

**BOARD FOR CONTRACTORS**  
**BOARD MEETING**  
**DRAFT MINUTES**

The Board for Contractors met on Tuesday, **December 17<sup>th</sup>, 2013** at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the members present was qualified to vote, except where a specific reason for disqualification is stated. There are 15 members on this board, in which eight constitutes a quorum pursuant to §54.1-1102.

E .G. Middleton, III, Chairman  
Goutam Chowdhuri  
Herbert “Jack” Dyer, Jr.  
David Giesen  
Bailey Dowdy.  
Doug Murrow  
James Oliver  
E.C. “Chick” Pace  
Troy Smith  
Deborah Tomlin  
Dwight Todd Vander Pol  
Chancey Walker  
Wyatt H. Walton, III

Mr. Michael Gelardi and A. Bruce Williams were not present at the meeting.

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

Gordon Dixon, Director  
Eric L. Olson, Executive Director  
Mindy Spruill, Regulatory Boards Administrator  
Adrienne Mayo, Regulatory Boards Administrator  
Sheila Watkins, Administrative Assistant/  
Compliance Specialist  
Karen Bullock, Administrative Assistant/  
Compliance Specialist  
Kristin Clay, Legal Analyst  
Cameron Parris, Legal Analyst

Draft Board for Contractors Meeting Minutes

December 17<sup>th</sup>, 2013

Page 2 of 100

Rhonda Holmes, Legal Analyst

Samantha Vrscak, Legal Analyst

Marcie Hyman, Education Specialist

Mark Courtney, Senior Director of Regulatory &  
Public Affairs

R. Thomas Payne, II, Assistant Attorney General

James Flaherty, Assistant Attorney General

Nick Christner, Deputy Director

Chairman E. G. Middleton called the meeting to order at **9:18 a.m.** and declared a quorum of board members was in attendance.

**Call  
To Order**

Eric Olson, Executive Director of the board for Contractors introduced the new replacement for Steven Jack, the Board's former Assistant Attorney General, James Flaherty. The Board welcomed their new Assistant Attorney General, James Flaherty aboard. R. Thomas Payne, Assistant Attorney General was also welcomed to the meeting.

**Introduction of Assistant  
Attorney General**

A motion was made by **Mr. Walton** and seconded by **Mr. Oliver** to approve the agenda. The motion passed unanimously. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**Approval of the Agenda**

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

**Approval of Minutes**

October 21<sup>st</sup>, 2013 Board for Contractors Meeting Minutes

**Mr. Pace** seconded the motion and it was unanimously approved by members: Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**There was public comment.**

**Public Comment Period**

**Justin White** shared that he thinks that tradesman should be on all job sites.

**Andrew Porter** shared that on behalf of the Electrical Contractor Association he opposed dropping Continuing Education.

**Paul Ramell** submitted a written statement opposing eliminating Continuing Education.

(beginning of written statement)

"DPOR Board For Contractors Meeting/ Richmond, VA / December 17, 2013

Like others here today, I attended the Board For Contractors Committee meeting yesterday and observed first hand that the committee members present were equally divided on the issue of tradesman CE. One of the motions made during yesterday's meeting was to move forward with the proposal as currently written and the other was to go forward with extending the tradesman renewal grace period from one to two years, while at the same time deleting the language that would eliminate the Virginia tradesman CE program. The second motion carried with it the intent that a study group of industry professionals would be appointed and tasked with reviewing the CE program and reporting

back to the Board with some realistic and cost effective solutions designed to improve on the program currently in place. These recommendations would likely include such things as strengthening the criteria used to approve CE providers, implementation of a CE provider application and renewal fee (to assist DPOR in transitioning to a more cost neutral program), revision of the current curriculum standards, and implementation of a review process to ensure the revised program accomplishes what the Board expects.

The latter is the motion supported by Virginia's code enforcement and tradesmen organizations and by the vast majority of those others who voiced opposition to this proposal during the public comment period. I was surprised to learn during yesterday's meeting that there were only four public commenter's in favor of elimination this important educational program however; the significant number of others who commented on this proposal were clearly opposed. As a matter of fact, during the public comment hearing held in Roanoke on September 25<sup>th</sup>, a representative of The Virginia Building and Code Officials Association presented your Executive Director with a petition which lists the names of over 400 individuals all of whom are opposed to the elimination of mandatory continuing education for Virginia's tradesmen.

I expect the Board's discussion today will be similar in nature to the committee's discussion of yesterday therefore; I'd like to offer you the following perspective on a couple of points which are likely to be discussed. The discussion will likely drift off topic in regards to the fact that current tradesman regulations do not even require a tradesman to be present on the job site, as if that somehow defeats the purpose and nullifies the benefits of CE. Throughout this process, I've seen no one willing to stand up and state that continuing education is without benefit and even some of your colleagues who would like to eliminate the program, still acknowledge that education is good thing for society in general. So if there's a regulation which promotes a concept nearly everyone can agree on, why would you eliminate that regulation just because there's another, "broken regulation" that undermines its effectiveness? What makes more sense is to go back and fix the "broken regulation" rather than sacrificing one already in place that promotes increased competence in your chosen field. Therefore, if today's discussion begins to revolve around the fact that a tradesman is not required to be present on the job-site, be aware that continuing education is not the cause of that problem and its existence should not be contingent on a separate regulation which has nothing to do with continuing education for tradesmen.

You may also hear discussion regarding the possibility of going ahead with the elimination of CE today and then later forming a study group for the purpose of re-evaluating the program. Virginia's code enforcement and tradesmen organizations are reaching out to this Board and to DPOR and we are volunteering our assistance in order to maintain and build upon this important educational program. However, it would be unrealistic to expect these subject

matter experts to dedicate a significant amount of their time and energy working to improve on a program which no longer exists because this Board has made the decision to go forward with its elimination.

Apparently, there are certain time constraints associated with this proposal and you are likely to be expected to make a decision on this during today's meeting. But before you cast your vote, I urge you to carefully consider the significant nature of what's being discussed here today and to vote for what you believe provides the greatest benefit to the health, safety and welfare of all citizens of the Commonwealth of Virginia.”  
(end of written statement)

**Michael Toman** of NEC Code Making Panels shared he opposes eliminating Continuing Education.

**Peter Bowers** a Maryland/DC Contractor Electrical Inspector who holds a Virginia Class A Electrical license shared that he opposes elimination of Continuing Education.

**Grant Spelen** of IEC Apprenticeship opposes Continuing Education.

**Robert Zahn** an Electrical Virginia Contractor shared that he opposes the elimination of Continuing Education.

**Susan Klayton** shared that she opposes the elimination of Continuing Education.

**Casey Littlefield** the Building Inspector of Hanover County shared that he opposes Continuing Education elimination.

**Guy Tomberlin** opposes elimination of Continuing Education.

**Laurie Crigler** from PIB Professionals of Virginia opposes elimination of Continuing Education.

**Ann Rackas Pate** shared she opposed Continuing Education elimination.

**David Beam** the Building Official of Warren County shared he opposes the Continuing Education elimination. He feels that Contractors need Continuing Education.

The public comment period ended at 10:17 am. There were no further public comments.

**The members of the board for Contractors recessed from 10:18 AM and reconvened at 10:26 AM.**

**Recess and Reconvene**

**The next item on the agenda is the Recovery Fund Case Files.**

**Recovery Fund Case Files**

**In the matter of Recovery Fund File Number 2009-00301, Ada and Vernon Cobbs, (Claimant) and Warner Homes Inc, t/a Warner Homes Inc, (Regulant);** the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **Warner Homes Inc, t/a Warner Homes Inc (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

**File Number  
2009-00301  
Ada and Vernon Cobbs  
(Claimant)  
and Warner Homes Inc, t/a  
Warner Homes Inc  
(Regulant)**

**Vernon Cobbs (Claimant)** did attend the Board meeting. He addressed the Board and shared his agreement with the recommendation.

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 the Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** **Members absent were: Gelardi and Williams.**

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Warner Homes Inc, t/a Warner Homes Inc** did involve improper and dishonest conduct.

Upon payment of the claim, the license of **Warner Homes Inc, t/a Warner Homes Inc** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

**In the matter of Recovery Fund File Number 2012-03630, Cynthia Miller, (Claimant) and Danar Construction Inc., (Regulant);** the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **Danar Construction Inc., (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Cynthia Miller (Claimant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

**File Number  
2012-03630  
Cynthia Miller  
(Claimant) and  
Danar Construction Inc.  
(Regulant)**

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 to deny payment of the claim based on the fact that the board finds there is no language in the order to support the conclusion the court found the conduct of **Danar Construction Inc., involved improper or dishonest conduct.** The motion passed by a

unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of Recovery Fund File Number 2013-01543, Hope R Via, (Claimant) and Edward Gaddy II, t/a Edward's Roofing (Regulant);** the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **Edward Gaddy II, t/a Edward's Roofing, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Hope R. Via (Claimant) was represented by a hand out from Attorney Christopher A. Corbett** at the Board meeting. The handout was given to the Board members for review.

**File Number  
2013-01543  
Hope R. Via  
(Claimants) and  
Edward Gaddy II, t/a  
Edward's Roofing  
(Regulant)**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Walton** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and deny payment of the claim. The Claim Review and Recommendation are incorporated as a part of this Order. The Board finds there is no language in the order that supports the conclusion that the court found that the conduct of Edward's Roofing involved improper or dishonest conduct. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of Recovery Fund File Number 2013-01875, Liliana Marin, (Claimant) and Closets Galore and More LLC, (Regulant);** the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **Closets Galore and More LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Liliana Marin, (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number  
2013-01875  
Liliana Marin  
(Claimant) and  
Closets Galore and  
More LLC  
(Regulant)**

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Oliver** 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 **\$15,000.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Closets Galore and More LLC**, involved improper or dishonest conduct.

Upon payment of the claim, the license of **Closets Galore and More LLC** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia.

