

BOARD FOR CONTRACTORS BOARD MEETING

DRAFT MINUTES

The Board for Contractors met on Tuesday, **December 16, 2014** at the Department of Professional and Occupational Regulation (DPOR), 9960 West Broad Street, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 15 members on this board, in which eight constitutes a quorum pursuant to §54.1-1102.

James Oliver, Vice Chair
Vance T Ayres
Goutam Chowdhuri
H. Bailey Dowdy
Herbert “Jack” Dyer, Jr.
Gene E Magruder
Jeffrey Shawn Mitchell
E. C. “Chick” Pace, III
Michael D. Redifer
Troy Smith, Jr.
Dwight Todd Vander Pol

Board Liaison William J. “Denny” Dennis was present at the meeting.

Board members absent from the meeting: E. G. “Rudy” Middleton and David Giesen

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

Jay DeBoer, Director
Mark Courtney, Sr. Director for Regulatory & Public Affairs
Eric L. Olson, Executive Director
Mindy Spruill, Regulatory Boards Administrator
Adrienne Mayo, Regulatory Boards Administrator
Sheila Watkins, Administrative Assistant/Compliance
Karen Bullock, Administrative Assistant/Compliance/Education Specialist
Angela Costa, Education Specialist
James Flaherty, Counsel

Vice-Chair Oliver called the meeting to order at 9:13 a.m. and declared a of board members was in attendance. He chaired the meeting in the absence of hair Middleton.

Call
To Order

A motion was made by **Mr. Dyer** and seconded by **Mr. Dowdy** to approve the agenda as written. The motion passed unanimously. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol.** **Middleton and Giesen were absent. Smith had not arrived.**

Approval of
the Agenda

Mr. Dyer moved to approve the October 25th, 2014 minutes as written: **Mr. Dowdy** seconded the motion which was unanimously approved by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol.** **Middleton and Giesen were absent. Smith had not arrived.**

Approval of
Minutes

There were no public comments.

Public
Comment
Period

The Board will now hear Prima Facie Recovery Fund Cases.

Recovery
Fund Prima
Facie Case
Files

In the matter of Recovery Fund File Number 2014-02048, Brenda Falconer, (Claimant) vs. Commonwealth HVAC and Generators Inc, (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Commonwealth HVAC and Generators Inc, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Brenda falconer and her attorney, Tucker L. Henley (Claimant)** attended the Board meeting in person. They addressed the Board.

File Number
2014-02048
Brenda
Falconer
(Claimants)
Vs.
Commonwea
lth HVAC &
Generators
Inc.
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund

claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement in the amount of \$18,380.00. The motion passed by a unanimous vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of Recovery Fund File Number 2014-02461, Lisa Wynter-Miller, (Claimant) vs. Altman Contracting LLC, (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Altman Contracting LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Attorney John J Trexler for Lisa Wynter-Miller (Claimant)** did attend the Board meeting.

File Number
2014-02461
Lisa
Wynter-
Miller
(Claimant)
Vs.
Altman
Contracting
LLC

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$17,113.25**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

The Board finds substantial evidence that the claim meets the statutory provisions for reimbursement.

In the matter of Recovery Fund File Number 2014-02672, Daniel Bratti (Claimant) vs. Russell Rowe, t/a Rusty's HVAAC & Sheetmetal (Regulant), the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2014-02672
Daniel Bratti
(Claimant)
vs. Russell
Rowe t/a
Rusty's
HVAC &
Sheetmetal
(Regulant)

Mr. Bratti did not appear at the Board meeting. **Regulant Rowe** did not attend the Board meeting in person by counsel or by any other qualified representation.

This is a prima facie case.

After discussion, a motion was made by **Mr. Magruder** and seconded by **Mr.**

Pace to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$15,058.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

The Board finds substantial evidence that the claim meets the statutory provisions for reimbursement.

In the matter of Recovery Fund File Number 2014-03056, Jerry Y Jean Thomas, (Claimant) vs. Commonwealth HVAC & Generators, Inc, (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Commonwealth HVAC & Generators, Inc (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Jean Thomas and Attorney Michael G. Matheson (Claimant)** did attend the Board meeting. They addressed the Board and requested the case be reconsidered.

File Number
2014-03056
Jean
Thomas
vs. &
Commonwea
lth HVAC &
Generators,
Inc.

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to remand the case back to staff for an Informal Fact Finding Conference. The motion passed by unanimous vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of Recovery Fund File Number 2014-03358, Nicholas Memos, (Claimant) vs. Saul A Gutierrez, t/a GnG Painting Contractors, (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Saul A Gutierrez, t/a GnG Painting Contractors (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Nicholas Memos (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

File Number
2014-03358
Nicholas
Memos vs.
Saul A
Gutierrez,
t/a GnG
Painting
Contractors

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in

the amount of **\$4,898.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

The Board finds substantial evidence that the claim meets the statutory provisions for reimbursement.

In the matter of Recovery Fund File Number 2014-03523, Akinlawon Shaw, (Claimant) vs. Commonwealth HVAC & Generators, Inc, (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Commonwealth HVAC & Generators, Inc (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Akinlawon Shaw (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Dowdy** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$4,000.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

The Board finds substantial evidence that the claim meets the statutory provisions for reimbursement.

In the matter of Recovery Fund File Number 2014-03523, Paul Robinson (Claimant) and Salf Contracting LLC (Regulant); Recovery Fund File; the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Salf Contracting LLC (Regulant)** did not attend the Board meeting in person, by counsel or by any other qualified representative. **Paul Robinson (Claimant)** did not appear at the Board meeting in person, by counsel or by any other qualified representative.

This is a Prima Facie case.

**File Number
2014-03523
Akinlawon
Shaw
(Claimant)
vs.
Commonwea
lth HVAC &
Generators,
Inc.
(Regulant);**

**File Number
2014-03523
Paul
Robinson
(Claimant)
and Salf
Contracting
LLC**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$20,000.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

The Board finds substantial evidence that the claim meets the statutory provisions for reimbursement.

In the matter of Recovery Fund File Number 2014-03838, Shirean V. Strang (Claimant) and Americo Energy LLC (Regulant); Recovery Fund File; the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Americo Energy LLC (Regulant)** did not attend the Board meeting in person, by counsel or by any other qualified representative. **Shirean V. Strang (Claimant)** did not appear at the Board meeting in person, by counsel or by any other qualified representative.

File Number
2014-03838
Shirean V.
Strang
(Claimant)
And
Americo
Energy LLC
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$15,056.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

The Board finds substantial evidence that the claim meets the statutory provisions for reimbursement.

In the matter of Recovery Fund File Number 2015-00050, Lee Jones, Jr. (Claimant) and Americo Energy LLC (Regulant); Recovery Fund File; the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Americo Energy LLC (Regulant)** did not attend the Board meeting in person, by counsel or by any other qualified representative. **Lee Jones, Jr. (Claimant)** did not appear at the Board meeting in person, by counsel or by any other qualified representative.

File Number
2015-00050
Lee Jones,
Jr.
(Claimant)
Americo
Energy LLC
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$6,000.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Middleton, Oliver, Pace, Redifer, and Vander Pol.** **Mitchell and Giesen were absent. Smith had not arrived.**

The Board finds substantial evidence that the claim meets the statutory provisions for reimbursement.

In the matter of Recovery Fund File Number 2015-00062, Berkeley & Ann Wiley (Claimant) and Keystone Richmond, LLC (Regulant); Recovery Fund File; the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Keystone Richmond, LLC (Regulant)** did not attend the Board meeting in person, by counsel or by any other qualified representative. **Berkeley & Ann Wiley (Claimant)** did not appear at the Board meeting in person, by counsel or by any other qualified representative.

File Number
2015-00062
Berkeley and
Ann Wiley
(Claimant)
Keystone
Richmond,
LLC
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$11,820.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol.** **Middleton and Giesen were absent. Smith had not arrived.**

The Board finds substantial evidence that the claim meets the statutory provisions for reimbursement.

In the matter of Recovery Fund File Number 2015-00316, Carla Strothers (Claimant) and Old River Cabinets, Inc. (Regulant); Recovery Fund File; the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Old River Cabinets, Inc. (Regulant)** did not attend the Board meeting in person, by counsel or by any other qualified representative. **Carla Strothers (Claimant)** did appear at the Board meeting in person.

File Number
2015-00316
Carla
Strothers
(Claimant)
Old River
Cabinets,
Inc.
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Dowdy** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$3,790.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol**. **Middleton and Giesen were absent. Smith had not arrived.**

The Board finds substantial evidence that the claim meets the statutory provisions for reimbursement.

In the matter of Recovery Fund File Number 2015-00344, Thet Kyaw (Claimant) and Enterprise Builders Construction, Inc. (Regulant); Recovery Fund File; the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Enterprise Builders Construction, Inc. (Regulant)** did not attend the Board meeting in person, by counsel or by any other qualified representative. **Thet Kyaw (Claimant)** did not appear at the Board meeting in person, by counsel or by any other qualified representative.

File Number
2015-00344
Thet Kyaw
(Claimant)
Enterprise
Builders
Construction
, Inc.

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$12,195.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol**. **Middleton and Giesen were absent. Smith had not arrived.**

The Board finds substantial evidence that the claim meets the statutory provisions for reimbursement.

In the matter of Recovery Fund File Number 2015-00576, Robert & Thuy Buritt (Claimant) and Bull Run Custom Homes, LLC (Regulant); Recovery Fund File; the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Bull Run Custom Homes, LLC (Regulant)** did not attend the Board meeting in person, by counsel or by any other qualified representative. **Robert & Thuy Burritt (Claimant)** did not appear at the Board meeting in person, by counsel or by any other qualified representative.

File Number
2015-00576
Robert &
Thuy Buritt
(Claimant)
Bull Run
Custom
Homes, LLC
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$20,000.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

The Board finds substantial evidence that the claim meets the statutory provisions for reimbursement.

In the matter of Recovery Fund File Number 2015-00624, Christina Higgins (Claimant) and Glenwood Homes, LLC (Regulant); Recovery Fund File; the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Glenwood Homes, LLC (Regulant)** did not attend the Board meeting in person, by counsel or by any other qualified representative. **Christina Higgins (Claimant)** did not appear at the Board meeting in person, by counsel or by any other qualified representative.

