<p>Further, <b>Charles R Duck</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial</p>		

education class.

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

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-00901 Board v. Ernest Edward Lee Lambert, t/a HAS 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  
2012-00901  
Ernest Edward Lee Lambert  
t/a HAS Construction**

**Ernest Edward Lee Lambert;** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$ 250.00
Count 2:	18 VAC 50-22-260 B 6	\$ 450.00
Board Costs		\$ 150.00
Total		\$ 850.00
Further, for violation of Counts 1-2, <b>Ernest Edward Lee Lambert</b> 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 an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-00995 Board v. Oliver T Carter, Jr., t/a Carter Fence;** 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  
2012-00995  
Oliver T Carter, Jr., t/a  
Carter Fence**

**Oliver T Carter, Jr.;** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 10	\$ 300.00
Count 2:	18 VAC 50-22-260 B 6	\$ 300.00
Board Costs		\$ 150.00

Total	\$ 750.00
In addition, for violation of Counts 1-2, <b>Oliver t Carter, Jr.</b> 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 an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-01106 Board v. Shawn Langley, t/a Langley Painting Services;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2012-01106  
 Shawn Langley, t/a Langley  
 Painting Services**

**Shawn Langley;** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$ 350.00
Count 2:	18 VAC 50-22-260 B 27	\$ 350.00
Count 3:	18 VAC 50-22-260 B 6	\$ 600.00
Board Costs		\$ 150.00
Total		\$1,450.00
Further, <b>Shawn Langley,</b> 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 an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-01199 Board v. Chesapeake Mechanical 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  
 2012-01199  
 Chesapeake Mechanical Inc.**

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

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

Count 1:	18 VAC 50-22-260 B 19	\$ 300.00
Board Costs		\$ 150.00
Total		\$ 450.00
It is noted that a member of Responsible Management for Chesapeake Mechanical Inc. was required to complete remedial education pursuant to the terms of the Consent Order entered into on April 19, 2011.		

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

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-01200 Board v. Charles A Hartman, t/a C and A Remodeling** 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  
 2012-01200  
 Charles A Hartman, t/a C and  
 A Remodeling**

**Charles A Hartman;** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$ 150.00
Count 2:	18 VAC 50-22-260 B 27	\$ 600.00
Count 3:	18 VAC 50-22-260 B 6	\$ 400.00
Count 4:	18 VAC 50-22-260 B 31	\$ 200.00
Board Costs		\$ 150.00
Total		\$ 1,500.00
In addition, <b>Charles A Hartman</b> 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 an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-01306 Board v. W G Speeks 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**  
**2012-01306**  
**W G Speeks Inc.**

**W G Speeks Inc.** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$ 750.00
Board Costs		\$ 150.00
Total		\$ 900.00
Further, for violation of Count 1, <b>W G Speeks Inc.</b> , 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 an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith.**

**In the matter of Consent Order File Number 2012-01369 Board v. Robert M. Jacobs, Jr.;** 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**  
**2012-01369**  
**Robert M. Jacobs, Jr.**

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

**Robert M. Jacobs, Jr.** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-30-190 2	\$ 250.00
Board Costs		\$ 150.00
Total		\$ 400.00
Further, for violation of Count 1, <b>Robert m Jacobs, Jr.</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Pace** seconded by **Mr. Gelardi**, the Board ratified the

Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith and Dyer.**

In the matter of Consent Order File Number 2012-01802 Board v. Walter T Myrtle, Jr., t/a Serenity Pool & Spa; 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**  
**2012-01802**  
**Walter T Myrtle, Jr., t/a**  
**Serenity Pool & Spa**

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

**Walter T Myrtle, Jr.** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$ 350.00
Count 2:	18 VAC 50-22-260 B 26	\$ 650.00
Count 3:	18 VAC 50-22-260 B 15	\$2,500.00
Count 4:	18 VAC 50-22-260 B 16	\$2,500.00
Count 5:	18 VAC 50-22-260 B 28	\$2,500.00
Count 6:	18 VAC 50-22-260 B 28	\$2,500.00
Board Costs		\$ 150.00
Total		\$11,150.00

In addition, for violation of Counts 3, 4, 5, and 6, Walter t Myrtle, Jr. agrees to revocation of his license.