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

**In the matter of Recovery Fund File Number 2013-02486, Martha Joanna Price (Claimant) and Quality Construction Of South West Virginia Incorporated (Regulant);** the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **Quality Construction Of South West Virginia Incorporated (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Martha Joanna Price (Claimants)** did attend the Board meeting in person.

**File Number**  
**2013-02486**  
**Martha Joanna Price**  
**(Claimant)**  
**and Quality Construction**  
**Of South West Virginia**  
**Incorporated**  
**(Regulant)**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Walton** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation to deny payment of the claim. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a majority vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** Members voting "No" were: **Pace and Walker.**

The Board finds there is no language in the order that supports the conclusion that the court found that the conduct of **Quality Construction Of South West Virginia Incorporated** involved improper and dishonest conduct. The claim was denied.

**In the matter of Recovery Fund File Number 2013-02754, Oscar and Cynthia Dawson, (Claimant) and Howard L Anderson, t/a H L Anderson Company, (Regulant)** the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **Howard L Anderson, t/a H L Anderson Company, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Oscar and Cynthia Dawson, (Claimants)** did not attend the Board meeting.

**File Number**  
**2013-02754**  
**Oscar and Cynthia**  
**Dawson (Claimant)**  
**and**  
**Howard L Anderson, t/a**  
**H L Anderson Company**  
**(Regulant)**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Vander Pol** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation to deny payment of the claim. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

The Board does not find substantial evidence that the regulant's conduct arises to the level of improper and dishonest conduct. Payment of the claim was

denied. In addition, the matter is referred to the Compliance and Investigations Division of the Department of the Professional and Occupational Regulation for investigation of whether the Board's regulations have been violated.

**In the matter of Recovery Fund File Number 2013-02756, Andrea Sabourin, (Claimant) and Margaret E Pryor, t/a Hard Core Construction, (Regulant);** the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **Margaret E Pryor, t/a Hard Core Construction (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Kevin J Funk**, attorney for **Andrea Sabourin (Claimant)** did attend the Board meeting. He addressed the Board on his client's behalf.

**File Number**  
**2013-02756**  
**Andrea Sabourin**  
**(Claimant) and**  
**Margaret E Pryor, t/a**  
**Hard Core Construction**  
**(Regulant)**

After discussion, a motion was made by **Mr. Walker** 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 unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** **Members absent were: Gelardi and Williams.**

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Margaret E Pryor, t/a Hard Core Construction** involved improper or dishonest conduct.

Upon payment of the claim, the license of **Margaret E Pryor, t/a Hard Core Construction** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

**In the matter of Recovery Fund File Number 2013-02811, Carolyn Tyler Richardson, (Claimant) and Kenneth Williams, t/a Williams Builders Plus, (Regulant);** the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **Kenneth Williams, t/a Williams Builders Plus, (Regulant)** did appear at the Board meeting in person. He addressed the Board. **Carolyn Tyler Richardson (Claimant)** did attend the Board meeting. She addressed the Board and shared her agreement with the recommendation.

**File Number**  
**2013-02811**  
**Carolyn Tyler Richardson**  
**(Claimant)**  
**Kenneth Williams, t/a**  
**Williams Builders Plus**  
**(Regulant)**

There was a handout containing an amended summary that was distributed to the members of the board for Contractors for consideration and review.

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

recovery fund claim in this matter, and adopts the Recommendation and deny payment of the claim. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** **Members absent were: Gelardi and Williams.**

The Board finds substantial evidence that the claimant did not file her claim within the timeframe required by statute. Payment of the claim was denied.

**In the matter of Recovery Fund File Number 2013-02841, Alan Parvin (Claimant) and Fox Restoration, Inc., (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Gail Romansky and Gary Pulino for Fox Restoration, Inc., (Regulant)** did appear at the Board meeting in person. They addressed the Board. **Alan Parvin (Claimant)** did attend the Board meeting. He addressed the Board.

**File Number**  
**2013-02841**  
**Alan Parvin**  
**(Claimant)**  
**Fox Restoration, Inc.,**  
**(Regulant)**

After discussion, a motion was made by **Mr. Vander Pol** and seconded by **Mr. Dyer** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and reject the Recommendation and to deny payment of the claim based on the Board not finding substantial evidence that the actions of **Fox Restoration, Inc.,** do not fall within the statutory definition of improper or dishonest conduct.

The Board orders this claim be denied based on the fact that the Board does not find evidence to support the claim that the regulant's conduct involved misrepresentation or wrongful taking of money, or any other actions constituting improper or dishonest conduct as defined in Virginia Code §54.1-1118. The motion passed by a majority vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** **Members absent were: Gelardi and Williams.** **Members voting "no" were: Walker and Middleton.**

**In the matter of Recovery Fund File Number 2013-03134, Jeffrey and Bei Caswell, (Claimant) and Brian T. & Brian S. McGann, t/a McGann Stone Masonry (Regulant);** the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. Brian T. McGann for **Brian T. & Brian S. McGann, t/a McGann Stone Masonry (Regulant)** did appear at the Board meeting in person. He addressed the board. He shared his disagreement.

**File Number**  
**2013-03134**  
**Jeffrey and Bei Caswell**  
**(Claimant)**  
**and Brian T. & Brian S.**  
**McGann, t/a McGann**  
**Stone Masonry**  
**(Regulant)**

**The Caswells (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

recovery fund claim in this matter, and adopts the 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 unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton**. **Members absent were: Gelardi and Williams**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Brian T. & Brian S. McGann, t/a McGann Stone Masonry** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Brian T. & Brian S. McGann, t/a McGann Stone Masonry** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

**In the matter of Recovery Fund File Number 2013-03307, Gale and Eloina Gibson, (Claimants) and Gibson Excavating, LLC, (Regulant);** the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **Gibson Excavating, LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Gale and Eloina Gibson (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2013-03307**  
**Gale and Eloina Gibson**  
**(Claimants)**  
**and Gibson**  
**Excavating, LLC**  
**(Regulant)**

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 **\$13,000.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton**. **Members absent were: Gelardi and Williams**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Gibson Excavating, LLC** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Gibson Excavating, LLC** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

**In the matter of Recovery Fund File Number 2013-03435, Donald and Dana Penney (Claimants) and Danar Construction Inc, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Danar Construction Inc (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **The Penney's (Claimants)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2013-03435**  
**Donald and Dana Penney**  
**(Claimants)**  
**and Danar Construction**  
**Inc**  
**(Regulant)**

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 denies payment of the claim. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** **Members absent were: Gelardi and Williams.**

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Danar Construction Inc** involved improper or dishonest conduct.

Upon payment of the claim, the license of **Danar Construction Inc** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

**In the matter of Recovery Fund File Number 2014-00159, Kimberly Pritchard (Claimant) and Gerald E Wood Jr (Regulant)** the Board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **Gerald E Wood Jr.** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Kimberly Pritchard (Claimant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2014-00159**  
**Kimberly Pritchard**  
**(Claimant)**  
**And**  
**Gerald E Wood Jr.**  
**(Regulant)**

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 denies payment of the claim. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** **Members absent were: Gelardi and Williams.**

The Board finds substantial evidence that the Claim does not meet the Statutory provisions for reimbursement. The Board orders this claim be denied.

**Next the Board is hearing Prima Facie Recovery Fund cases.**

**Prima Facie  
Recovery Fund Cases**

**In the matter of Recovery Fund File Number 2012-02878, Richard and Patricia Cannon (Claimant) and Central Virginia Log Home Construction LLC, t/a Central Virginia Log Home Construction LLC, (Regulant** the board adopts the claim file, exhibits and recommendation which contains the facts regarding the recovery fund claim in this matter. **Central Virginia Log Home Construction LLC, t/a Central Virginia Log Home Construction LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **The Cannons (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number  
2013-02878  
Richard and Patricia  
Cannon  
(Claimant) and  
Central Virginia Log Home  
Construction LLC, t/a  
Central Virginia Log  
Home Construction LLC  
(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Pace** to adopt the claim file, exhibits and the Recommendation and pay the claim in the amount of **\$12,556.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton. Members absent were: Gelardi and Williams.**

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Central Virginia Log Home Construction LLC, t/a Central Virginia Log Home Construction LLC** involved improper or dishonest conduct.

Upon payment of the claim, the license of **Central Virginia Log Home Construction LLC, t/a Central Virginia Log Home Construction LLC** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

In addition, the matter is referred to the Compliance & Investigations Division of the Department of Professional and Occupational Regulation for investigation of whether the Board's regulations have been violated.

**In the matter of Recovery Fund File Number 2013-02769, Terry and Kiku Harvey (Claimants) and Matthew Scott Fleenor, t/a Fleenor Construction and Custom Homes, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Matthew Scott Fleenor, t/a Fleenor**

**File Number  
2013-02769  
John S Johns  
(Claimant)  
and H Simons & Sons**

**Construction and Custom Homes (Regulant)** did not appear at the Board meeting in person by any qualified representative or by counsel. **Terry and Kiku Harvey (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**Construction  
(Regulant)**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Oliver** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and pays the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of the Order. The Board finds that the conduct of the Regulant **Matthew Scott Fleenor, t/a Fleenor Construction and Custom Homes** did involve improper or dishonest.

**This is a Prima Facie case.**

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton**. Members absent were: **Gelardi and Williams**.

Upon payment of this claim, the license of **Matthew Scott Fleenor, t/a Fleenor Construction and Custom Homes** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia.

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

In addition, the matter is referred to the compliance & Investigations Division of the Department of Professional and Occupational Regulation for investigation of whether the Board's regulations have been violated.