**File Number
2015-00624**

**Christina
Higgins
(Claimant)
Glenwood
Homes, LLC
(Regulant)**

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$19,814.75**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

The Board finds substantial evidence that the claim meets the statutory provisions for reimbursement.

In the matter of Recovery Fund File Number 2015-00625, William & Elizabeth Higgenbotham (Claimant) and Enterprise Builders Construction, Inc (Regulant); Recovery Fund File; the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Enterprise Builders Construction, Inc. (Regulant)** did not attend the Board meeting in person, by counsel or by any other qualified representative. **William and Elizabeth Higgenbotham (Claimant)** did not appear at the Board meeting in person, by counsel or by any other qualified

**File Number
2015-00625
William &
Elizabeth
Higgenbotha
m
(Claimant)
Enterprise**

representative.

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$14,456.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

The Board finds substantial evidence that the claim meets the statutory provisions for reimbursement.

In the matter of Recovery Fund File Number 2015-00698, Hazel Blunt (Claimant) and AAAAll Area Roofing and Restoration, Inc. (Regulant); Recovery Fund File; the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **AAAAll Area Roofing and Restoration, Inc. (Regulant)** did not attend the Board meeting in person, by counsel or by any other qualified representative. **Hazel Blunt (Claimant)** did appear at the Board meeting in person. She addressed the Board and requested the case be reconsidered.

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Dowdy** to remand the case back to staff for an Informal Fact Finding Conference. The motion passed by unanimous vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of Recovery Fund File Number 2015-00700, Nena Gwinner (Claimant) and Gutierrez t/a Area Roofing and Restoration Inc. (Regulant); Recovery Fund File; the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Gutierrez t/a Area Roofing and Restoration Inc (Regulant)** did not attend the Board meeting in person, by counsel or by any other qualified representative. **Nena Gwinner (Claimant)** did not appear at the Board meeting in person, by counsel or by any other qualified representative.

This is a Prima Facie case.

**Builders
Construction
. Inc.
(Regulant)**

**File Number
2015-00698
Hazel Blunt
(Claimant)
AAAAll
Area
Roofing and
Restoration,
Inc.
(Regulant)**

**File Number
2015-00700
Nena
Gwinner
(Claimant)
Saul
Gutierrez t/a
Area
Roofing and
Restoration**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$14,142.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

Inc.
(Regulant)

The Board finds substantial evidence that the claim meets the statutory provisions for reimbursement.

The Board will now hear Recovery Fund Files.

Recovery
Fund Files

In the matter of Recovery Fund File Number 2014-03650, Jerry and Meagghan Parker (Claimant) and Robert D Castillo t/a Central Virginia Chimney Chap (Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, the transcript, exhibits from the IFF, and the Summary; which contains the facts regarding the recovery fund claim in this matter. **Robert D Castillo (Regulant)** did not attend the Board meeting in person, by counsel or by any other qualified representative. **The Parkers (Claimant)** did not appear at the Board meeting in person, by counsel or by any other qualified representative.

File Number
2014-03650
Jerry and
Meagghan
Parker
(Claimant)
Robert D
Castillo t/a
Central
Virginia
Chimney
Chap
(Regulant)

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the claim review and the Summary. The board finds substantial evidence that the Claim fails to meet the statutory provisions for reimbursement. The Board orders that the claim be denied. The motion passed by a unanimous vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

The Board will hear License Application case files.

License
Application
Case Files

In the matter of License Application File Number 2015-00025, Construct VA, LLC, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2015-00025
Construct
VA, LLC

Construct VA, LLC did not appear at the Board meeting. The presiding Board representative **Mr. Redifer** was not present did not participate in the discussion and did not vote.

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

There was additional discussion concerning the Bank Financial Statement.

Motion failed due to amended motion.

Mr. Oliver offered a motion seconded by **Mr. Pace** to give a conditional approval awaiting financial statement.

The motion was approved with a unanimous “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-00514, Abel Construction Management, LLC, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-00514
Abel
Construction
Management
, LLC**

Dale M Stephens did appear at the Board meeting. He shared his disagreement with the Board. The presiding Board representative **Mr. Redifer** was not present did not participate in the discussion and did not vote.

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

The motion was approved with a unanimous “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-00519, David M Parker., the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-00519
David M.
Parker**

David M Parker, did not appear at the Board meeting in person, by counsel or by any other qualified representative

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

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

The motion was approved with a majority “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-00521, Jackson & Jackson, Inc., the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-00521
Jackson &
Jackson, Inc.**

Arthur Jackson did appear at the Board meeting. He addressed the Board. The presiding Board representative **Mr. Redifer** was not present did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Magruder** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the class A license but to issue a Class B license. See Order for additional details.

The motion was approved with a unanimous “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-00545, Galaxy Homes, Inc. the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-00545
Galaxy
Homes, Inc.**

Matthew Kulp for Galaxy Homes, Inc. did appear at the Board meeting. The presiding Board representative **Mr. Redifer** was not present did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Dowdy** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license. The motion failed due to no vote. After further discussion, a motion was made by Mr. Dyer and seconded by Mr. Pace to adopt the recommendation contained in the

Summary of the Informal Fact-Finding Conference and require Galaxy Homes, Inc. provide the Board with an audited Finance Report. Upon approval a license will be granted.

The motion was approved with a majority “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-00548, Mark A Lane, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-00548
Mark A
Lane**

Mark A Lane did not appear at the Board meeting. The presiding Board representative **Mr. Redifer** was not present did not participate in the discussion and did not vote.

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

The motion was approved with a unanimous “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-00571, JDO Enterprises, LLC, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-00571
JDO
Enterprises,
LLC**

JDO Enterprises, LLC did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding Board representative **Mr. Redifer** was not present did not participate in the discussion and did not vote.

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

The motion was approved with a majority “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-00575, Jesse A. Blake, Sr. the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-00575
Jesse A.
Blake, Sr.**

Jesse A Blake, Sr., did not appear at the Board meeting. The presiding Board representative **Mr. Redifer** was not present did not participate in the discussion and did not vote.

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

The motion was approved with a unanimous “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-00778, Jesse A Blake, Sr., the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-03346
Jesse A
Blake, Sr.**

Jesse A. Blake, Sr. did not appear at the Board meeting. The presiding Board representative **Mr. Redifer** was not present did not participate in the discussion and did not vote.

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

The motion was approved with a unanimous “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-00778, Coastal Remodeling LLC, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-00778
Coastal
Remodeling
LLC**

Coastal Remodeling LLC did not appear at the Board meeting. The presiding Board representative **Mr. Redifer** was not present did not participate in the discussion and did not vote.

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

The motion was approved with a unanimous “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-01022, Gordon Rust, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-01022
Gordon Rust**

Gordon Rust did appear at the Board meeting. The presiding Board representative **Mr. Redifer** was not present did not participate in the discussion and did not vote.

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

The motion was approved with a unanimous “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-00512, L’Auberge US Inc, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-00512
L’Auberge
US Inc**

Faud MuKanbel and Helen Zoghbi for L’Auberge US Inc did appear at the Board meeting. The presiding Board representative **Mr. Schroder** 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. Pace** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved with a majority “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-00546, Jerry Ringgold, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-00546
Jerry
Ringgold**

Jerry Ringgold did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding Board representative **Mr. Schroder** 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. Redifer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved with a unanimous “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-00570, Adam C Malley, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-00570
Adam C
Malley**

Adam C Malley did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding Board representative **Mr. Schroder** 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. Pace** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved with a majority “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-00750, Christopher M Radnovich, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-00750
Christopher
M.
Radnovich**

Christopher M Radnovich did not appear at the Board meeting. The

presiding Board representative **Mr. Schroder** 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. Redifer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved with a majority “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-00751, Osamah Anwar Salem, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2015-00751
Osamah
Anwar
Salem

Osamah Anwar Salem did appear at the Board meeting. The presiding Board representative **Mr. Schroder** 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. Magruder** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved with a majority “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-00753, Ruben G Barksdale, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2015-00753
Ruben G
Barksdale

Ruben G Barksdale did not appear at the Board meeting. Presiding Board representative **Mr. Schroder** was not present did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Vander Pol** and seconded by **Mr. Magruder** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion passed by majority vote. Members voting “yes” were: **Ayres,**

Chowdhuri, Dowdy, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.

Mr. Dyer voted “no”.

In the matter of License Application File Number 2015-01021, Kevin W Woods, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-01021
Kevin W.
Woods**

Kevin W Woods did not appear at the Board meeting. The presiding Board representative **Mr. Schroder** was not present did not participate in the discussion and did not vote. The Board reviewed a handout for this case.

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

The motion was approved with a majority “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-01023, Joshua Reese, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2015-01023
Joshua
Reese**

Joshua Reese did not appear at the Board meeting. The Board reviewed a handout for this case. The presiding Board representative **Mr. Schroder** 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. Pace** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved with a unanimous “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

In the matter of License Application File Number 2015-01024 Harold W Huffman t/a Waynes Home Repairs, the Board members reviewed the

**File Number
2015-01024**

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

Harold W Huffman did not appear at the Board meeting. The presiding Board representative **Mr. Schroder** 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. Pace** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved with a majority “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived. Mr. Oliver** voted “no”.

In the matter of License Application File Number 2015-01025, Dennis Dolan, Jr., the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

Dennis Dolan, Jr. did not appear at the Board meeting. The presiding Board representative **Mr. Schroder** 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. Pace** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved with a unanimous “yes” vote by members: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

The Board took a break at 9:51 am and reconvened at 10:04 am.

Mr. Olson shared the Summary and Recommendations of the Continuing Education Work Group with the Board.

The Continuing Education Work Group (the Group) was tasked by the Board for Contractors to review the current continuing education requirements and to make recommendations for ways to improve those requirements in order to

**Harold W
Huffman t/a
Waynes
Home
Repairs**

**File Number
2015-01025
Dennis
Dolan, Jr.**

**Break and
Reconvene**

**Continuing
Education
Workgroup
Report
Eric Olson**

ensure that license and certificate holders maintain an adequate level of competency in their field of practice.