Further, for violation of Counts 1 and 2, **Walter T Myrtle, Jr.** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Also, the Board shall waive imposition of the \$11,000.00 total monetary penalties and \$150.00 Board costs for Counts 1 through 6 and the Board shall waive the remedial education class.

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

**Members absent and not voting were: Smith and Dyer.**

**At 11:38 A.M. the Board took a thirty minutes recess for lunch.**

**Break**

The following is a summary and report of the meeting of the Committee of the Board for Contractors held on April 2, 2012. The items requiring Board action are marked with an asterisk (\*).

**Other Board Business**  
**Committee Report -**  
**Adrienne Mayo**

**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	Committee Recommendation
Energy Transfer Technology (NEW)	Continuing and Vocational	ELE in Classroom	Approval – 2 courses	Approval
Maryland Delaware Water Well Association (NEW)	Continuing and Vocational	WWP in Classroom	Approval – 1 course (convention)	Approval
James White (NEW)	Continuing and Vocational	ELE in Classroom	Approval – 1 courses	Approval
CBT Development Corporation (NEW)	Contractor Pre-License	Pre-License Online	Approval – 1 course	Approval
Minneapolis Electrical JATC (NEW)	Continuing	ELE in Classroom	Approval -1 course	Approval
Red Rocks Community College (NEW)	Continuing and Vocational	ELE in Classroom	Approval-2 courses	Approval
American Trainco	Continuing and Vocational	ELE in Classroom	Approval-2 courses	Approval
Walter W Granger Jr Inc	Continuing	ELE in Classroom	Approval -1 course	Approval
odeUpdate4U	Continuing	WWP Online	Approval -1 course	Approval
Elton R Fahnestock, ELEC COMM LLC	Vocational	ELE in Classroom	Approval -1 course	Approval



A motion was offered by **Mr. Gelardi** and seconded by **Mr. Walton** to receive the report and the recommendations from the Committee. The Motion passed by unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith.**

#### **Old Business:**

##### **Water Wells - Breaking the Water Well Seal\***

The Committee reviewed their policy and recommends the Board rescind the policy for restricting plumbers from breaking the seal of water wells. After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Walton** to accept the Committee's recommendation and rescind the policy. The Motion passed by unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith.**

**Vander Pol was not present and did not vote.**

#### **New Business:**

##### **Legislative Update**

An update on proposed legislative issues impacting the Agency during the 2012 session of the General Assembly was presented to the Committee during its January meeting. No other updates were presented.

##### **Regulatory Update**

Board staff shared with the Committee that all regulation review submissions for the Board for Contractors and Individual License and Certification Regulations are pending review and approval by the Governor's Office.

##### **Steven Wells Request – Safety Training as Continuing Education Requirement**

An e-mail inquiry was presented to the Committee from Steven Wells, President of CTS Services requesting Board consideration to make safety training as qualified continuing education course. After review and discussion the Committee affirmed the

statute requires continuing education to be code based. Therefore, the Committee determines it does not have statutory authority. No action was taken.

### **Review of Board Policies – Licenses and probation\***

Eric Olson, Executive Director for the Board for Contractors shared with the Committee that a licensee remains on probation by Board decision has submitted a new application. Board Staff request guidance as to whether the new application is to be processed as a non-routine application from the Committee. After discussion the Committee recommends Board approval to delegate authority to staff to determine if such applications are to be processed as a non-routine application.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to accept the Committee's recommendation and granted approval for Board staff to decide whether a new application is to be processed as a non-routine application. The Motion passed by unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith.**

There was no old business.

### **Old Business**

At the request of the Board Secretary, Eric Olson, Executive Director for the Board for Contractors chaired the meeting for the purpose of electing chairman and vice chairman. Mr. Olson opened the floor for nominations for Board Chairman.

### **New Business** **Election of Officers**

**Mr. Gelardi** nominated Mr. Middleton for the position of Board Chairman; the nomination was seconded by **Mr. Williams**. Mr. Olson called for nominations for Board Chairman three times and, hearing no others, closed the nominations. The call for the vote for Mr. Middleton as Board Chairman was made and passed by unanimous vote;

Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Mr. Middleton** abstained from voting and Mr. Smith was absent and did not vote.