**In the matter of Recovery Fund File Number 2013-03145, Lerla Joseph (Claimant) and Stuart Components Inc, (Regulant)**; the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Stuart Components Inc, (Regulant)** did not appear at the Board meeting in person, by counsel or by any other qualified representative. **Lerla Joseph (Claimants)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number  
2013-03145  
Lerla Joseph  
(Claimants)  
and  
Stuart Components Inc  
(Regulants)**

**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 adopt the Recommendation and approve payment of the claim in the amount of **\$20,000.00**. The board finds there is language in the order that supports the conclusion that the court found that the conduct of

**Stuart Components Inc** involved improper or dishonest conduct.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton. Members absent were: Gelardi and Williams.**

Upon payment of this claim, the license of **Stuart Components Inc** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia.

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

In addition, the matter is referred to the compliance & Investigations Division of the Department of Professional and Occupational Regulation for investigation of whether the Board's regulations have been violated.

**In the matter of Recovery Fund File Number 2014-00003, Priscilla Ogden and Andrew Lazzara (Claimant) and Michael D Mitchell t/a Fix the Home, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Michael D Mitchell t/a Fix the Home (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Priscilla Ogden and Andrew Lazzara (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number  
2014-00003  
Priscilla Ogden and  
Andrew Lazzara  
(Claimant)  
and  
Michael D Mitchell t/a  
Fix the Home  
(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Walton** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and pay the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of the Order. The Board finds that substantial evidence exists to show that the actions of **Michael D Mitchell t/a Fix the Home** supports or identifies improper or dishonest conduct

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton. Members absent were: Gelardi and Williams.**

Upon payment of this claim, the license of **Michael D Mitchell t/a Fix the Home** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia.

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

In addition, the matter is referred to the compliance & Investigations Division of the Department of Professional and Occupational Regulation for investigation of whether the Board's regulations have been violated.

**In the matter of Recovery Fund File Number 2014-00070, April and Jeff Edney (Claimant) and Brian Schloff, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Brian Schloff (Regulant)** did not appear at the Board meeting in person, by counsel or by any other qualified representative. **April and Jeff Edney (Claimant)** did not attend the Board meeting in person, by counsel or by any other qualified representative.

**File Number**  
**2014-00070**  
**April and Jeff Edney**  
**(Claimant)**  
**and**  
**Brian Schloff**  
**(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Oliver** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and denies payment of the claim. The Claim Review and Summary are incorporated as a part of this Order. The Board finds that substantial evidence that the Claim does not meet the statutory requirements for reimbursement because the claimants did not have a contract with a regulant of the Board. The Board orders that this claim be denied. See order for additional information.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of Recovery Fund File Number 2014-00142, Annabelle D Painter (Claimant) and Jack L Haddock, t/a Jack Of All Trades, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Jack L Haddock, t/a Jack Of All Trades, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Lien Huynh & Tuan Pham (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2014-00142**  
**Annabelle D Painter**  
**(Claimant)**  
**Jack L Haddock, t/a**  
**Jack Of All Trades**  
**(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Walker** and seconded by **Mr. Walton** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and approves payment of the claim in the amount of **\$20,000.00**. The Claim Review and

Summary are incorporated as a part of the Order. The Board finds that there is substantial evidence that the statutory provisions for reimbursement are met.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton. Members absent were: Gelardi and Williams.**

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

**In the matter of Recovery Fund File Number 2014-00186, Falls Plaza Condominium Unit Owners Association (Claimant) and Lake Ridge Construction Inc, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Lake Ridge Construction Inc, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Attorney Sottolano for Falls Plaza Condominium Unit Owners Association (Claimant)** did attend the Board meeting in person or by counsel or by any other qualified representative. He addressed the Board.

**File Number**  
**2014-00186**  
**Falls Plaza**  
**Condominium Unit**  
**Owners Association**  
**(Claimant)**  
**And**  
**Lake Ridge**  
**Construction Inc**  
**(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Vander Pol** and seconded by **Mr. Dyer** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and denies payment of the claim.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton. Members absent were: Gelardi and Williams.**

**The Board orders that this claim** be denied based on the fact that the claimant does not fall under the definition of a property owner's association as outlined in Virginia Code section 54.1-1120 (A 4); nor does it appear as though the court found the conduct of the regulant to be improper or dishonest as defined in Virginia Code section 54.1-1118.

**In the matter of Recovery Fund File Number 2014-00236, David and Betty Wright (Claimant) and Creteman Concrete Corp, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Creteman Concrete Corp, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **David and Betty Wright (Claimant)** did not attend the Board meeting in person by counsel or by any

**File Number**  
**2014-00236**  
**David and Betty Wright**  
**(Claimant)**  
**And**  
**Creteman Concrete Corp**  
**(Regulant)**

other qualified individual.

**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 Summary and denies payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. The board orders that this claim be denied based on the fact that it does not appear as though the court found the regulant engaged in improper or dishonest conduct as defined in Virginia Code 54.1- 1118.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of matter of Recovery Fund File Number 2014-00329, Duane Adens (Claimant) and American Custom Hardscape, Inc., (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. , **Duane Adens, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **American Custom Hardscape, Inc., (Claimant)** did not attend the Board meeting in person by counsel or by any other qualified individual.

File Number  
**2014-00329**  
**Duane Adens**  
**(Claimants)**  
**American Custom**  
**Hardscape, 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 Summary and denies payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. The board orders that this claim be denied based on the fact that it does not appear as though the court found the regulant engaged in improper or dishonest conduct as defined in Virginia Code 54.1- 1118.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of Recovery Fund File Number 2014-00430, Daniel Taylor (Claimant) and David N Christ LL, t/a Elohim Construction, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. , **David N Christ LL, t/a Elohim Construction, (Regulant)** did not appear at the Board

File Number  
**2014-00430**  
**Daniel Taylor**  
**(Claimant)**  
**David N Christ LLC,**

meeting in person or by counsel or by any other qualified representative. **Daniel Taylor (Claimant)** did not attend the Board meeting in person by counsel or by any other qualified individual.

**t/a Elohim Construction (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 Summary and denies payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. The board orders that this claim be denied based on the fact that it does not appear as though the court found the regulant engaged in improper or dishonest conduct as defined in Virginia Code 54.1- 1118.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

In the matter of Recovery Fund File Number 2014-00451, **Kim Nan Kim (Claimant)** and **Mt Vernon Construction Co. Inc., (Regulant)**; the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. , **Mt Vernon Construction Co. Inc., (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Jason Huh**, Attorney for **Kim Nan Kim, (Claimant)** did attend the Board meeting in person. He addressed the Board on behalf of his clients.

File Number  
**2014-00451**  
**Kim Nan Kim (Claimant)**  
**Mt Vernon Construction Co Inc (Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Oliver** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and denies payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. The board orders that this claim be denied since the residence that is the subject of this claim is a commercial rental property and not the claimant's residence as required by Virginia Code 54.1- 1120 A 4.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

In the matter of Recovery Fund File Number 2014-00511, **Shahrokh Soltani (Claimant)** and **Mazda Custom Home Design Inc, t/a Mazda Custom Interiors & Iron Work, (Regulant)**; the board reviewed the record, which

File Number  
**2014-00511**  
**Shahrokh Soltani**

consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Mazda Custom Home Design Inc, t/a Mazda Custom Interiors & Iron Work, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Shahrokh Soltani (Claimant)** did attend the Board meeting by counsel, **Robert K Richardson**. He addressed the Board.

**(Claimant)**  
**Mazda Custom Home Design Inc, t/a Mazda Custom Interiors & Iron Work (Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Oliver** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and approves payment of the claim in the amount of **\$18,675.68**. The Claim Review and Summary are incorporated as a part of the Order. The Board finds that there is substantial evidence that the claim meets the statutory provisions for reimbursement.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton**. Members absent were: **Gelardi and Williams**.

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

**In the matter of Recovery Fund File Number 2014-00512, David and Sheila Little (Claimant) and VCAT Enterprise LLC/Puroclean, (No license number not a Regulant of the Board);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **David and Sheila Little, (Claimants)** did not attend the Board meeting in person by counsel or by any other qualified individual.

**File Number**  
**2014-00512**  
**David and Sheila Little (Claimant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Oliver** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and denies payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. The board orders that this claim be denied based on the fact that the claimants did not contract with a regulant of the Board as required by Virginia Code 54.1-1120 A (i).

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton**. Members absent were: **Gelardi and Williams**.

**In the matter of Recovery Fund File Number 2014-00578, Ray Gregory (Claimant) and Masonry Restoration Inc, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Masonry Restoration Inc, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Ray Gregory (Claimant)** did not attend the Board meeting in person by counsel or by any other qualified individual.

**File Number**  
**2014-00578**  
**Ray Gregory**  
**(Claimant)**  
**Masonry Restoration Inc**  
**(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Walton** 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 Summary and approves payment of the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of the Order. The Board finds that there is substantial evidence that the court found that the conduct of Masonry Restoration Inc involved improper or dishonest conduct.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** **Members absent were: Gelardi and Williams.**

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

Upon payment of this claim, the license of **Masonry Restoration Inc** will be revoked pursuant to Title 54.1, Chapter 21, Article 2, of the Code of Virginia.

**In the matter of Recovery Fund File Number 2014-00605, Steve Yocum (Claimant) and 1A Wedge Construction, Inc., (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **1A Wedge Construction, Inc., (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Steve Yocum, (Claimant)** did not attend the Board meeting in person by counsel or by any other qualified individual.

**File Number**  
**2014-00605**  
**Steve Yocum**  
**(Claimant)**  
**1a Wedge Construction,**  
**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 Summary and approves payment of the claim in the amount of **\$12,734.25**. The Claim Review and Summary are incorporated as a part of the Order. The Board finds that there is substantial evidence that the statutory provisions for reimbursement are met.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton. Members absent were: Gelardi and Williams.**

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

**In the matter of Recovery Fund File Number 2014-00639, Doreen Coiner (Claimant) and Lewis Moore, t/a Moore Builders, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Lewis Moore, t/a Moore Builders, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Doreen Coiner, (Claimant)** did not attend the Board meeting in person by counsel or by any other qualified individual.