The Group was required to take a number of factors into consideration when developing recommendations to present to the Board. These included the effectiveness of the education, any costs associated with the recommendations, including both cost to the licensee and to the Board, availability of courses, existing technological restrictions, and the overall burden to the licensees. The following recommendations were developed by the Group and are presented to the Board for consideration:

1) Expand the limits on subject matter to include courses that are not directly related to the USBC. Courses such as safety, equipment installation from manufacturers, permitting classes, etc., should be available to licensees. While this would require an amendment to the regulations, it would not require any changes to the current procedures in place for the processing of applications from providers. The expansion of the courses would be beneficial as licensees would be given an expanded list of topics to choose from, that could include courses that are specific to the work they do. For example, a gas-fitter attending a class on the installation of a new gas appliance that involves special installation procedures.

The Board for Contractors would continue to have full vetting authority in determining whether or not a course and/or provider meets the requirements set forth in the regulations for education providers and the relevancy of the training course.

After discussion a motion was offered by Mr. Dyer and seconded by Mr. Pace to accept the recommendation.

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent.**

2) Adopt regulations that require a licensed tradesman be on all jobsites and/or places limits on the number of helpers that can be supervised by a journeyman or master at one time. This particular issue has been addressed by the Board for Contractors with proposed regulations adding this requirement being rejected twice in the last 15 years.

The completion of continuing education as a prerequisite for license renewal was done to ensure the continued competency of tradesman, which would result in an increase in the protection of citizens. Currently, there is no requirement that trade-related work be completed or directly supervised by a licensed tradesman. So, in essence, tradesman are required to take steps to ensure continued competency, in order to protect citizens, but there is no

requirement that the work done for citizens be completed or directly supervised by the individuals who are taking the continuing education. There is the requirement that the Qualified Individual of a company holding a trade-related specialty have a current master tradesman license, but nothing that sets forth requirements for supervision. It would be a logical conclusion that in order to ensure the efficacy of continuing education while, simultaneously affording a certain level of protection to the citizen, there should be a requirement that a tradesman either be on the job site, or have some language that addresses the supervision issue.

After discussion a motion to accept the recommendation was made by Mr. Dyer and seconded by Mr. Redifer.

The motion passed majority. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Pace, and Vander Pol. Middleton and Giesen were absent. Mr. Oliver voted “no”.**

3) Implement a requirement that education providers notify the Board of scheduled courses a minimum of 30 days prior to the scheduled date.

In order to schedule unannounced audits of education courses staff is required to adjust schedules and in instances where an overnight stay is required, to obtain advance approval of travel. This often requires that audits be scheduled three to four weeks prior to the actual date of the course. In some instances providers are notifying the Board of courses with an insufficient amount of time to make arrangements to plan an audit. Some providers do this on a regular basis, making it virtually impossible to audit their course offerings. Having a requirement that all providers notify the Board of scheduled courses a minimum of 30 days prior to the scheduled date would ensure adequate time to plan for audits, when necessary. This would take an amendment to the current regulations.

After discussion a motion was offered by Mr. Dowdy and seconded by Mr. Dyer to accept the recommendation.

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent.**

4) Develop an MOA with selected localities to improve data collection with regards to the number and types of USBC issues.

As previously stated, the purpose of continuing education is to ensure continued competency. Current regulations require only three hours per discipline (one for gas-fitters), limiting the amount of contact time in the class. This makes it essential that courses be approved that target areas where

tradesman have demonstrated a particular need for training. For example, data showed that inspections through the Commonwealth found no discrepancies for the items found in a particular chapter of the USBC, then it would not be an efficient use of time to require that particular chapter be included in training courses, especially if other particular issues have been identified that have significantly more impact on violations or inspection failures.

This issue was brought to the Group as a direct result of discussions regarding the legislative report completed by the Board pursuant to Chapter 738 of the 2013 Reconvened Session of the General Assembly. The Board, in trying to evaluate data to determine the necessity for continuing education, was not able to obtain any statistics involving the failure rate of inspections, categories of failures, permitting information (contractor/homeowner) of failures, or other pertinent data. On several occasions the Board found that such data is not collected or maintained by localities, making it difficult to measure the effectiveness of the education or to identify areas that need to be targeted for increased education.

The development of MOAs with multiple localities that would involve the collection and reporting of this data would resolve this issue.

After discussion a motion was offered by Mr. Redifer and seconded by Mr. Dyer to accept the recommendation.

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol.** **Middleton and Giesen were absent.**

5) Survey a randomly selected small sample (400-600) licenses on a periodic basis to collect data with regards to the effectiveness, cost, availability, access, and other areas that will provide the Board with a viewpoint of the continuing education requirement through the experiences of the licensees.

As part of the research done by the Group surveys were received from more than 200 licensees with responses to questions involving cost, travel time, preferred method of instruction, course content, and other areas. The results of the survey were used to support many of the preconceptions of the members of the Group. It was agreed that the data was valuable and that periodic sampling would be beneficial to the Board. The costs are relatively minimal and the data collection is not burdensome.

An alternative or addition to this recommendation is to include evaluation forms of providers/courses, be sent to randomly selected licensees that have recently completed continuing education. This would give the Board information regarding the courses, instructors, and providers, and could be used in conjunction with an audit as a measurement tool for compliance with the

regulations.

After discussion a motion was offered by Mr. Dyer and seconded by Mr. Pace to accept the recommendation.

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol.** Middleton and Giesen were absent.

Since it is 10:30 am the Board will now hear Disciplinary cases and then return to this matter following the hearing of the Consent Orders.

The Board will now hear Disciplinary case files.

**Disciplinary
Case Files.**

In the matter of Disciplinary File Number 2013-03299, Stony Point Construction Co., Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

**File Number
2013-03299
Stony Point
Construction
Co., Inc.**

Stony Point Construction Co., Inc., did not appear at the Board meeting.

Presiding officers, Mr. Vander Pol, Mr. Murrow and **Mr. Dyer** were not present did not participate in the discussion and did not vote. The Board reviewed a handout for this case.

After discussion a motion was made by **Mr. Dowdy** and seconded by **Mr. Pace** to adopt the Summary in part of the Informal Fact-Finding Conference finding violations of the Boards December 1, 2012 Regulations: The report of findings and Summary are incorporated as part of the Order.

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

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

Count 3: 18 VAC 50-22-260.B.33 (Two Violations)

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Magruder, Mitchell, Oliver and Pace.** Middleton and Giesen were absent. **Smith had not arrived.** **Mr. Dyer and Mr. Vander Pol did not vote.**

Larry Yancey for Stony Point Construction Co., Inc. arrived. **Mr. Dowdy offered a motion seconded by Mr. Pace to reopen the case because Mr. Yancey appeared.**

The motion passed unanimously. Members voting “yes” were: Ayres,

Chowdhuri, Dowdy, Magruder, Mitchell, Oliver and Pace.

Larry Yancey for Stony Point Construction Co., Inc. addressed the Board.

After discussion a motion was made by **Mr. Dowdy** and seconded by **Mr. Pace** to adopt the Summary in part of the Informal Fact-Finding Conference finding violations of the Boards December 1, 2012 Regulations: The report of findings and Summary are incorporated as part of the Order.

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

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

Count 3: 18 VAC 50-22-260.B.33 (Two Violations)

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Magruder, Mitchell, Oliver and Pace, Middleton and Giesen were absent. Smith had not arrived. Mr. Dyer and Mr. Vander Pol did not vote.**

After discussion a motion was made by **Mr. Mitchell** and seconded by **Mr. Oliver** to impose the following sanctions amending Count 3 to include \$1,500.00 for each count for a total of \$3,000.00 for those 2 violations and completion of Remedial Education:

| | | |
|----------|-----------------------------------|-------------|
| Count 1 | | \$400.00 |
| Count 2: | | \$1,000.00 |
| Count 3: | \$1,500.00 for each violation (2) | \$ 3,000.00 |
| Total | | \$4,400.00 |

In addition, for violation of Counts 1, 2, and 3, the Board voted to require Stony Point Construction Co Inc has a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order. A total monetary penalty of **\$4,400.00**. The motion passed by unanimous vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Magruder, Mitchell, Oliver and Pace. Middleton and Giesen were absent. Smith had not arrived. Mr. Dyer and Mr. Vander Pol did not vote.**

In the matter of Disciplinary File Number 2014-00412, 5 Star Services, LLC, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

**File Number
2014-00412
5 Star
Services,
LLC**

Marcus Jelks and Rick Brown for 5 Star Services, LLC, did appear at the Board meeting . **Kenneth Tyler**, Attorney Parker and witness **Drew** on behalf

of **Reliable Commercial Builders LLC did attend the IFF.**

Presiding officer **Mr. Dowdy** was not present did not participate in the discussion and did not vote.

After discussion a motion was made by **Mr. Dyer** and seconded by **Mr. 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 in part. The report of findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that 5 Star Services LLC violated the following: Effective February 1, 2006

Count 1: 18 VAC 50-22-260 B 29

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

Count 3: 18 VAC 50-22-260 B 2

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.**

After discussion a motion was made by **Mr. Magruder** and seconded by **Mr. Mitchell** to impose the following sanctions with an amendment to Count 3 to include the fine of \$1,200.00 and to suspend the license for 5 Star Services LLC until it provides evidence satisfactory to the Board that the judgment awarded to Jaydon Equipment LLC has been satisfied:

| | | |
|----------|--|------------|
| Count 1 | | \$250.00 |
| Count 2 | | \$1,500.00 |
| Count 3: | | \$1,100.00 |
| Total | | \$2,850.00 |

The Board voted to impose a monetary penalty based on its determination that the circumstances of the violation rose to a level sufficient to warrant a monetary sanction. In addition, for violation of Count 1 and 2, the Board voted to require **5 Star Services LLC** have a member of Responsible Management successfully complete a Board approved Remedial Education Class within 90 days of the Order. For violation of Count 3, the board voted to suspend 5 Star Services LLC’s license until it provides evidence satisfactory to the Board that the judgment awarded to Jaydon Equipment LLC has been satisfied.

A total monetary penalty of **\$2,850.00**. The motion passed by unanimous vote. Members voting “yes” were:

Ayres, Chowdhuri, Dyer, Magruder, Mitchell, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent. Smith had not arrived.

Mr. Smith arrived at 10:24 am.

**Board
Member
Arrival**

The Board will hear Prima Facie Disciplinary case files.