The Board for Contractors new chairman is Mr. E. G. Middleton, III.

Mr. Olson opened the floor for nominations for Vice Chairman.

**Ms. Tomlin** nominated Mr. Oliver for the position of board Vice Chairman, the nomination was seconded by **Mr. Pace**. Mr. Olson called for nominations for Board

Vice Chairman three times and, hearing no others, closed the nominations. The Motion passed by unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

Mr. Oliver abstained from voting and Mr. Smith was absent and did not vote.

The Board for Contractors new vice chairman is Mr. James Oliver.

**Mr. Vander Pol** requested that the Board to revisit their discussion on Water Wells breaking the water seal. A motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to reopen the discussion on Plumbers being able to break the water seal.

**Reopen Discussion on Water Wells**

After discussion the motion passed by unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith.**

Mr. Vander Pol shared his concerns with the Board regarding the consideration of changing the current interpretation of the statutes to allow plumbers to break the seal of a water well. Mr. Vander Pol explained that plumbers may not have the specialized training that Water Well System Providers have and that they do not have the benefit of water well related continuing education. He also referenced current Department of Health Regulations, which are not included in the Uniform Statewide Building Code, that provided more detailed requirements for well construction and sealing. Mr. Vander Pol feels that only Certified Water Well System Providers should be allowed to break the seal on a water well.

After further discussion, a motion made by **Mr. Gelardi** and seconded by **Mr. Walker** to rescind the previous interpretation of § 54.1-1129 of the Code of Virginia, by considering the breaking of seal by a plumber to be work contained in the plumbing code, thus allowing plumbers to break the seal to perform work on pumps. The motion passed by majority vote: Members voting "Yes" were: **Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Walker, Sumpter, and Walton.**

**Members voting "No" were: Vander Pol and Williams.**

**Mr. Dowdy abstained from voting and Mr. Smith was absent and did not vote.**

The next Board meeting will be June 5<sup>th</sup>, 2012.

**Next Board meeting**

The Board Chair asked all members to be certain to complete their Conflict of Interest

**Paperwork**

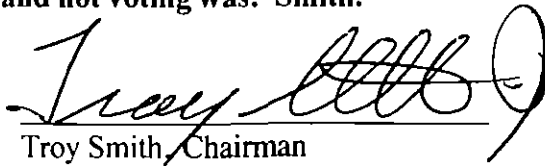
Forms and Travel Vouchers and turn them in to Sheila Watkins prior to leaving the meeting.

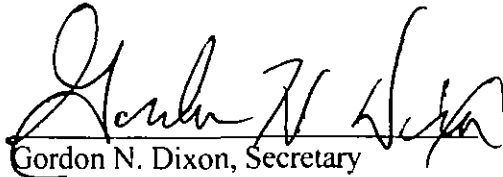
There being no further business to come before the board, the meeting was adjourned at **12:24 p.m.** upon a motion by **Mr. Gelardi** and seconded by **Mr. Sumpter**.

**Adjournment**

The Motion passed with a unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Pace, Oliver, Tomlin, Vander Pol, Walker, Sumpter, Williams and Walton.**

**Member absent and not voting was: Smith.**

  
Troy Smith, Chairman

  
Gordon N. Dixon, Secretary

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Bailey Dowdy  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: April 3, 2012  
(Date)

5. I have a personal interest in the following transaction:

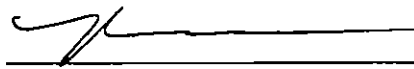
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_

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

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6.  I **do not** have a personal interested in any transactions taken at this meeting.

  
\_\_\_\_\_  
Signature

April 3, 2012  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Herbert "Jack" Dyer, Jr.  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: April 3, 2012  
(Date)
5. I have a personal interest in the following transaction:

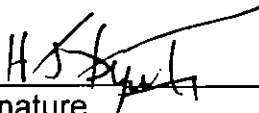
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

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

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6.  I **do not** have a personal interested in any transactions taken at this meeting.