**File Number**  
**2014-00639**  
**Doreen Coiner**  
**(Claimant)**  
**Lewis Moore, t/a Moore**  
**Builders**  
**(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 Summary and approves payment of the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of the Order. The Board finds that there is substantial evidence that the statutory provisions for reimbursement are met.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton. Members absent were: Gelardi and Williams.**

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

**In the matter of Recovery Fund File Number 2014-00641, Samad Darab (Claimant) and Angies Remodeling Inc, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Angies Remodeling Inc, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Samad Darab, (Claimant)** did attend the Board meeting. He was represented by counsel, **Justin S. Hawkins.**

**File Number**  
**2014-00641**  
**Samad Darab**  
**(Claimant)**  
**Angies Remodeling 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 Summary and approves payment of the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of the Order. The Board finds that there is substantial evidence that the statutory provisions for reimbursement are met.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton**. Members absent were: **Gelardi and Williams**.

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

**In the Recovery Fund File Number 2014-00659, Shahrokh Soltani (Claimant) and Mazda Custom Home Design Inc, t/a Mazda Custom Interiors & Iron Work (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Mazda Custom Home Design Inc, t/a Mazda Custom Interiors & Iron Work, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Shahrokh Soltani (Claimant)** did attend the Board meeting in person with counsel, **Robert K Richardson**. Counsel addressed the Board.

**File Number**  
**2014-00659**  
**Shahrokh Soltani**  
**(Claimant)**  
**Mazda Custom Home**  
**Design Inc, t/a Mazda**  
**Custom Interiors &**  
**Iron Work**  
**(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Dyer** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and denies payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. The board orders that this claim be denied based on the fact that the judgment associated with this claim has already been satisfied through Recovery Fund File Number 2014-00511.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton**. Members absent were: **Gelardi and Williams**.

**In the matter of Recovery Fund File Number 2014-00726, Willie and Lawanda Musick (Claimant) and Allen Thomas Ison, t/a Carpenters Tools Remodeling, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Allen Thomas Ison, t/a Carpenters Tools Remodeling, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Willie and Lawanda Musick (Claimant)** did not attend the Board meeting by counsel.

**File Number**  
**2014-00726**  
**Willie and Lawanda**  
**Musick**  
**(Claimant)**  
**Allen Thomas Ison, t/a**  
**Carpenters Tools**  
**Remodeling**

**This is a Prima Facie case.**

**(Regulant)**

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 Summary and approves payment of the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of the Order. The Board finds that there is substantial evidence that the statutory provisions for reimbursement are met.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton**. Members absent were: **Gelardi and Williams**.

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

**In the matter of Recovery Fund File Number 2014-00839, Patricia Campiglia (Claimant) and M Scott Watkins (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **M Scott Watkins, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Patricia Campiglia, (Claimant)** did not attend the Board meeting in person by counsel or by any other qualified individual.

**File Number**  
**2014-00839**  
**Patricia Campiglia**  
**(Claimant)**  
**M Scott Watkins**  
**(Regulant)**

**This is a Prima Facie case.**

The Board was given a handout for review.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Oliver** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and approves payment of the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of the Order. The Board finds that there is substantial evidence that the statutory provisions for reimbursement are met.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton**. Members absent were: **Gelardi and Williams**.

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

**In the matter of Recovery Fund File Number 2014-01372, Gail T Aines (Claimant) and Jaci's Grogg, t/a Peak to Porch Construction, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Jaci S Grogg, t/a Peak to Porch Construction, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Gail T Aines (Claimant)** did not attend the Board meeting in person by counsel or by any other qualified individual.

**File Number**  
**2014-01372**  
**Gail T Aines**  
**(Claimant)**  
**Jaci's Grogg, t/a Peak**  
**to Porch Construction**  
**(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Oliver** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and approves payment of the claim in the amount of **\$19,139.00**. The Claim Review and Summary are incorporated as a part of the Order. The Board finds that there is substantial evidence that the statutory provisions for reimbursement are met.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received. See order for additional details.

**The Board will now hear the Licensing Case Files.**

**Licensing Case Files**

**In the matter of license Application number 2013-00112 Southside Flooring, LLC** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2013-00112**  
**Southside Flooring, LLC**

Applicant **Steven Charbonneau** for **Southside Flooring, LLC** appeared at the IFF. **Steven Charbonneau for Southside Flooring, LLC** did attend the Board meeting. He addressed the Board and shared his request for a remand to an Informal Fact Finding Conference. The Board's administrative processing section shared corrections with the Board.

Samantha Vrscak shared with the Board that correction needed to be made. That Steven Charbonneau initially applied for a Class C license, and then an upgrade to a Class B license.

After Board discussion **Mr. Oliver** offered a motion that was seconded by **Mr. Pace** to remand the case back to an informal fact finding conference. The motion passed by a majority vote. Members voting "Yes" were: **Dowdy,**

**Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walker. Members absent were: Gelardi and Williams.** Members voting “no” were: Chowdhuri, Dyer and Walton.

**In the matter of license Application 2013-01146 Ideal Design Contracting LLC**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2013-01146  
Ideal Design Contracting  
LLC**

Applicant **Chung Lee for Ideal Design Contracting LLC** appeared at the IFF. **Chung Lee for Ideal Design Contracting LLC** did appear at the Board meeting in person. He addressed the Board.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Walton** to deny a license. The Board denies the application based upon the record. After hearing from Lee, reviewing the facts, and in consideration of the Summary of the IFF and the Recommendation, the Board is of the opinion that Ideal Design Contracting LLC does not meet the requirements for licensure, as Lee has a substantial identity of interest with several licensees whose licenses were revoked and not renewed by the board. The Board is of the opinion that the substantial identity of interest will affect ideal Design Contracting LLC’s ability to perform work as a Class A contractor; therefore, the Board denies the request for licensure at this time. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** **Members absent were: Gelardi and Williams.**

**In the matter of license Application 2013-02432 Buford Nelson Peters, III**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2013-02432  
Buford Nelson Peters, III**

Applicant **Buford Nelson Peters, III** appeared at the IFF. **Buford Nelson Peters, III** did appear at the Board meeting in person. He addressed the Board and shared his disagreement with the recommendation.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Pace** to deny a license. The Board adopts the Informal Fact-Finding Conference Referral Memorandum, which contained the facts regarding the application, and adopts the Summary. The Informal Fact-Finding Conference Referral Memorandum and Summary are incorporated as a part of this Order. The Board has considered its Regulations: 18 VAC 50-30-30, 18 VAC 50-30-40.F and other applicable law: §54.1-204 of the Code of Virginia. The Board denies the application based upon the record. After reviewing the facts, and hearing from Peters, the Board determined that while it does not appear Peter’s criminal convictions are directly related to the occupation of a Master Water

Well Systems Provider, Peters does not meet the qualifications for a waiver of the required examination; specifically, that Peters does not have six years of experience working under the direct supervision of a certified Master Well Water Systems Provider, and does not have 48 hours of formal vocational training. Therefore, the Board votes to deny the application at this time. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of License File Number 2013-02865 Simply Remodeling LLC,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2013-02865  
Simply Remodeling  
LLC**

Applicant **Lester Smallwood for Simply Remodeling LLC** appeared at the IFF. **Lester Smallwood for Simply Remodeling LLC** did attend the Board meeting. He addressed the Board and shared his disagreement with the recommendation.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Vander Pol** to deny a license. The Board adopted the Amended Informal Fact-Finding Conference Referral Memorandum, which contained the facts regarding the application, and adopts the Summary. The Amended Informal Fact-Finding Conference Referral Memorandum and Summary are incorporated as a part of this Order. The Board has considered its Regulations: 18 VAC 50-22-50.D and other applicable law: §54.1-1108 of the Code of Virginia. After reviewing the record, and after hearing from Smallwood, the Board determined that due to appearance of an unsatisfactory reputation for paying material bills and upon a review of the applicant/responsible manager's past performance record which indicates the applicant may be unable to meet its contractual obligations, that it would not be in the in best interest of the public to grant a license to Simply Remodeling, LLC at this time. In addition, the Board also determined the record reflected it appeared that Smallwood/Simply Remodeling; LLC lacked the required knowledge, skills abilities and financial position to operate in such a manner as to safeguard the welfare and interest of the public. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of License Application File Number 2014-00099, Jesse Morgan,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2014-00099  
Jesse Morgan**

Applicant **Jesse Morgan** attended the IFF. **Jesse Morgan** did not attend the

Board meeting. Staff recommended this case be remanded back to an Informal Fact Finding Conference.

After discussion **Mr. Oliver** offered a motion seconded by **Mr. Pace** to remand this case back to an Informal Fact-Finding Conference. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of License Application File Number 2014-00118 Atlantic Weatherproof Systems, LLC** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2014-00118  
Atlantic Weatherproof  
Systems, LLC**

Applicant **Atlantic Weatherproof Systems, LLC** appeared at the IFF. Randy Kiebler for **Atlantic Weatherproof Systems, LLC** appeared at the Board meeting. He addressed the Board and shared his agreement with the recommendation.

Staff submitted to the Board a handout of the amended summary for consideration.

Eric Olson, executive director for the Board for Contractors requested that the Board table this case and revisit it later.

After discussion **Mr. Oliver** offered a motion that was seconded by **Mr. Pace** to table the case. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of License Application File Number 2014-00235 Landcoast Insulation, Inc.** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2014-00235  
Landcoast Insulation,  
Inc.**

Applicant **Irving Blank for Landcoast Insulation, Inc** appeared at the IFF. **Irving Blank for Landcoast Insulation, Inc** appeared at the Board meeting. He addressed the Board and shared his request for this case to be remanded to an Informal Fact-Finding conference.

Staff from the Board's administrative processing section presented a handout that reflected corrections to the record.

After discussion **Mr. Dowdy** offered a motion seconded by **Mr. Pace** to remand the case back to staff for an Informal Fact-Finding Conference.