**Prima Facie
Disciplinary
Case Files**

In the matter of Prima Facie Disciplinary Case file 2014-02624; time Young's Painting LLC. This case was pulled from the agenda at the Regulators request.

**File Number
2014-02624
Case Pulled**

In the matter of Disciplinary prima facie File Number 2014-01469, Carlos Lopez Hernandez, t/a LCH Concrete, the Board members reviewed the record, which consisted of the report of findings, including exhibits, and the Recommendation.

**File Number
2014-01469
Carlos
Lopez
Hernandez,
t/a LCH
Concrete**

Carlos Lopez Hernandez, t/a LCH Concrete did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

This is a Prima Facie case.

After discussion a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the Report of Findings and Recommendation. They are incorporated as part of the Order. The Board finds substantial evidence that **Carlos Lopez Hernandez, t/a LCH Concrete** violated the following:

| | | |
|----------|------------------|-----------------------|
| Count 1: | December 1, 2012 | 18 VAC 50-22-260 B 9 |
| Count 2: | | 18 VAC 50-22-260 B 28 |

The motion passed unanimously. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol.** Middleton and Giesen were absent.

After discussion a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to impose the following sanctions:

| | | |
|----------|--|------------|
| Count 1: | | \$400.00 |
| Count 2: | | \$1,850.00 |
| Total | | \$2,250.00 |

A total monetary penalty of **\$2,250.00** was imposed. The motion passed unanimously. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol.**

Middleton and Giesen were absent.

In addition, for violation of Count 2, the Board imposes revocation of **license**.

In the matter of Disciplinary prima facie File Number 2014-01888, K & B Services LLC, the Board members reviewed the record, which consisted of the report of findings, including exhibits, and the Recommendation.

**File Number
2014-01888
K & B
Services
LLC**

K & B services LLC did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

This is a Prima Facie case.

After discussion a motion was made by **Mr. Dyer** and seconded by **Mr. Redifer** to adopt the Report of Findings and Recommendation. They are incorporated as part of the Order. The Board finds substantial evidence that **K & B Services, LLC** violated the following:

| | | |
|----------|------------------|-----------------------|
| Count 1: | December 1, 2012 | 18 VAC 50-22-260 B 28 |
| Count 2: | | 18 VAC 50-22-260 B7 |

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent.**

After discussion a motion was made by **Mr. Dyer** and seconded by **Mr. Redifer** to impose the following sanctions:

| | | |
|----------|--|------------|
| Count 1: | | \$1,850.00 |
| Count 2: | | \$1,400.00 |
| Total | | \$3,250.00 |

A total monetary penalty of **\$3,250.00** was imposed. The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent.**

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

In the matter of Disciplinary prima facie File Number 2014-03798, David Harder, t/a Wood I Do Flooring, the Board members reviewed the record, which consisted of the report of findings, including exhibits, and the Recommendation.

**File Number
2014-03798
David
Harder, t/a**

**Wood I Do
Flooring**

David Harder, t/a Wood I Do Flooring did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

This is a Prima Facie case.

After discussion a motion was made by **Mr. Dyer** and seconded by **Mr. Redifer** to adopt the Report of Findings and Recommendation. They are incorporated as part of the Order. The Board finds substantial evidence that **David Harder, t/a Wood I Do Flooring** violated the following:

| | | |
|----------|------------------|-----------------------|
| Count 1: | December 1, 2012 | 18 VAC 50-22-260 B 13 |
|----------|------------------|-----------------------|

The motion passed unanimously. Members voting “yes” were **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol.** **Middleton and Giesen were absent.**

After discussion a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to impose the following sanctions:

| | | |
|----------|--|------------|
| Count 1: | | \$1,400.00 |
| Total | | \$1,400.00 |

A total monetary penalty of **\$1,400.00** was imposed. The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol.** **Middleton and Giesen were absent.**

In addition, for violation of Count 1, the Board imposes revocation of **license.**

In the matter of Disciplinary prima facie File Number 2014-03802, Arthur Leap III, t/a East Coast Builders of The Shanandoah Valley, the Board members reviewed the record, which consisted of the report of findings, including exhibits, and the Recommendation.

**File Number
2014-03802
Arthur Leap
III, t/a East
Coast
Builders Of
The
Shanandoah
Valley**

Arthur Leap III, t/a East Coast Builders of The Shanandoah Valley did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Pace** to adopt the Report of Findings and Recommendation. They are incorporated as part of the Order. The Board finds substantial evidence that **Arthur Leap III** violated the following:

| | | |
|----------|------------------|-----------------------|
| Count 1: | December 1, 2012 | 18 VAC 50-22-260 B 13 |
|----------|------------------|-----------------------|

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol.** **Middleton and Giesen were absent.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Pace** to impose the following sanctions:

| | | |
|----------|--|------------|
| Count 1: | | \$1,400.00 |
| Total | | \$1,400.00 |

A total monetary penalty of \$1,400.00 was imposed. The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol.** **Middleton and Giesen were absent.**

In addition, for violation of Count 1, the Board imposes revocation of **license.**

The Board will now hear Consent Order case files.

**Consent
Orders**

In the matter of Consent Order File Number 2013-03329, Board v. Mitch Construction Co. The board reviewed the record, which consisted of the Consent Order.

**File Number
2013-003329
Mitch
Construction
Co**

Mr. Vincent Mitchell attended the Board meeting on behalf of Mitch Construction Co.

A motion was made by **Mr. Redifer** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 31 imposing \$400.00
Count 2: 18 VAC 50-22-260 B 11 imposing \$450.00
Board Costs **\$150.00**
Total **\$ 1,000.00**

Further, for violation of Counts 1 and 2, **Mitch Construction Co** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$1,000.00** imposed, and successful completion of the Board’s Basic Contracting Licensing Class within 90 days of the Order. The motion passed

with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-00514, Board v. Gary W Arnold, t/a Xpress Home Improvement. The board reviewed the record, which consisted of the Consent Order.

File Number
2014-00514
Gary Arnold
t/a Xpress
Home
Improvement
t

A motion was made by **Mr. Oliver** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

| | | |
|--------------------|------------------------------|--------------------------|
| Count 1: | 18 VAC 50-22-230 A | imposing \$150.00 |
| Count 2: | 18 VAC 50-22-260 B 8 | imposing \$200.00 |
| Count 3: | 18 VAC 50-22-260 B 9 | imposing \$200.00 |
| Count 4: | 18 VAC 50-22-260 B 27 | imposing \$400.00 |
| Board Costs | | \$150.00 |
| Total | | \$ 1,100.00 |

Further, for violation of Counts 1, 2, 3 and 4, **Gary W Arnold** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$1,100.00** imposed, and successful completion of the Board’s Basic Contracting Licensing Class within 90 days of the Order. The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-00522, Board v. Exteriors R Us LLC. The board reviewed the record, which consisted of the Consent Order.

File Number
2014-00522
Exteriors R
Us LLC

A motion was made by **Mr. Oliver** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

| | | |
|--------------------|-----------------------------|--------------------------|
| Count 1: | 18 VAC 50-22-260 B 9 | imposing \$400.00 |
| Count 2: | 18 VAC 50-22-260B 6 | imposing \$850.00 |
| Board Costs | | \$150.00 |

Further, for violation of Count 2, **Big Dog Plumbing & Heating LLC** agrees to revocation of its license.

A total of **\$1,400.00** imposed, and successful completion of the Board’s Basic

Contracting Licensing Class within 90 days of the Order. The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-00914, Board v. Digalmar Hidalgo. The board reviewed the record, which consisted of the Consent Order.

File Number
2014-00914
Digalmar
Hidalgo

Attorney Michael attended the meeting with Digalmar Hidalgo.

A motion was made by **Mr. Redifer** and seconded by **Mr. Pace** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-30-190 .2 imposing \$1,000.00
Board Costs \$150.00

Further, for violation of Count 1, **Digalmar Hidalgo** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$1,150.00** imposed, and successful completion of the Board’s Basic Contracting Licensing Class within 90 days of the Order. The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-00915, Board v. S & H Plumbing, LLC. The board reviewed the record, which consisted of the Consent Order.

File Number
2014-00915
S & H
Plumbing,
LLC

Attorney Michael attended the meeting with Digalmar Hidalgo for S & H Plumbing, LLC.

A motion was made by **Mr. Redifer** and seconded by **Mr. Pace** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 2 imposing \$1,000.00
Board Costs \$150.00

Further, for violation of Count 1, **S & H Plumbing LLC** agrees to have a member of Responsible Management successfully complete a board-approved remedial education class.

A total of **\$1,150.00** imposed and successful completion of the Board's Basic Contracting Licensing Class within 90 days of the Order. The motion passed with a unanimous "yes" vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** Middleton and Giesen were absent.

In the matter of Consent Order File Number 2014-01048, Board v. Chong Miller, t/a Master M J. The board reviewed the record, which consisted of the Consent Order.

File Number
2014-01048
Chong
Miller, t/a
Master M J

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

| | | | |
|--------------------|------------------------------|----------|-------------------|
| Count 1: | 18 VAC 50-22-260. B 2 | imposing | \$2,500.00 |
| Count 2: | 18 VAC 50-22-260 B 20 | imposing | \$2,500.00 |
| Board Costs | | | \$150.00 |

Further, for violation of Counts 1, **Chong Miller** agrees to revocation of license. In addition, the Board shall waive imposition of the \$5,000.00 monetary penalty, conditioned on Chong Miller abiding by each and every term or the Order. See order for additional details:

A total of **\$5,150.00** imposed, and license revocation. The motion passed with a unanimous "yes" vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** Middleton and Giesen were absent.

In the matter of Consent Order File Number 2014-01051, Board v. Young Kil Lee. The board reviewed the record, which consisted of the Consent Order.

File Number
2014-01051
Young Kil
Lee

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

| | | | |
|--------------------|----------------------------|----------|-------------------|
| Count 1: | 18 VAC 50-30-190. 2 | imposing | \$2,500.00 |
| Count 2: | 18 VAC 50-30-190.2 | imposing | \$2,500.00 |
| Count 3: | 18 VAC 50-30-190.2 | imposing | \$2,500.00 |
| Board Costs | | | \$150.00 |

Further, for violation of Count 1, **Kim Chang Won** agrees to revocation of his license. See order for additional details and terms of agreement in order to waive imposition of the \$7,500.00

A total of **\$7,650.00** costs imposed, and revocation of license. The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-01052, Board v. Young Kil Lee, t/a Master A Builder. The board reviewed the record, which consisted of the Consent Order.