  
\_\_\_\_\_  
Signature

April 3, 2012  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Michael Gelardi  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: April 3, 2012  
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_

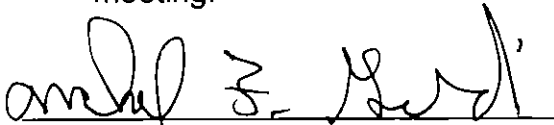
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

or

I did not participate in the transaction.

6.  I do not have a personal interested in any transactions taken at this meeting.

  
Signature

April 3, 2012  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**


1. Name: David Giesen (Name of Board Member)  
2. Title: Board Member  
3. Agency: Board for Contractors (Name of Board)  
4. Meeting/IFF Date: April 3, 2012 (Date)  
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

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

- I am able to participate in this transaction fairly, objectively, and in the public interest.  
or  
 I did not participate in the transaction.
6.  I do not have a personal interest in any transactions taken at this meeting.

  
Signature

April 3, 2012  
Date



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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Erby G. "Rudy" Middleton, III  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: April 3, 2012  
(Date)
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_

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

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6.  I **do not** have a personal interested in any transactions taken at this meeting.

E. G. Middleton III  
Signature

April 3, 2012  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Doug Murrow  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: April 3, 2012  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

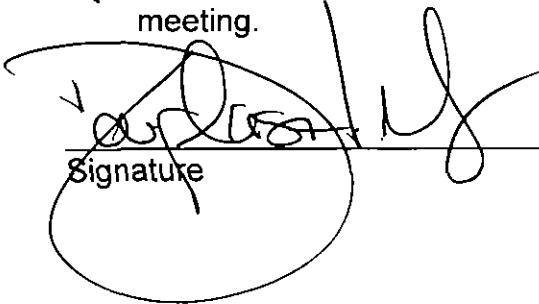
Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

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

\_\_\_\_\_

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6.  I do not have a personal interested in any transactions taken at this meeting.

  
\_\_\_\_\_  
Signature

April 3, 2012  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: James Oliver  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: April 3, 2012  
(Date)

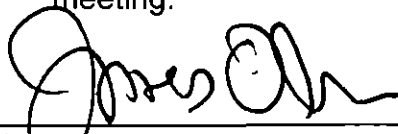
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

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

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6.  I do not have a personal interested in any transactions taken at this meeting.

  
\_\_\_\_\_  
Signature

April 3, 2012  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: E. C. "Chick" Pace, III  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: April 3, 2012  
(Date)

5. I have a personal interest in the following transaction:


(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_

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

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6.  I do not have a personal interested in any transactions taken at this meeting.

Signature 

April 3, 2012  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Deborah Lynn Tomlin  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: April 3, 2012  
(Date)
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: None

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

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

Deborah Lynn Tomlin  
Signature

April 3, 2012  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Homer Sumpter  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: April 3, 2012  
(Date)

5. I have a personal interest in the following transaction:

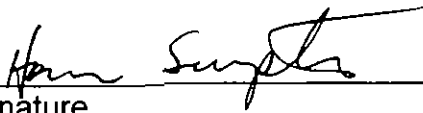
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_

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

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6.  I do not have a personal interested in any transactions taken at this meeting.

  
\_\_\_\_\_  
Signature

April 3, 2012  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: D. Todd Vander Pol  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: April 3, 2012  
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

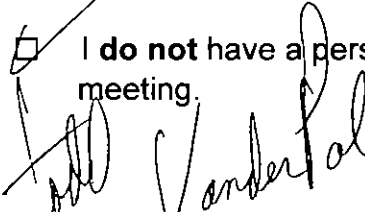
Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_

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

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6.  I do not have a personal interested in any transactions taken at this meeting.

  
\_\_\_\_\_  
Signature

April 3, 2012  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Chancey Walker  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: April 3, 2012  
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

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

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6.  I do not have a personal interested in any transactions taken at this meeting.

C.W. Walker  
Signature

April 3, 2012  
Date



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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Wyatt H. Walton, III  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: April 3, 2012  
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_

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

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

or

I did not participate in the transaction.

6.  I **do not** have a personal interested in any transactions taken at this meeting.

Signature 

April 3, 2012  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Bruce Williams  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: April 3, 2012  
(Date)
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

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

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6.  I **do not** have a personal interested in any transactions taken at this meeting.

Signature

April 3, 2012  
Date