The motion passed by majority vote. Members voting “yes” were: **Chowdhuri, Dowdy, Giesen, Middleton, Murrow, Pace, Smith, Tomlin, Walker, and Walton.** Members absent were: **Gelardi and Williams.** Members voting “no” were: **Oliver, Dyer and Vander Pol.**

**In the matter of License Application File Number 2014-00311 Nasir Mubin** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2014-00311  
Nasir Mubin**

Applicant **Nasir Mubin** appeared at the IFF via telephone. **Nasir Mubin** did not appear at the Board meeting.

After discussion **Mr. Dyer** offered a motion seconded by **Mr. Oliver** to grant a license.

The motion passed by unanimous vote. Members voting “yes” were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of License Application File Number 2014-00432 Comcast Business Class Security LLC t/a Comcast Business Premise Management** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2014-00432  
Comcast Business Class  
Security LLC t/a Comcast  
Business Premise  
Management**

Applicant **Comcast Business Class Security LLC t/a Comcast Business Premise Management** appeared at the IFF. **Lewis Richardson** for **Comcast Business Class Security LLC t/a Comcast Business Premise Management** attended the Board meeting. He addressed the Board and shared their agreement with the Recommendation.

After discussion **Mr. Gelardi** offered a motion seconded by **Mr. Pace** to grant a license with conditions.

The motion passed with a majority vote. Members voting “yes” were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of License Application File Number 2014-00433 Reverse Construction LLC** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Findings Conference (IFF).

**File Number  
2014-00433  
Reverse Construction  
LLC**

Applicant **Reverse Construction LLC** did attend the IFF. **Reverse Construction LLC** did not appear at the Board meeting in person, by counsel or by any other qualified representative

After discussion **Mr. Vander Pol** offered a motion seconded by **Mr. Dyer** to grant a license.

The motion passed with a unanimous vote. Members voting “yes” were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

In the matter of License Application File Number 2014-00435 Kelly R Cage the board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal fact-Findings Conference (IFF).

File Number  
**2014-00435**  
**Kelly R Cage**

Applicant **Kelly R Cage** attended the Informal fact-Finding Conference. **Kelly R Cage** attended the Board meeting and he addressed the Board. He shared his agreement with the recommendation.

After discussion **Mr. Chowdhuri** offered a motion seconded by **Mr. Pace** to grant a license with conditions. The motion passed with a unanimous vote. Members voting “yes” were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

In the matter of License Application file Number 2014-00436 Jason M Garrison the Board members review the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Findings Conference.

File Number  
**2014-00436**  
**Jason M Garrison**

Applicant **Jason M Garrison** attended the IFF via telephone. **Jason M Garrison** did not attend the Board meeting in person, or by counsel, or by any other qualified representative.

After discussion **Mr. Dyer** offered a motion seconded by **Mr. Oliver** to issue a license. The motion passed with a unanimous vote. Members voting “yes” were **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

In the matter of license Application File number 2014-00443 Brian A Tuttle t/a Brian Tuttle Painting, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number  
**2014-00443**  
**Brian A Tuttle t/a Brian Tuttle Painting**

Applicant **Brian A Tuttle t/a Brian Tuttle Painting** appeared at the IFF. **Brian A Tuttle t/a Brian Tuttle Painting** did not attend the Board meeting in person, or by counsel, or by any other qualified representative.

After discussion **Mr. Walker** offered a motion that was seconded by **Mr. Oliver** to approve a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of license Application File number 2014-00445 Joel P Burris,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number  
**2014-0445**  
**Joel P Burris**

Applicant **Joel P Burris** appeared at the IFF via telephone. **Joel P Burris** did not attend the Board meeting in person, or by counsel, or by any other qualified representative.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Oliver** to approve a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of license Application File number 2014-00555 C & L Limited Liability Company,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number  
**2014-00555**  
**C & L Limited Liability Company**

Applicant **C & L Limited Liability Company** appeared at the IFF. **C & L Limited Liability Company** did not attend the Board meeting. Board Staff was given a letter for consideration. Members of the Board were not given access to the letter. Board staff recommended that the case be remanded to an Informal Fact-Finding conference.

After discussion **Mr. Vander Pol** offered a motion that was seconded by **Mr. Pace** to remand the case back to staff for an Informal Fact-Finding hearing. The motion passed by majority vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Giesen, Murrow, Pace, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** Members voting "no" were: **Smith, Walker, Dyer, Middleton, Tomlin and Oliver.**

**In the matter of license Application File number 2014-00557 Jerry R Lillard,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number  
**2014-00557**  
**Jerry R Lillard**

Applicant **Jerry R Lillard** appeared at the IFF. **Jerry R Lillard** did not attend the Board meeting in person, or by counsel, or by any other qualified representative.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Oliver** to approve a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of license Application File number 2014-00558 USA Construction Enterprises, Inc.,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2014-00558**  
**USA Construction**  
**Enterprises, Inc.**

Applicant **USA Construction Enterprises, Inc.** appeared at the IFF. **USA Construction Enterprises, Inc.** did not attend the Board meeting in person, or by counsel, or by any other qualified representative.

After discussion **Mr. Walker** offered a motion that was seconded by **Mr. Oliver** to approve a license. The motion passed by majority vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.** **Mr. Oliver** voted "no".

**In the matter of license Application File number 2014-00559 Thomas D James, III;** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2014-00559**  
**Thomas D James, III**

Applicant **Thomas D James, III** appeared at the IFF. **Thomas D James, III** did not attend the Board meeting in person, or by counsel, or by any other qualified representative.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Oliver** to approve a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of license Application File number 2014-00560 David Thomas Pfarr,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2014-00560**  
**David Thomas Pfarr**

Applicant **David Thomas Pfarr** appeared at the IFF. **David Thomas Pfarr** did

not attend the Board meeting in person, or by counsel, or by any other qualified representative.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Pace** to deny a license. The Board has considered its Regulations; 18 VAC 50-30-30.10 and other applicable law: §54.1-204 of the Code of Virginia. The Board denies the application based upon the record, including the information obtained from the central Criminal Records Exchange, and in consideration of the criteria outlined in §54.1-204.B. The Board determined that due to the nature and the seriousness of the crimes, and of the nature and the extent of Pfarr's past criminal activity, the Board felt they could not protect the health, safety and welfare of the public and therefore denies request for licensure at this time. The motion passed by majority vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Murrow, Pace, Smith, Tomlin, and Walker. Members absent were: Gelardi and Williams.** Members voting "NO" were: **Vander Pol, Walton, Middleton and Oliver.**

**In the matter of license Application File number 2014-00562 James Joseph Johnson**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2014-00562  
James Joseph Johnson**

Applicant **James Joseph Johnson** appeared at the IFF. **James Joseph Johnson** did attend the Board meeting. He addressed the Board and shared his agreement with the recommendation.

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Dyer** to approve a license with conditions. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton. Members absent were: Gelardi and Williams.**

**In the matter of license Application File number 2014-00563 Martin C Collins, Sr.**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2014-00563  
Martin C Collins, Sr.**

The Board was given a handout for consideration.

Applicant **Martin C Collins, Sr.** appeared at the IFF via telephone. **Martin C Collins, Sr.** did not attend the Board meeting in person, or by counsel, or by any other qualified representative.

After discussion **Mr. Oliver** offered a motion that was seconded by **Mr. Walker** to approve a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace,**

**Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton. Members absent were: Gelardi and Williams.**

**In the matter of license Application File number 2014-00707 Chang Rhee t/a Dr. Hood System**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2014-00707  
Chang Rhee t/a Dr. Hood System**

Applicant **Chang Rhee t/a Dr. Hood System** appeared at the IFF. **Chang Rhee t/a Dr. Hood System** did attend the Board meeting. He addressed the Board and shared his agreement with the recommendation.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Oliver** to approve a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton. Members absent were: Gelardi and Williams.**

**In the matter of license Application File number 2014-00118 Atlantic Weatherproof Systems, LLC**; the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2014-00118  
Reconvene  
Atlantic Weatherproof Systems, LLC**

Mr. Oliver offered a motion seconded by Mr. Pace to reopen the case for consideration. The motion passed by unanimous vote. Members voting "yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton. Members absent were: Gelardi and Williams.**

Applicant **Atlantic Weatherproof Systems, LLC** appeared at the IFF. Randy Kleiber for **Atlantic Weatherproof Systems, LLC** did attend the Board meeting. He addressed the Board and shared his agreement with the recommendation.

After discussion **Mr. Oliver** offered a motion that was seconded by **Mr. Pace** to approve a Class B license be issued. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton. Members absent were: Gelardi and Williams.**

**The Board took a 15 minute recess.**

**Recess**

**The Chairman called the meeting back to order at 12:25 pm.**

**Reconvene**

**The Board is now hearing Disciplinary Cases.**

**Disciplinary Cases**

**In the matter of Disciplinary File Number 2012-03226, William J Newton Jr., t/a Newton Construction (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2012-03226  
William J Newton Jr., t/a  
Newton Construction**

**William J Newton Jr., t/a Newton Construction (Respondent)** and Attorney Boyer appeared at the IFF. **William J Newton Jr., t/a Newton Construction and Melanie Newton** did attend the Board meeting in person. She addressed the Board and shared their disagreement.