**File Number
2014-01052
Young Kil
Lee, t/a
Master A
Builder**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

| | | | |
|--------------------|-----------------------------|----------|-------------------|
| Count 1: | 18 VAC 50-22-260 B 2 | imposing | \$2,500.00 |
| Count 2: | 18 VAC 50-22-260 B 20 | imposing | \$2,500.00 |
| Board Costs | | | \$150.00 |
| Total | | | \$5,150.00 |

Further, for violation of Counts 1 and 2, **Young Kil Lee** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order. **Young Kil Lee** agrees to the revocation of his contractor license. Please see order for additional agreed details.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-01245, Board v. Mynor Eliv Morales. The board reviewed the record, which consisted of the Consent Order.

**File Number
2014-01245
Mynor Eliv
Morales**

A motion was made by **Mr. Redifer** and seconded by **Mr. Pace** to ratify the Consent Order, finding the following violations of its Regulations:

| | | | |
|--------------------|---------------------------|----------|-------------------|
| Count 1: | 18 VAC 50-30-190.2 | imposing | \$1,100.00 |
| Board Costs | | | \$150.00 |

Further, for violation of Count 1, **Morales** agrees to revocation of his license.

A total of **\$1,250.00** imposed.

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

Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent.

In the matter of Consent Order File Number 2014-01249, Board v. Mynor E Morales, t/a M M Electric. The board reviewed the record, which consisted of the Consent Order.

**File Number
2014-01249
Mynor E
Morales, t/a
M M
Electric**

A motion was made by **Mr. Redifer** and seconded by **Mr. Pace** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 2 imposing \$700.00
Count 2: 18 VAC 50-22-260 B 2 imposing \$400.00
Count 3: 18 VAC 50-22-260 B 2 imposing \$00.00
Board Costs \$150.00

Further, for violation of Counts 1 through 3, **Mynor E Morales** agrees to revocation of its license.

A total of **\$1,250.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-01294, Board v. Shine Home Improvements Inc. The board reviewed the record, which consisted of the Consent Order. The Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order.

**File Number
2014-01294
Shine Home
Improve-
ments Inc**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 2 imposing \$00.00
Count 2: 18 VAC 50-22-260 B 2 imposing \$00.00
Count 3: 18 VAC 50-22-260 B 2 imposing \$00.00
Board Costs \$00.00

In addition, for violation of Counts 1, 2 and 3, **Shine Home Improvements Inc** agrees to revocation of its license.

A total of **\$00.00** imposed, and license revocation.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-01336, Board v. Jerry W Allen Sr, t/a Jerry W Allen General Contractor. The board reviewed the record, which consisted of the Consent Order. The Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order.

**File Number
2014-01336
Jerry W
Allen Sr, t/a
Jerry W
Allen
General
Contractor**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-230 A imposing \$150.00
Count 2: 18 VAC 50-22-260 B 8 imposing \$200.00
Board Costs \$150.00

Further, for violation of Count 2, **Jerry W Allen Sr.** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the Consent Order.

A total of **\$500.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-01350, Board v. Jhony Camacho Perez. The board reviewed the record, which consisted of the Consent Order. The Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order.

**File Number
2014-01350
Jhony
Camacho
Perez**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-30-190 2 imposing \$750.00
Count 2: 18 VAC 50-30-190 2 imposing \$350.00
Board Costs \$150.00

Further, for violation of Counts 1 and 2, **Camacho Perez** agrees to license revocation.

A total of **\$1,250.00** imposed, and license revocation.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-01380, Board v. Peter C Yuen. The board reviewed the record, which consisted of the Consent Order and the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order.

**File Number
2014-01380
peter C
Yuen**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

**Count 1: 18 VAC 50-30-190 2 imposing \$1,100.00
Board Costs \$150.00**

Further, for violation of Count 1, **Yuen** agrees to revocation of his license.

A total of **\$1,250.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-01382, Board v. Gar Hung Construction Inc. The board reviewed the record, which consisted of the Consent Order. The Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order.

**File Number
2014-01382
Gar Hung
Construction
Inc**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

**Count 1: 18 VAC 50-22-260 B 2 imposing \$00.00
Board Costs \$00.00**

Further, for violation of Count 1, **Gar Hung Construction Inc** agrees to revocation of its license.

A total of **\$0.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-01387, Board v. Carlos Humberto Cruz. The board reviewed the record, which consisted of the Consent Order. The Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order.

File Number
2014-01387
Carlos
Humberto
Cruz

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-30-190 2 imposing \$1,100.00
Count 2: 18 VAC 50-30-190 2 imposing \$500.00
Board Costs \$150.00

Further, for violation of Counts 1 and 2, **Cruz** agrees to revocation of his license.

A total of **\$1,750.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-01461, Board v. Leatherneck Lawn Care & Services LLC, t/a Leatherneck Landscape and Hardscapes. The board reviewed the record, which consisted of the Consent Order. The Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order.

File Number
2014-01461
Leatherneck
Lawn Care
& Services
LLC, t/a
Leatherneck
Landscape
and
Hardscapes

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 8 imposing \$300.00 = 2 violations @ \$150.00 each
Board Costs \$150.00

Further, for violation of Count 1, **Leatherneck Lawn Care & Services LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the date of the

Order.

A total of **\$450.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** Middleton and Giesen were absent.

In the matter of Consent Order File Number 2014-01525, Board v. Dixon/Lee Development t Group LLC. The board reviewed the record, which consisted of the Consent Order. The Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order.

File Number
2014-01525
Dixon/Lee
Development
Group LLC

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 31 imposing \$800.00
Count 2: 18 VAC 50-22-260 B 33 imposing \$750.00
Board Costs \$150.00

Further, for violation of Counts 1 and 2, **Dixon/Lee Development Group LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the Consent Order.

A total of **\$1,700.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** Middleton and Giesen were absent.

In the matter of Consent Order File Number 2014-01601, Board v. Marcos Santos, t/a MDS Renovations & Fine Carpentry. The board reviewed the record, which consisted of the Consent Order And the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order.

File Number
2014-01601
Marcos
Santos, t/a
MDS
Renovations
& Fine
Carpentry

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 8 imposing \$200.00
Count 2: 18 VAC 50-22-260 B 33 imposing \$600.00
Count 3: 18 VAC 50-22-260 B 27 imposing \$350.00

Board Costs

\$150.00

Further, for violation of Counts 1, 2, and 3, **Marcos Santos** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$1,300.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-01675, Board v. Anthony Stevens, t/a A M S Home Improvement. The board reviewed the record, which consisted of the Consent Order and the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order.

File Number
2014-01675
Anthony
Stevens, t/a
A M S Home
Improve-
ment

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 18 imposing **\$400.00**
Board Costs **\$150.00**

Further, for violation of Count 1, **Anthony Stevens** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order.

A total of **\$1,250.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In matter of Consent Order File Number 2014-01733, Board v. Curl Salon LLC, t/a West Investments/Integrity Builders. The board reviewed the record, which consisted of the Consent Order.

File Number
2005-01733
Curl Salon
LLC, t/a
West
Investments/
Integrity
Builders

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 8 imposing **\$200.00**

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Count 2: 18 VAC 50-22-260 B 9 imposing \$200.00
Count 3: 18 VAC 50-22-260 B 33 imposing \$750.00
Count 4: 18 VAC 50-22-260 B 31 imposing \$200.00
Count 5: 18 VAC 50-22-260 B 27 imposing \$750.00
Count 6: 18 VAC 50-22-260 B 13 imposing \$1,400.00
Count 7: 18 VAC 50-22-230 B imposing \$ 550.00
Board Costs \$150.00

In addition, the Board shall waive imposition of the \$550.00 monetary penalty for Count 7 provided Curl Salon LLC reports its current mailing and/or physical address to the Board, in writing, within thirty (30) days of the effective date of the Order. If Curl Salon LLC fails to comply with the condition, then the full monetary penalty will be automatically imposed.

Further, for violation of Counts 1, 2, 3, 4, 5, 6 and 7, **Curl Salon LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order.

A total of **\$3,650.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-01828, Board v. Ricardo A Sands. The board reviewed the record, which consisted of the Consent Order.

File Number
2014-01828
Ricardo A
Sands

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-30-190 2 imposing \$2,500.00
Board Costs \$150.00

Further, for violation of Count 1, **Sands** agrees to revocation of his license.

A total of **\$2,650.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-01878, Board v.

File Number

Jasper Rowland, Jr., t/a Rowland Contracting. The board reviewed the record, which consisted of the Consent Order.

**2014-01878
Jasper
Rowland Jr,
t/a Rowland
Contracting**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Oliver** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 8 imposing **\$400.00**
Count 2: 18 VAC 50-22-260 B 27 imposing **\$750.00**
Count 3: 18 VAC 50-22-260 B 22 imposing **\$00.00**
Board Costs **\$150.00**

Further, for violation of Count 3, **Rowland** agrees to six (6) months probation of his license as of the effective date of the Order. See order for additional details and further explanation thereof.

A total of **\$1,300.00** imposed, and successful completion of the Board's Basic Contracting Licensing Class within 90 days of the Order.

The motion passed with a unanimous "yes" vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-01887, Board v. Built-Rite Inc. The board reviewed the record, which consisted of the Consent Order.

**File Number
2014-01887
Built-Rite
Inc**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 28 imposing **\$00.00**
Board Costs **\$150.00**

Further, for violation of Count 1, **Built-Rite Inc** agrees to revocation of its license.

A total of **\$150.00** imposed.

The motion passed with a unanimous "yes" vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-02155, Board v. Remodeling & Beyond, LLC. The board reviewed the record, which consisted of the Consent Order.

**File Number
2014-02155
Remodeling
& Beyond
LLC**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 9 imposing \$400.00
Count 2: 18 VAC 50-22-260 B 27 imposing \$400.00
Count 3: 18 VAC 50-22-260 B 15 imposing \$400.00
Count 4: 18 VAC 50-22-260 B 27 imposing \$750.00
Count 5: 18 VAC 50-22-260 B 2 imposing \$800.00
Count 6: 18 VAC 50-22-260 B 22 imposing \$ 0.00
Count 7: 18 VAC 50-22-260 b 23 imposing \$ 500.00
Board Costs \$150.00

Further, for violation of Counts 1 through 7, **Remodeling and Beyond LLC** agrees to have revoked member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$3,400.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-02231, Board v. Walter Kent Wright, t/a Kent Wright Construction. The board reviewed the record, which consisted of the Consent Order.