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

Violations	Effective: February 1, 2006	
Count 2:	18 VAC 50-22-260 B 9	
Count 3:	18 VAC 50-22-260 B 31	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Murrow, the Board's hearing officer was not present and did not vote.**

After discussion **Mr. Walton** offered a motion seconded by **Mr. Pace** to reduce the fine imposed for Count 3 from \$1,250.00 to \$500.00 due to the supporting circumstances and to impose the following sanctions:

Sanctions	
Count 2:	\$400.00
Count 3:	\$500.00
Total	\$900.00
As to Count 1, the Board closes this aspect of the file with a finding of no violation.	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Murrow, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-00930, Cecil J Bullion, t/a Bullion's Construction & Home Improvement (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2013-00930**  
**Cecil J Bullion, t/a**  
**Bullion's Construction**  
**& Home Improvement**

**Cecil J Bullion, t/a Bullion's Construction & Home Improvement (Respondent)** did not appear at the IFF in person, by counsel or by any qualified representative. **Cecil J Bullion, t/a Bullion's Construction & Home Improvement** did not attend the Board meeting in person, by counsel or by any qualified representative.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Vander Pol** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Cecil J Bullion, t/a Bullion's Construction & Home Improvement** violated the following sections of its Regulations:

Violations	Effective: February 1, 2006
Count 1:	18 VAC 50-22-260 B 8
Count 2:	18 VAC 50-22-260 B 9
Count 3:	18 VAC50-22-260 B 6

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Murrow, the Board's hearing officer was not present and did not vote.**

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

Sanctions
Count 1: \$400.00

Count 2:	\$400.00
Count 3:	\$1,110.00
Total	\$1,910.00
In addition, for violation of Count 1 the Board voted to require <b>Cecil J Bullion, t/a Bullion's Construction &amp; Home Improvement</b> have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order.	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams. Murrow, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2012-03364, Sphinx II Corp (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2012-03364  
Sphinx II Corp**

**Sphinx II Corp (Respondent) along with counsel** did appear at the IFF in person. **Sara M Klayton** attorney for **Sphinx II Corp** did attend the Board meeting in person and she addressed the Board. **George Saab (Complaint)** attended the IFF. **George and Kathy Saab (Complainants)** were present at the Board meeting. **Mr. Saab** addressed the Board and shared his disagreement.

Oliver recused himself from this case.

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. The Report of Findings and Summary are incorporated as part of the Order. The Board closes this aspect of the file with a finding of no violation.

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Smith, Murrow, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams. Oliver recused himself and did not participated and did not vote in the matter.**

**In the matter of Disciplinary File Number 2012-03445, Mid-Atlantic Construction & Masonry Inc (Respondent);** the board reviewed the record,

**File Number  
2012-03445**

**Mid-Atlantic  
 Construction &  
 Masonry Inc**

which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**Mid-Atlantic Construction & Masonry Inc (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **Mid-Atlantic Construction & Masonry Inc** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**Mr. Dyer, the Board's hearing officer** did not participate in this case.

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

Violations		Effective: February 1, 2006
Count 1:	18 VAC 50-22-260 B 8	
Count 2:	18 VAC 50-22-260 B 9	
Count 3:	18 VAC 50-22-260 B 15	
Count 4:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Dowdy, Murrow, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Dyer, the Board's hearing officer was not present and did not vote.**

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

Sanctions	
Count 1:	\$350.00
Count 2:	\$350.00
Count 3:	\$1,550.00
Count 4:	\$1,250.00
Total	\$3,500.00

In addition, for violation of Count 1 and 2, the Board voted to require **Mid-Atlantic Construction & Masonry Inc** have a member of responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. Failure to comply with the terms will result in the automatic imposition of license suspension. The Board also imposes Revocation of the license for violation of count 3 and 4.

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Murrow, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Dyer, the Board’s hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-00430, The Fence Lady LLC (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
 2013-00430  
 Areopagus  
 Construction LLC**

**Misty Dawn Wright on behalf of The Fence Lady LLC (Respondent)** did appear at the IFF by telephone. **Stephen and Alice Muller and Douglas Pauley** appeared at the IFF by telephone. **The Fence Lady LLC** did not appear at the Board meeting in person, by counsel or by any other qualified representative.

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

Violations		
Count 1:	18 VAC 50-22-260 B 27	
Count 2:	18 VAC 50-22-260 B 31	
Count 3:	18 VAC 50-22-260 B 16	
Count 4:	§ 54.1-1110 of the Code of Virginia	
Count 5:	18 VAC 50-22-260 B 2	

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Murrow, Walker, Pace, Oliver,**

**Smith, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams. Dyer, the Board's hearing officer was not present and did not vote.**

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

Sanctions: The Board imposes Revocation of the license.		
Count 1:		\$1,300.00
Count 2:		\$ 400.00
Count 3:		\$ 2,500.00
Count 4:		\$0.00
Count 5:		\$2,500.00
Total		\$6,700.00
In addition, for violation of Counts 1 and 2, the Board voted to require <b>The Fence Lady LLC</b> have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order.		
The Board also imposes Revocation of the license for violation of Count 3, 4 and 5.		

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Dowdy, Murrow, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams. Dyer, the Board's hearing officer was not present and did not vote.**

**In the matter Disciplinary File Number 2012-03557, Allan R Sowers Jr. t/a Sowers Concrete (Respondent);** the Board reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation. The board adopts the Report of Findings, including exhibits and the recommendation which contains the facts regarding the disciplinary case in this matter. **Allan R Sowers Jr. t/a Sowers Concrete (Respondent), Jimmy Barnette** and Karen Smith attended the IFF. **Allan R Sowers Jr. t/a Sowers Concrete (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2012-03557**  
**Allan R Sowers Jr. t/a**  
**Sowers Concrete**

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

incorporated as part of the Order. The Board finds substantial evidence that **Allan R Sowers Jr. t/a Sowers Concrete** violated the following sections of its Regulations:

Violations	Effective: February 1, 2006	
Count 1:	18 VAC 50-22-260 B 8	
Count 3:	18 VAC 50-22-260 B 11	
Count 4:	18 VAC 50-22-260 B 9	

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Walker, the Board’s hearing officer was not present and did not vote.**

After further discussion **Mr. Giesen** offered a motion seconded by **Mr. Smith** to impose the following monetary penalties:

Count 1:		\$400.00
Count 2:		\$300.00
Count 3:		\$300.00
Total		\$1,000.00

In addition, for violation of Count 1, 2 and 3, the Board voted to require **Allan R Sowers Jr. t/a Sowers Concrete** have a member of Responsible Management successfully complete a board-approved remedial education class within 90 days of the effective date of this order.

As to Count 4, the Board closes this aspect of the file with a finding of no violation.

The motion passed by unanimous vote. Members voting “yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Walker, the Board’s hearing officer was not present and did not vote.**

In the matter of Disciplinary File Number 2013-00469, **Douglas A McGhee, t/a McGhee Plumbing Heating And Electrical (Respondent)**; the board reviewed the record, which consisted of the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference and the Summary. **Douglas**

**File Number**  
**2013-00469**  
**Douglas A McGhee,**  
**t/a McGhee Plumbing**

**A McGhee, t/a McGhee Plumbing Heating And Electrical (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

**Heating And Electrical**

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Dowdy** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Recommendation. The Report of Findings and Recommendation are incorporated as part of the Order. The Board finds substantial evidence that **Douglas A McGhee, t/a McGhee Plumbing Heating And Electrical** violated the following sections of its Regulations:

Violations	Effective:	February 1, 2006
Count 2:	18 VAC 50-22-260 B 8	
Count 1:	18 VAC 50-22-260 B 9	
Count 3:	18 VAC 50-22-260 B 6	
Eff: 9-1-2001		
Count 4:	18 VAC 50-22-260 B 29	
Eff: 2-1-2006		
Count 5:	18 VAC 50-22-260 B 15	
Count 7:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Dowdy, Walker, Tomlin, Walton, Pace, Smith, and Vander Pol.** Members absent were: **Gelardi and Williams.** **Dyer, the Board's hearing officer was not present and did not vote. Oliver recused himself from this case and did not vote.**

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

Count 1:		\$400.00
Count 2:		\$400.00
Count 3:		\$0.00
Count 4:		\$350.00
Count 5:		\$1,550.00
Count 7:		\$1,400.00

As to violation of Counts 5 and 7 the Board determined that the violation did not rise to the level of revocation. In addition, for violation of Count 1, 2, 3 and 4, the Board voted to require

**Douglas A McGhee, t/a McGhee Plumbing Heating And Electrical** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order.

As to Count 6, the Board closed this aspect of the file with a finding of no violation.

The motion passed by majority vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Walker, Pace, Oliver, Smith and Vander Pol.** Members absent were: **Gelardi and Williams.** **Dyer, the Board’s hearing officer was not present and did not vote.** Members voting “No” were: **Tomlin and Walton.**

**In the matter of Disciplinary File Number 2013-00662, Carol A Whitenack, t/a AAAPools (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number  
**2013-00662**  
**Carol A Whitenack, t/a**  
**AAAPools**

**Carol A Whitenack, t/a AAAPools (Respondent)** did appear at the IFF along with attorney Scanlon. **(Complainants)** Paul McGowan and Anna McGowan along with Richard Shaver and Emily L Terrill attended the IFF. **Carol A Whitenack, t/a AAAPools** the board reviewed the record, which consisted of the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference and the Summary. **Carol A Whitenack, t/a AAAPools (Regulant)** did appear at the Board meeting by counsel **Meagan Scanion.** Counsel Scanion addressed the Board. **Anna and Paul McGowan (Complainants)** attended the Board meeting and addressed the Board. They shared their disagreement.

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

Violations	Effective: February 1, 2006	
Count 1:	18 VAC 50-22-260 B 18	
Count 2:	18 VAC 50-22-260 B 19	

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

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Walker, the Board’s hearing officer was not present and did not vote.**

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

Count 1:		\$800.00
Count 3:		\$800.00
Count 4:		\$400.00
Count 5:		\$400.00
Total		\$2,400.00
As to Count 2, the Board closed this aspect of the file with a finding of no violation.		

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Murrow and Walton.** Members absent were: **Gelardi and Williams.** **Walker, the Board’s hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-00755, James W Marsh, Jr. (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
 2013-00755  
 James W Marsh, Jr.**

**James W Marsh, Jr. (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **James W Marsh, Jr.** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

Violations Effective: November 15, 2007		
Count 1:	18 VAC 50-30-190 .1	
Count 2:	18 VAC 50-30-190.15	
Count 3:	18 VAC 50-30-190.1	
Count 4:	18 VAC 50-30-190.1	

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Murrow, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Gelardi, the Board’s hearing officer was not present and did not vote.**

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

Sanctions	
Count 1:	\$850.00
Count 2:	\$450.00
Count 3:	\$600.00
Count 4:	\$850.00
Total	\$2,750.00
As to violations of Counts 1, 2 and 4 the Board imposed revocation of license.	

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Murrow, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Gelardi, the Board’s hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-01013, Chesterfield Interior Solution Inc (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2013-01013**  
**Chesterfield Interior**  
**Solution Inc**

**Conrad Michael Carnes on behalf of Chesterfield Interior Solution Inc (Respondent)** and Robert Carlin did appear at the IFF in person or by counsel or by any other qualified representative. **Gary Wayne Page Jr** did not attend

the Board meeting in person or by counsel or by any other qualified representative.

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

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

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Murrow, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** Redifer, the Board's hearing officer was not present and did not vote.

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

Sanctions	
Count 1:	\$150.00
Total	\$150.00
In addition, for violation of Count 1, the Board voted to require <b>Chesterfield Interior Solution Inc</b> have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Murrow, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** Redifer, the Board's hearing officer was not present and did not vote.

**In the matter of Disciplinary File Number 2013-01843, P B Inc (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
 2013-01843  
 P B Inc**

**Peter Baek on behalf of P B Inc (Respondent)** did appear at the IFF along with counsel MacDowell and Min Cho (Mrs. Lee) by telephone. **P B Inc** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

Violations	Effective: February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18VAC 50-22-260 B 15	
Count 3:	18 VAC-22-260 B 6	
Count 4:	18VAC 50-22-260 B 31	
Count 5:	18VAC 50-22-260 B 12	Eff: 12-1-2012
Count 6:	18VAC 50-22-260 B 11	Eff: 12-1-2012
Count 7:	18VAC 50-22-260 B 13	Eff: 12-1-2012
Count 8:	18VAC 50-22-260 B 29	Eff: 2-1-2006
Count 9:	18VAC 50-22-260 B 22	Eff: 2-1-2006

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Pace, the Board’s hearing officer was not present and did not vote.**

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

Count 1:		\$400.00
Count 2:		\$1,500.00
Count 3:		\$850.00
Count 4:		\$1,000.00
Count 5:		\$2,000.00

Count 6:		\$0
Count 7:		\$0
Count 8:		\$700.00
Count 9		\$0
Total		\$6,450.00

In addition, for violation of Counts 1-8, the Board voted to require **P B Inc** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion passed by majority vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Walker, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Pace, the Board’s hearing officer was not present and did not vote.** **Dyer voted “no”.**

**In the matter of In the matter of Disciplinary File Number 2013-02422, Metropolis Group, LLC t/a Pera Construction (Respondent);** the board reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits and the Recommendation. **Eric Olson Executive director for the Board for Contractors** was in receipt of information pertinent to the case and he shared with the Board that staff recommends this case be remanded for an Informal Fact Finding.

**File Number**  
**2013-02422**  
**Metropolis Group,**  
**LLC t/a Pera Construction**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Oliver** to remand this case back to staff and have an Informal Fact Finding reconvened to aide in resolution.

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Walker, the Board’s hearing officer was not present and did not vote.**

**The Board is now hearing Disciplinary Prima Facie cases.**

**Primary Facie Disciplinary**  
**Cases**

**In the matter of Disciplinary File Number 2013-01123, David N Christ LLC, t/a Elohim Construction (Respondent);** the board reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits and the Recommendation. **David N Christ LLC, t/a Elohim Construction (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **David N Christ LLC, t/a Elohim Construction** did not request an Informal Fact-Finding Conference.

**File Number**  
**2013-01123**  
**David N Christ LLC,**  
**t/a Elohim Construction**

This is a Prima Facie case.

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

Violations	Effective: February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 28	
Count 3:	18 VAC 50-22-260 B 31	
In addition, for violation of Count 2, the Board voted to revoke the license.		

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Murrow, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of Disciplinary File Number 2013-01262, Duane Steven Dawson (Respondent);** the board reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits and the Recommendation. **Duane Steven Dawson (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2013-01262**  
**Duane Steven Dawson**

**Duane Steven Dawson** did not request an Informal Fact-Finding Conference.

This is a Prima Facie Case.

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

Violations	Effective: February 1, 2006	
Count 1:	18 VAC 50-22-260 B 8	
Count 2:	18 VAC 50-22-260 B 9	
Count 3:	18 VAC 50-22-230 A	Eff: 9-1-2001
Count 4:	18 VAC 50-22-260 B27	Eff: 2-1-2006
Count 5:	18 VAC 50-22-260 B 6	Eff: 2-1-2006
Count 6:	18 VAC 50-22-260 B13	Eff: 2-1-2006

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Murrow, the Board's hearing officer was not present and did not vote.**

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

Count 1:		\$400.00
Count 2:		\$400.00
Count 3:		\$300.00
Count 4:		\$750.00
Count 5:		\$850.00
Count 6:		\$1,000.00
Total		\$3,700.00
As to violation of Count 6 the Board voted to revoke the license.		

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Murrow, and Walton.** Members absent were: **Gelardi and Williams.**

**In the matter of Disciplinary File Number 2013-02043, Clear Choice-Richmond Inc (Respondent);** the board reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits and the Recommendation. **Clear Choice-Richmond Inc (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Clear Choice-Richmond Inc** did not request an Informal Fact-Finding Conference.

**File Number**  
**2013-02043**  
**Clear Choice-**  
**Richmond Inc**

This is a Prima Facie case.

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

to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Recommendation. The Report of Findings and Recommendation are incorporated as part of the Order. The Board finds substantial evidence that **Clear Choice-Richmond Inc** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams. Murrow, the Board’s hearing officer was not present and did not vote.**

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

Count 1:		\$2,500.00
Total		\$2,500.00
As to violation of Count 1 the Board voted to revoke the license.		

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams. Murrow, the Board’s hearing officer was not present and did not vote.**

**In the In the matter of Disciplinary File Number 2013-02054, Clear Choice-Richmond Inc (Respondent);** the board reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits and the Recommendation. **Clear Choice-Richmond Inc (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Clear Choice-Richmond Inc** did not request an Informal Fact-Finding Conference.

**File Number**  
**2013-02054**  
**Clear Choice-**  
**Richmond Inc**

This is a Prima Facie case.

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

Recommendation. The Report of Findings and Recommendation are incorporated as part of the Order. The Board finds substantial evidence that **Clear Choice-Richmond Inc** violated the following sections of its Regulations:

Violations	Effective: December 1, 2012
Count 1:	18 VAC 50-22-260 B 18

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams. Murrow, the Board’s hearing officer was not present and did not vote.**

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

Count 1:	\$2,500.00
Total	\$2,500.00
As to violation of Count 1, the Board voted to revoke the license.	

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams. Murrow, the Board’s hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-02295, Clear Choice-Richmond Inc (Respondent);** the board reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits and the Recommendation. **Clear Choice-Richmond Inc (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Clear Choice-Richmond Inc** did not request an Informal Fact-Finding Conference.

**File Number  
2013-02295  
Clear Choice-  
Richmond Inc**

This is a Prima Facie case.

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

incorporated as part of the Order. The Board finds substantial evidence that **Clear Choice-Richmond Inc** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams. Murrow, the Board’s hearing officer was not present and did not vote.**

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

Count 1:		\$800.00
Total		\$800.00
As to violation of Count 1 the Board voted to revoke the license.		

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams. Murrow, the Board’s hearing officer was not present and did not vote.**

**In the In the matter of Disciplinary File Number 2013-02708, Clear Choice-Richmond Inc (Respondent);** the board reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits and the Recommendation. **Clear Choice-Richmond Inc (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Clear Choice-Richmond Inc** did not request an Informal Fact-Finding Conference.

**File Number**  
**2013-02708**  
**Clear Choice-**  
**Richmond Inc**

This is a Prima Facie case.

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

**Clear Choice-Richmond Inc** violated the following sections of its Regulations:

Violations Effective: December 1, 2012		
Count 1:	18 VAC 50-22-260 B 18	
Total		\$2,500.00

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams. Murrow, the Board’s hearing officer was not present and did not vote.**

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

Count 1:		\$2,500.00
Total		\$2,500.00
As to violation of Count 1the Board voted to revoke the license.		

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams. Murrow, the Board’s hearing officer was not present and did not vote.**

**In the In the matter of Disciplinary File Number 2013-02158, Home Living Restoration Services Inc (Respondent);** the board reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits and the Recommendation. **Home Living Restoration Services Inc (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Home Living Restoration Services Inc** did not request an Informal Fact-Finding Conference.

**File Number  
2013-02158  
Home Living Restoration  
Services Inc**

This is a Prima Facie case.

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

Violations Effective: December 1, 2012		
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 31	
Count 3:	18 VAC 50-22-260 B 14	
Count 4:	18 VAC 50-22-260 B 16	
Count 5:	18 VAC 50-22-260 B 22	Eff: 2-1-2006

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Murrow, the Board’s hearing officer was not present and did not vote.**

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

Count 1:		\$400.00
Count 2:		\$300.00
Count 3:		\$1,800.00
Count 4:		\$1,800.00
Count 5:		\$.00
Count 6:		\$1,100.00
Total		\$5,400.00

In addition for violation of Counts 1 and 2 the Board requires that **Home Living Restoration Services Inc** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order.

As to violation of Counts 3, 4 and 6, the Board imposes the sanction of revocation of its license.

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.** **Murrow, the Board’s hearing officer was not present and did not vote.**

**In the In the matter of Disciplinary File Number 2013-02363, Betty's Plumbing & Heating Inc (Respondent);** the board reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits and the Recommendation. **Betty's Plumbing & Heating Inc (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Betty's Plumbing & Heating Inc** did not request an Informal Fact-Finding Conference.

**File Number**  
**2013-02363**  
**Betty's Plumbing & Heating Inc**

This is a Prima Facie case.