**File Number
2014-02231
Walter Kent
Wright, t/a
Kent Wright
Construction**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 8 imposing \$400.00
Count 2: 18 VAC 50-22-260 B 33 imposing \$400.00
Board Costs \$150.00

Further, for violation of Count 1 and 2, **Walter Kent Wright** agrees to have a member of Responsible Management successfully complete a board-approved remedial education class.

A total of **\$950.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver,**

Pace, Redifer and Vander Pol. Middleton and Giesen were absent.

In the matter of Consent Order File Number 2014-02294, Board v. Darrell Boston Bailey, t/a Ironmen Home Improvements. The board reviewed the record, which consisted of the Consent Order.

**File Number
2014-02294
The
Aqualantic
Group LLC**

A motion was made by **Mr. Oliver** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 27 imposing \$750.00 = 4 violations
Count 2: 18 VAC 50-22-260 B 27 imposing \$750.00
Board Costs \$150.00

Further, for violation of Counts 1 and 2, **The Aqualantic Group LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$1,650.00** imposed, and successful completion of the Board's Basic Contracting Licensing Class within 90 days of the Order.

The motion passed with a unanimous "yes" vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-02351, Board v. Russell L Brown. The board reviewed the record, which consisted of the Consent Order.

**File Number
2014-02351
Russell L
Brown**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 9 imposing \$400.00
Count 2: 18 VAC 50-22-260 B 15 imposing \$1,550.00
Count 3: 18 VAC 50 22 230 A imposing \$300.00
Count 4: 18 VAC 50-22-230 B imposing \$ 550.00
Board Costs \$150.00

Further, for violation of Counts 1 through 4, **Russell L Brown** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$2,950.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-02352, Board v. Willard R Hodge, t/a Hodge Construction Solutions. The Board reviewed the record, which consisted of the Consent Order.

**File Number
2014-02352
Willard R
Hodge, t/a
Hodge
Construction
Solutions**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 9 imposing **\$400.00**
Count 2: 18 VAC 50-22-260 B 27 imposing **\$750.00**
Board Costs **\$150.00**

Further, for violation of Counts 1, and 2, **Willard R Hodge** agrees to a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$1,300.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-03513, Board v. Metromont Corporation. The Board reviewed the record, which consisted of the Consent Order.

**File Number
2014-03513
Metromont
Corporation**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 29 imposing **\$700.00**
Board Costs **\$150.00**

Further, for violation of Count 1, **Metromont Corporation** agrees to a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$850.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** Middleton and Giesen were absent.

In the matter of Consent Order File Number 2014-02545, Board v. Roanoke Water Works Inc. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-02545
Roanoke
Water
Works Inc

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 9 imposing **\$00.00**
Count 2: 18 VAC 50-22-260 B 31 imposing **\$00.00**
Count 3: 18 VAC 50-22-260 B 27 imposing **\$00.00**
Board Costs **\$150.00**

Further, for violation of Counts 1, 2, and 3, **Roanoke Water Works Inc** agrees to a member of Responsible Management successfully complete a Board-approved remedial education class. In addition, for violation of Counts 1, 2, and 3, Roanoke Water Works Inc agrees to a six (6) month suspension of its license in lieu of monetary penalties.

A total of **\$150.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** Middleton and Giesen were absent.

In the matter of Consent Order File Number 2014-02548, Board v. Kirkpatrick Construction Inc. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-02548
Kirkpatrick
Construction
Inc

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 9 imposing **\$400.00**
Count 2: 18 VAC 50-22-260 B 31 imposing **\$400.00**
Count 3: 18 VAC 50-22-260 B 29 imposing **\$700.00**
Count 4: 18 VAC 50-22-210 imposing **\$ 0.00**
Board Costs **\$150.00**

Further, for violation of Count 5, **Kirkpatrick Construction Inc** agrees to

termination of its license. In addition, for violation **Kirkpatrick Construction Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$3,200.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** Middleton and Giesen were absent.

In the matter of Consent Order File Number 2014-02677, Board v. Regent Homes By Beracah LLC. The Board reviewed the record, which consisted of the Consent Order.

**File Number
2014-02677
Regent
Homes By
Beracah
LLC**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 31 imposing **\$400.00**
Board Costs **\$150.00**

Further, for violation of Count 1, **Regent Homes By Beracah LLC** agrees to a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$550.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** Middleton and Giesen were absent.

In the matter of Consent Order File Number 2014-02793, Board v. Kenneth Williams, t/a Williams Builders Plus. The Board reviewed the record, which consisted of the Consent Order.

**File Number
2014-02793
Kenneth
Williams, t/a
Williams
Builders
Plus**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 28 imposing **\$1,850.00**
Board Costs **\$150.00**

Further, for violation of Count 1, **Kenneth Williams** agrees to a member of Responsible Management successfully complete a Board-approved remedial education class. Also, Kenneth Williams agrees to revocation of his license.

Further the Board shall waive imposition of the \$1,850.00 monetary penalty and license revocation for Count 1 provided Kenneth Williams satisfies the judgment within ninety (90) days of the effective date of this Order. If Kenneth Williams fails to comply with this condition, then the full monetary penalty and license revocation will be automatically imposed.

A total of **\$2,000.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** Middleton and Giesen were absent.

In the matter of Consent Order File Number 2014-02840, Board v. Backyard Oasis LLC. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-02840
Backyard
Oasis LLC

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

| | | | |
|--------------------|------------------------------|----------|--------------------|
| Count 1: | 18 VAC 50-22-260 B 9 | imposing | \$ 100.00 |
| Count 2: | 18 VAC 50-22-260 B 29 | imposing | \$ 700.00 |
| Count 3: | 18 VAC 50-22-260 B 28 | imposing | \$ 1,850.00 |
| Board Costs | | | \$150.00 |

Further, for violation of Counts 1, and 2, **Backyard Oasis LLC** agrees to a member of Responsible Management successfully complete a Board-approved remedial education class. In addition, for violation of Count 3, **Backyard Oasis LLC** agrees to revocation of its license. In addition the Board shall waive imposition of the \$1,850.00 monetary penalty and license revocation for Count 3 provided Backyard Oasis LLC satisfies the judgment and provides the Board with proof of the satisfaction within ninety days of the effective date of the Order. If Backyard Oasis LLC fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

A total of **\$2,800.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** Middleton and Giesen were absent.

In the matter of Consent Order File Number 2014-02847, Board v. T & T Contracting LLC. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-02847
T & T
Contracting

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

LLC

Count 1: 18 VAC 50-22-260 B 10 imposing **\$350.00**
Count 2: 18 VAC 50-22-230 B imposing **\$550.00**
Board Costs **\$150.00**

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

A total of **\$1,050.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-02922, Board v. Total Remodeling Systems LLC, t/a Four Seasons /Sunrooms. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-02922
Total
Remodeling
Systems
LLC, t/a
Four
Seasons
Sunrooms

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 8 imposing **\$200.00**
Count 2: 18 VAC 50-22-260 B 26 imposing **\$500.00**
Count 3: 18 VAC 50-22-260 B 31 imposing **\$400.00**
Board Costs **\$150.00**

Further, for violation of Counts 1, 2, and 3, **Total Remodeling Systems LLC** agrees to a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$1,250.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-02952, Board v. Ly Thien Tieu. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-02952
Ly Thien
Tieu

Ly Thien Tieu attended the Board meeting. He shared his agreement with the

Board.

A motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-30-190 2 imposing **\$1,100.00**
Count 2: 18 VAC 50-30-190 2 imposing **\$1,10.00**
Board Costs **\$150.00**

Further, for violation of Counts 1, and 2, **Tieu** agrees to revocation of his license.

A total of **\$2,350.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-02972, Board v. Wright Services Inc. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-02972
Wright
Services Inc

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 29 imposing **\$1,400.00**
Board Costs **\$150.00**

Further, for violation of Count 1, **Wright Services Inc** agrees to a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$1,550.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-02986, Board v. Richard G Vass, t/a Richard G Vass General Contractor. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-02986
Richard G
Vass, t/a
Richard G
Vass

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

**General
Contractor**

Count 1: 18 VAC 50-22-260 B 18 imposing **\$600.00**
Board Costs **\$150.00**

Further, for violation of Count 1, **Richard G Vass** agrees to a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$750.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-02988, Board v. CS Design/Build LLC, t/a BR Design Build. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-02988
CS
Design/Build
LLC, t/a BR
Design Build

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 8 imposing **\$400.00**
Board Costs **\$150.00**

Further, for violation of Count 1, **CS Design/Build LLC, t/a BR Design Build** agrees to a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$550.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-00057, Board v. Brooks Mobile Home Improvement LLC. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-00057
Brooks
Mobile
Home
Improve-
ment LLC

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 9 imposing **\$400.00**
Count 2: 18 VAC 50-22-260 B 31 imposing **\$400.00**
Board Costs **\$150.00**

Further, for violation of Counts 1, and 2, **Brooks Mobile Home Improvement LLC** agrees to a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$950.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-03042, Board v. S J Conner and Sons, Inc. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-03042
S J Conner
and Sons,
Inc.

Conner attended the meeting and requested that his case be remanded to an Informal Fact Finding Conference.

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to dismiss the Consent Order, and remand the case back to staff for processing of an Informal Fact Finding Conference.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-03165, Board v. William John Friel, t/a Allstar Home Improvement. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-03165
William
John Friel,
t/a Allstar
Home
Improve-
ment

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

| | | | |
|--------------------|------------------------------|----------|-----------------|
| Count 1: | 18 VAC 50-22-260 B 9 | imposing | \$400.00 |
| Count 2: | 18 VAC 50-22-260 B 31 | imposing | \$400.00 |
| Count 3: | 18 VAC 50-22-260 B 6 | imposing | \$850.00 |
| Board Costs | | | \$150.00 |

Further, for violation of Counts 1, 2, and 3, **William John Friel** 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 \$400.00 monetary penalty

for Count 1 on condition that **William John Friel** provides a copy of his current contract within ninety days of the effective date of the Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-20 B 9. If **William John Friel** fails to comply with the condition, than the full monetary penalty will be automatically imposed.

A total of **\$1,800.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-03271, Board v. Jose L Colon, t/a Horizon Service. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-03271
Jose L
Colon, t/a
Horizon
Service

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B18 imposing **\$800.00**
Board Costs **\$150.00**

Further, for violation of Count 1, **Jose L Colon** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$950.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-03453, Board v. Kacey Ray Mays, t/a Eagle Mountain Heating & A/C. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-03271
Kacey Ray
Mays, t/a
Eagle
Mountain
Heating &
A/C

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 8 imposing **\$400.00**
Count 2: 18 VAC 50-22-260 B 26 imposing **\$750.00**
Board Costs **\$150.00**

Further, for violation of Counts 1, and 2, **Kacey Ray Mays** agrees to have a

member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$1,300.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** Middleton and Giesen were absent.

In the matter of Consent Order File Number 2014-03536, Board v. 3 Queens Mechanical LLC. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-03536
3 Queens
Mechanical
LLC

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

| | | | |
|--------------------|------------------------------|----------|-----------------|
| Count 1: | 18 VAC 50-22-260 B 27 | imposing | \$0.00 |
| Count 2: | 18 VAC 50-22-260 B 33 | imposing | \$250.00 |
| Count 3: | 18 VAC 50-22-210 | imposing | \$0.00 |
| Board Costs | | | \$150.00 |

Further, for violation of Counts 1, 2, and 3, **3 Queens Mechanical LLC’s** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

In addition, for violation of Count 3, **3 Queens Mechanical LLC’s** license is automatically suspended until **3 Queens Mechanical LLC** provides the Board with proof that it is in good standing with the Virginia State Corporation Commission (SCC).

A total of **\$400.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** Middleton and Giesen were absent.

In the matter of Consent Order File Number 2014-03728, Board v. Build Tek LLC. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-03728
Build Tek
LLC

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-210 B 8 imposing **\$400.00**
Board Costs **\$150.00**

Further, for violation of Count 1, **Build Tek LLC** agrees to revocation of its license.

A total of **\$550.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2015-00070, Board v. Wayne’s Electric Inc. The Board reviewed the record, which consisted of the Consent Order.

File Number
2015-00070
Wayne’s
Electric Inc

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-210 imposing **\$00.00**
Board Costs **\$150.00**

Further, for violation of Count 1, **Wayne’s Electric inc** agrees to revocation of its license.

A total of **\$150.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-02170, Board v. Nova Builders Inc. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-02170
Nova
Builders Inc

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 20 imposing **\$1,000.00**
Count 2: 18 VAC 50-22-260 B 2 imposing **\$1,100.00**
Count 3: 18 VAC 50-22-260 B 33 imposing **\$850.00**
Count 4: 18 VAC 50-22-260 B 13 imposing **\$1,400.00**
Count 5: 18 VAC 50-22-260 B 5 imposing **\$1,250.00**
Board Costs **\$150.00**

Further, for violation of Counts 1, 2, 3, 4, and 5, **Nova Builders Inc** agrees to revocation of its license. In addition for violation of count 3, **Nova Builders Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$5,750.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-02039, Board v. H W Enterprises Inc. The Board reviewed the record, which consisted of the Consent Order.

File Number
2013-02039
H W
Enterprises
Inc

The attorney for **HW Enterprises Inc** attended the meeting.

A motion was made by **Mr. Pace** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

| | | | |
|--------------------|------------------------------|----------|-----------------|
| Count 1: | 18 VAC 50-22-220 A | imposing | \$00.00 |
| Count 2: | 18 VAC 50-22-220 B | imposing | \$00.00 |
| Count 3: | 18 VAC 50-22-220 C | imposing | \$00.00 |
| Count 4: | 18 VAC 50-22-260 B 15 | imposing | \$500.00 |
| Count 5: | 18 VAC 50-22-260 B 25 | imposing | \$500.00 |
| Board Costs | | | \$500.00 |

Further, for violation of Counts 1, 2, 3, **4**, and 5, **H W Enterprises Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$1, 500.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-02248, Board v. R & T Designs Inc, t/a Hometown Remodeling. The Board reviewed the record, which consisted of the Consent Order.

File Number
2013-02248
R & T
Designs Inc,
t/a
Hometown

Mr. Simpson attended the meeting.

A motion was made by **Mr. Pace** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Remodeling

Count 1: 18 VAC 50-22-260 B 31 imposing **\$500.00**
Board Costs **\$150.00**

Further, for violation of Count 1, **R & T Designs Inc.** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$650.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-01131, Board v. Timothy James Brewster, t/a Hayland Remodeling. The Board reviewed the record, which consisted of the Consent Order.

File Number
2014-01131
Timothy
James
Brewster, t/a
Hayland
Remodeling

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

Count 1: 18 VAC 50-22-260 B 9 imposing **\$400.00**
Count 2: 18 VAC 50-22-260 B 27 imposing **\$350.00**
Count 3: 18 VAC 50-22-260 B 29 imposing **\$350.00**
Count 4: 18 VAC 50-22-260 B 33 imposing **\$ 600.00**
Count 5: 18 VAC 50-22-260 B 31 imposing **\$200.00**
Board Costs **\$150.00**

Further, for violation of Counts 1, 2, 3, 4 and 5 **Timothy James Brewster** 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 \$400.00 monetary penalty for Count 1 provided **Timothy James Brewster** provides a copy of his current contract within ninety days of the effective date of this Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260 B 9. If **Timothy James Brewster** fails to comply with this condition, then the full monetary penalty will be automatically imposed.

A total of **\$2,050.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver,**

Pace, Redifer and Vander Pol. Middleton and Giesen were absent.

In the matter of Consent Order File Number 2014-01398, Board v. Gary Arrington t/a Gary Arrington Construction. The Board reviewed the record, which consisted of the Consent Order.

**File Number
2014-01398
Gary
Arrington
t/a Gary
Arrington
Construction**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

| | | | |
|--------------------|------------------------------|----------|-----------------|
| Count 1: | 18 VAC 50-22-260 B 9 | imposing | \$400.00 |
| Count 2: | 18 VAC 50-22-260 B 29 | imposing | \$500.00 |
| Count 3: | 18 VAC 50-22-260 B 31 | imposing | \$400.00 |
| Board Costs | | | \$150.00 |

Further, for violation of Counts 1, 2, and 3, **Gary Arrington** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

A total of **\$1,450.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol. Middleton and Giesen were absent.**

In the matter of Consent Order File Number 2014-02320, Board v. Metropolitan Remodeling LLC. The Board reviewed the record, which consisted of the Consent Order.

**File Number
2014-02360
Metropolitan
Remodeling
LLC**

A motion was made by **Mr. Dowdy** and seconded by **Mr. Dyer** to ratify the Consent Order, finding the following violations of its Regulations:

| | | | |
|--------------------|------------------------------|----------|-------------------|
| Count 1: | 18 VAC 50-22-260 B 9 | imposing | \$400.00 |
| Count 2: | 18 VAC 50-22-260 B 27 | imposing | \$750.00 |
| Count 3: | 18 VAC 50-22-260 B 28 | imposing | \$1,850.00 |
| Board Costs | | | \$150.00 |

Further, for violation of Counts 1, 2, and 3, **Metropolitan Remodeling LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Further, the Board shall waive \$500.00 of the monetary penalty for Count 2 provided a member of Responsible Management of Metropolitan Remodeling LLC successfully completes remedial education within ninety days of the effective date of the Order. If a member of Responsible Management of

Metropolitan Remodeling LLC fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Also, for violation of Count 3, **Metropolitan Remodeling LLC** agrees to revocation of its license.

Additionally, the Board shall waive imposition of the \$1,850.00 monetary penalty and license revocation for Count 3 provided **Metropolitan Remodeling LLC** satisfies the judgment and provides the Board with proof of the satisfaction within ninety days of the effective date of the Order. If **Metropolitan Remodeling LLC** fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

A total of **\$3,150.00** imposed.

The motion passed with a unanimous “yes” vote. Members voting yes were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, Redifer and Vander Pol.** **Middleton and Giesen were absent.**

6) Adopt regulations that place expiration dates on courses, requiring that providers resubmit an application for review after initial approval by the Board.

The Real Estate Board places an expiration date on all courses, requiring that providers submit the course for continuing approval. This ensures that the course material is updated and deemed relevant on a regular basis. Expired courses are not eligible to be counted toward meeting the continuing education requirements.

This would require a regulatory change and a minor change to the current procedures for processing provider applications. It would also result in an increase in the number of applications reviewed by the Board for Contractors Committee, but not necessarily that much more of a burden.

After discussion a motion was offered by Mr. Redifer and seconded by Mr. Dyer to accept the recommendation.

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol.** **Middleton and Giesen were absent.**

7) Amend the current regulations to bring education providers on as Regulators that would require the submission of fees, regular renewal, and specific eligibility criteria.

Currently, providers/courses are approved by the Board for Contractors at no cost to the providers. Additionally, the only “sanction” available to the Board is to “unapprove” a provider or a course. Shifting the standard to

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Continuing
Education
Work Group

something of the same level as the licensees would give the Board more flexibility with regards to the eligibility requirements, approval standards, reporting requirements, auditing procedures, etc. It would also provide a progressive disciplinary path that is more than just simply “off/on.”

This would mirror the education sections currently in place in other Board sections and would likely include the adoption of the majority of their procedures. This would entail a major overhaul of the regulations and would have a fiscal impact on the Board.

After discussion a motion was offered by Mr. Redifer and seconded by Mr. Dyer to accept the recommendation.

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent.**

8) Amend the current regulations to allow an individual to complete an examination in lieu of having to complete the continuing education requirements.

There is currently no option that would allow an individual to take an examination or to use some other form of assessment/certification, which would exempt them from the requirements of completing continuing education. Colorado, for example, has licensees complete an assessment on their knowledge of the applicable codes and, based on that assessment, determines the continuing education requirement. This could be crafted to determine a range of options from no continuing education requirement to an increased amount of continuing education, to targeted continuing education. The Colorado requirements are relatively new, resulting in very limited data available to review.

This model, or one based on it, would be the most efficient method of implementing a continuing education requirement. It would ensure that individuals are required to complete an amount of education that is based on their ability to demonstrate their knowledge, in the specific areas that they need training. The down side is that it may actually require legislation, it could have a significant fiscal impact, and could have an effect on the availability of courses.

After discussion a motion was offered by Mr. Mitchell and seconded by Mr. Oliver not to accept the recommendation.

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent.**

Review of Board Policies and Interpretations

**New
Business**

The Board conducted an annual review of its Policies and interpretations. No vote was necessary.

Education Provider Applications*

**Education
Provider
Applications
Adrienne
Mayo**

Ms. Mayo the Board's Regulatory Board Administrator shared information with the Board on Applications reviewed by Board Staff.

Applications for proposed education providers and courses were reviewed and Staff recommendations are as follows:

Mrs. Mayo shared that staff recommends approval for **E C and M Workplace Learning Center**– Electrical, Classroom Continuing Education course. After discussion, and a motion by **Mr. Dyer**, seconded by **Mr. Vander Pol**, to unanimously approve E C and M Workplace Learning Center Electrical, Continuing Education classroom course. Motion approved by unanimous vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent.**

Mrs. Mayo shared that staff recommends retroactive approval for **National Elevator Educational Education Program NEIEP - Elevator** Continuing Education classroom course.

After discussion and a motion by **Mr. Dyer**, seconded by **Mr. Dowdy**, to unanimously approve **National Elevator Educational Education Program NEIEP Elevator** Continuing Education classroom course (CEO 24 Ad HYD Valve Operation 12 Hrs. and CEO 24 S ADV HYD VLV/Oper. with Sumulator 16 Hrs.). Motion approved by unanimous vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol. Middleton and Giesen were absent.**

Resolutions

Resolutions

Mr. Olson read former Board member Resolutions and **Mr. DeBoer** presented them to the persons who were present.

Resolution for Douglas H. Murrow:

Commonwealth of Virginia



**Department of Professional and
Occupational Regulation
Board for Contractors Resolution**

Douglas H. Murrow

WHEREAS, Douglas H. Murrow faithfully and diligently served as a member of the Virginia Board for Contractors from 2010 to 2014; and

WHEREAS, Douglas H. Murrow has given generously of his time, talent and leadership to the Board, including chairing numerous Informal Fact-finding Conferences, serving as a member of the Board's Committee, and providing expertise to the Board as needed; and

WHEREAS, Douglas H. Murrow endeavored always to protect the health, safety and well-being of the public by rendering fair and wise decisions, which were in the best interest of the Board and the Commonwealth's citizens; and

WHEREAS, the Board for Contractors acknowledges its gratitude and appreciation for exceptional service by Douglas H. Murrow, who is highly regarded by the members of the Board and the citizens of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, by the Board for Contractors this

sixteenth day of December, in the year two-thousand and fourteen, that Douglas H. Murrow be given all honors and respect due him for his outstanding service to the Commonwealth, its citizens, and the Board for Contractors; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held.

E.G. Middleton III, Chairman

Jay W. DeBoer, Director

Resolution for Deborah Lynn Tomlin;

Commonwealth of Virginia



**Department of Professional and
Occupational Regulation**

Board for Contractors Resolution

Deborah Lynn Tomlin

WHEREAS, Deborah Lynn Tomlin, faithfully and diligently served as a member of the Virginia Board for Contractors from 2005 to 2013; and

WHEREAS, Deborah Lynn Tomlin, discharged her duties with excellence and expertise to protect the health, safety and well-being of the public; and

WHEREAS, Deborah Lynn Tomlin served the Board with dedication and has selflessly given her knowledge, time and talent to the Board, as a champion of education and Board outreach, chairing numerous Informal Fact-finding Conferences, and providing expertise to the Board as needed; and

WHEREAS, Deborah Lynn Tomlin has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board and the Commonwealth's citizens; and

WHEREAS, the Board for Contractors acknowledges its gratitude and appreciation for exceptional service by Deborah Lynn Tomlin, who is highly regarded by the members of the Board and the citizens of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, by the Board for Contractors this sixteenth day of December, in the year two-thousand and fourteen, that Deborah Lynn Tomlin, be given all honors and respect due her for outstanding service to the Commonwealth, its citizens, and the Board for Contractors; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

E. G. Middleton III, Chairman

Jay W. DeBoer, Director

Resolution for A. Bruce Williams

Commonwealth of Virginia



Department of Professional and Occupational Regulation Board for Contractors Resolution

A. Bruce Williams

WHEREAS, A. Bruce Williams, faithfully and diligently served as a member of the Virginia Board for Contractors from 2008 to 2014; and

WHEREAS, A. Bruce Williams, has given generously of his time and talent to the Board, including chairing numerous Informal Fact-finding Conferences, and providing expertise to the Board as needed; and

WHEREAS, A. Bruce Williams has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board and the Commonwealth's citizens; and

WHEREAS, the Board for Contractors acknowledges its gratitude and appreciation for exceptional service by A. Bruce Williams, who is highly regarded by the members of the Board and the citizens of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, by the Board for Contractors this sixteenth day of December, in the year two-thousand and fourteen, that A. Bruce Williams, be given all honors and respect due him for his outstanding service to the Commonwealth, its citizens, and the Board for Contractors; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held.

E. G. Middleton III, Chairman

Jay W. DeBoer, Director

Resolution for Wyatt H. Walton III:

Commonwealth of Virginia



**Department of Professional and
Occupational Regulation
Board for Contractors Resolution**

Wyatt H. Walton III

WHEREAS, Wyatt H. Walton, III faithfully and diligently served as a member of the Virginia Board for Contractors from 2004 to 2014; and

WHEREAS, Wyatt H. Walton, III has tirelessly completed ten years of service and has devoted generously of his knowledge and time to the Board; and

WHEREAS, Wyatt H. Walton, III endeavored always to protect the health, safety and well-being of the public by rendering fair and wise decisions, which were in the best interest of the Board and the Commonwealth's citizens; and

WHEREAS, the Board for Contractors acknowledges its gratitude and deepest appreciation for devoted service by Wyatt H. Walton, III, who is highly regarded by the members of the Board and the citizens of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, by the Board for Contractors this sixteenth day of December, in the year two-thousand and fourteen, that Wyatt H. Walton, III be given all honors and respect due him for his outstanding service to the Commonwealth, its citizens, and the Board for Contractors; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held.

E. G. Middleton III, Chairman

Jay W. DeBoer, Director

Resolution for Chancy W. Walker (Absent):

Commonwealth of Virginia



**Department of Professional and
Occupational Regulation
Board for Contractors Resolution**

Chancey W. Walker

WHEREAS, Chancey W. Walker faithfully and diligently served as a member of the Virginia Board for Contractors from 2010 to 2014; and

WHEREAS, Chancey W. Walker has completed his first term of his second appointment and has devoted generously of his time and talent to the Board, including serving as a member of the Board's Committee, and providing expertise to the Board as needed; and

WHEREAS, Chancey W. Walker endeavored always to protect the health, safety and well-being of the public by rendering fair and wise decisions, which were in the best interest of the Board and the Commonwealth's citizens; and

WHEREAS, the Board for Contractors acknowledges its gratitude and appreciation for exceptional service by Chancey W. Walker, who is highly regarded by the members of the Board and the citizens of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, by the Board for Contractors this sixteenth day of December, in the year two-thousand and fourteen, that Chancey W. Walker be given all honors and respect due him for his outstanding service to the Commonwealth, its citizens, and the Board for Contractors; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held.

E. G. Middleton III, Chairman.

Jay W. DeBoer, Director

Resolution for Michael Gelardi (absent):

Commonwealth of Virginia



**Department of Professional and
Occupational Regulation
Board for Contractors Resolution**

Michael Gelardi

WHEREAS, Michael Gelardi, faithfully and diligently served as a member of the Virginia Board for Contractors from 2010 to 2014; and

WHEREAS, Michael Gelardi, has given generously of his knowledge, time and talent to the Board, serving as a member of the Board's Committee, chairing numerous Informal Fact-finding Conferences, and providing expertise to the Board

as needed; and

WHEREAS, Michael Gelardi has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board and the Commonwealth's citizens; and

WHEREAS, the Board for Contractors acknowledges its gratitude and appreciation for exceptional service by Michael Gelardi, who is highly regarded by the members of the Board and the citizens of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, by the Board for Contractors this sixteenth day of December, in the year two-thousand and fourteen, that Michael Gelardi, be given all honors and respect due him for his outstanding service to the Commonwealth, its citizens, and the Board for Contractors; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held.

E. G. Middleton III, Chairman

Jay W. DeBoer, Director

Election. The Board turned the election of Officers over to the Board Secretary, **Jay W. DeBoer**. **Mr. DeBoer** opened the floor for nominations of persons to hold the office of Board Chair.

Election of Officers

Mr. Dowdy nominated **Mr. Dyer** as Board Chair. **Mr. Redifer** seconded the motion. There being no additional nominations the nomination was closed and the Board voted.

The vote was unanimous to confirm **Mr. Dyer** as Board Chair. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol**. **Middleton and Giesen were absent.**

Board secretary **DeBoer** opened the floor for the nomination of Vice Chair. **Mr. Dyer** nominated **Mr. Oliver** as Vice Chair and **Mr. Redifer** seconded the motion. The nomination was closed and the Board voted.

The vote was unanimous to receive **Mr. Oliver** as Vice Chair. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Smith, Oliver, Pace, and Vander Pol.** **Middleton and Giesen were absent.**

Mr. DeBoer, the Board members and staff present congratulated the newly elected Chair and Vice Chair for the 2015 term.

The Board members were reminded by Mr. Olson to complete their Conflict of Interest Statements as required by the Secretary’s Office.

Conflict of Interest Reminder

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

Completion of Paperwork

There being no further business to come before the board, the meeting was adjourned at 11:39 AM upon a motion by **Dyer** and seconded by **Chowdhuri**. The vote was unanimous. Members voting yes were, **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, Oliver, Pace, Redifer, Smith, and Vander Pol.** **Giesen and Middleton were absent.**

Adjournment

E. G. Rudy Middleton, Chairman

Jay W. DeBoer, Secretary

Contractor Board Meeting Minutes

December 16, 2014

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