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

Violations	Effective: September 1, 2001	
Count 1:	18 VAC 50-22-230 A	
Count 2:	18 VAC 50-22-260 B 15	Eff: 2-1-2006
Count 3:	18 VAC 50-22-260 B 16	Eff: 2-1-2006
Count 4:	18 VAC 50-22-260 B 28	Eff: 12-1-2012
Count 5:	18 VAC 50-22-260 B 13	Eff: 12-1-2012

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Murrow, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.**

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

Count 1:		\$300.00
Count 2:		\$1,500.00
Count 3:		\$1,800.00
Count 4:		\$1,800.00
Count 5:		\$1,400.00
Total		\$6,800.00

As to violation of Counts 2, 3, 4 and 5 the Board voted to revoke the license.

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Murrow, Vander Pol, and Walton. Members absent were: Gelardi and Williams.**

**In the In the matter of Disciplinary File Number 2013-02617, Kyle B Myers Jr, t/a Inside And Out Property Maintenance (Respondent);** the board reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits and the Recommendation. **Kyle B Myers Jr, t/a Inside And Out Property Maintenance (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Kyle B Myers Jr, t/a Inside And Out Property Maintenance** did not request an Informal Fact-Finding Conference.

**File Number  
2013-02617  
Kyle B Myers Jr, t/a  
Inside And Out Property  
Maintenance**

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Oliver** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Recommendation. The Report of Findings and Recommendation are incorporated as part of the Order. The Board finds substantial evidence that **Kyle B Myers Jr, t/a Inside And Out Property Maintenance** violated the following sections of its Regulations:

Violations	Effective: September 1, 2001
Count 1:	18 VAC 50-22-260 B 2
Count 2:	18 VAC 50-22-260 B 22
Count 3:	18 VAC 50-22-260 B 23
Count 4:	18 VAC 50-22-230 B

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams. Murrow, the Board's hearing officer was not present and did not vote.**

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

Count 1:		\$1,000.00
Count 2:		\$0.00
Count 3:		\$1,000.00
Count 4:		\$500.00
Total		\$2,500.00
As to violation of Counts 1, 2, 3 and 4 the Board voted to revoke the license.		

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Murrow, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.**

In the In the matter of Disciplinary File Number 2013-02999, **Altman Contracting LLC (Respondent)**; the board reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits and the Recommendation. **Altman Contracting LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Altman Contracting** did not request an Informal Fact-Finding Conference.

**File Number**  
**2013-02999**  
**Altman Contracting LLC**

This is a Prima Facie case.

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

Violations	Effective: December 1, 2012	
Count 1:	18 VAC 50-22-260 B 28	
Count 2:	18 VAC 50-22-260 B 13	
Eff: 9-1-2001		
Count 3:	18 VAC 50-22-230 B	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Giesen, Middleton, Murrow, Dowdy, Dyer, Walker, Pace, Oliver,**

**Smith, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams.**

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

Count 1:		\$1,850.00
Count 2:		\$1,400.00
Count 3:		\$550.00
Total		\$3,800.00
As to violation of Counts 1, 2 and 3, the Board voted to revoke <b>Altman Contracting LLC</b> license.		

The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Giesen, Middleton, Murrow, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams.**

**The Board is now hearing Consent Orders.**

**Hearing of Consent Orders**

**In the matter of Consent Order File Number 2013-00488 Board v. Water Pro Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-00488  
Water Pro Inc**

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

Count 1:	18 VAC 50-22-230.A	\$ 00.00
Count 2:	18 VAC 50-22-260.B.10	\$ 300.00
Count 3:	18 VAC 50-22-260.B.31	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 850.00
In addition, for violation of Count 1-3, <b>Water Pro Inc</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety days of the effective date of the Order.		

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

**In the matter of Consent Order File Number 2013-00650 Board v. Bryant Heating & Air Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-00650  
Bryant Heating & Air Inc**

**Bryant Heating & Air Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$ 350.00
Count 2:	18 VAC 50-22-260 B 6	\$ 750.00
Board Costs		\$ 150.00
Total		\$ 1,250.00

In addition, for violation of Count 1 and 2, **Bryant Heating & Air Inc** agrees to have a member of Responsible Management successfully complete a board-approved remedial education class.

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

**In the matter of Consent Order File Number 2013-00863 Board v. Douglas W Vaughan, t/a D & S Vaughan Turf & Landscape Design** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-00863  
Douglas W Vaughan,  
t/a D & S Vaughan  
Turf & Landscape  
Design**

**Douglas W Vaughan, t/a D & S Vaughan Turf & Landscape Design** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$ 350.00
Count 2:	18 VAC 50-22-260.B.31	\$ 400.00
Count 3:	18 VAC 50-22-260.B.27	\$ 650.00

Board Costs		\$ 150.00
Total		\$ 1,550.00

On February 10, 2013, Douglas W Vaughan provided a contract template that is in compliance with the Board's regulations. Therefore, the Board waives imposition of the \$350.00 monetary penalty for violation of Count 1.

The Board agrees to waive the \$650.00 monetary penalty for Count 3 provided Douglas W Vaughan obtains the Water well/pump contracting (WWP) specialty within ninety (90) days of the effective date of this Order. If Douglas W Vaughan fails to comply with this condition, then the full monetary penalty will be imposed.

Further for violation of Counts 1, 2 and 3, Douglas W Vaughan agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the effective date of the Order.

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

**In the matter of Consent Order File Number 2013-00977 Board v. Mid Atlantic Waterproofing of VA Inc** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2013-00977  
 Mid Atlantic  
 Waterproofing of VA Inc**

**Mid Atlantic Waterproofing of VA Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$ 100.00
Count 2:	18 VAC 50-22-260 B 31	\$ 400.00
Count 3:	18 VAC 50-22-260.B06	\$ 750.00
Board Costs		\$ 150.00
Total		\$ 1,400.00

Further for violation of Count 1, 2 and 3, **Mid Atlantic Waterproofing of VA Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order.

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

**In the matter of Consent Order File Number 2013-01141 Board v. William P Heath, t/a Billy Heath Construction Company** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-01141  
William P Heath, t/a  
Billy Heath Construction  
Company**

**William P Heath, t/a Billy Heath Construction Company** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 00.00
Count 2:	18 VAC 50-22-260 B 9	\$ 00.00
Board Costs		\$ 00.00
Total		\$ 00.00

In addition, for violation of Counts 1 - 2, **William P Heath, t/a Billy Heath Construction Company** agrees to termination of its license.

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

**In the matter of Consent Order File Number 2013-01133 Board v. Cliff's Home Improvement;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-01133  
Cliff's Home Improvement**

**Cliff of Cliff's Home Improvement** attended the Board meeting and

requested a remand by to an Informal Fact-Finding conference.

After discussion **Mr. Oliver** offered a motion seconded by **Mr. Walton** to remand the case back to staff in order to conduct an Informal Fact-Finding Conference. The motion was adopted by a unanimous vote. Members voting “yes” were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** **Members absent were: Gelardi and Williams.** **Murrow, the Board’s officer was not present and did not vote.**

**In the matter of Consent Order File Number 2013-01273 Board v. RD & S LLC, t/a Z-landers Remodeling;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-01273**  
**RD & S LLC, t/a Z-landers**  
**Remodeling**

**RD & S LLC, t/a Z-landers Remodeling;** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 20	\$ 0.00
Count 2;	18 VAC 50-22-260 B 27	\$ 0.00
Count 3:	18 VAC 50-22-260.B.6	\$ 0.00
Board Costs		\$ 150.00
Total		\$ 150.00
In addition, for violation of Counts 1, 2, and 3, <b>RD &amp; S LLC, t/a Z-landers Remodeling</b> agrees to revocation of its license.		

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

**In the matter of Consent Order File Number 2013-01513 Board v. Michael & Son Services Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-01513**  
**Michael & Son**  
**Services Inc**

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

Count 1:	18 VAC 50-22-260 B 9	\$ 350.00
Count 2:	18 VAC 50-22-260 B 6	\$ 1,600.00
Board Costs		\$ 150.00
Total		\$ 2,100.00
In addition, for violation of Counts 1-2, <b>Michael &amp; Son Services Inc;</b> agrees to have a member of Responsible Management successfully complete. See order for additional details.		

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

**In the matter of Consent Order File Number 2013-01686 Board v. John Sylvania Matthews III, t/a Matthews Well Drilling;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2013-01686  
 John Sylvania Matthews  
 III, t/a Matthews Well  
 Drilling**

**John Sylvania Matthews III, t/a Matthews Well Drilling** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$ 350.00
Board Costs		\$ 150.00
Total		\$ 500.00
In addition, for violation of Count 1, <b>John Sylvania Matthews III, t/a Matthews Well Drilling</b> agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the effective date of the Order.		

Upon a motion by **Mr. Oliver** seconded by **Mr. Walton**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were:

**Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton. Members absent were: Gelardi and Williams.**

**In the matter of Consent Order File Number 2013-01748 Board v. ASAP Building Services Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2013-01748  
 ASAP Building  
 Services Inc**

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

Count 1:	18 VAC 50-22-260 B 15	\$ 0.00
Count 2:	18 VAC 50-22-260.B.6	\$ 0.00
Board Costs		\$ 150.00
Total		\$ 150.00
In addition, for violation of Counts 1 and 2, <b>ASAP Building Services Inc</b> agrees to revocation of its license.		

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

**In the matter of Consent Order File Number 2013-01791 Board v. Tatari Construction Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2013-01791  
 Tatari Construction Inc**

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

Count 1:	18 VAC 50-22-260 B 9	\$ 550.00
Count 2:	18 VAC 50-22-260.B.15	\$ 1,550.00
Count 3:	18 VAC 50-22-260.B.29	\$ 700.00
Board Costs		\$ 150.00
Total		\$ 2,950.00

Further, for violation of Counts 1-3, **Tatari Construction Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

**In the matter of Consent Order File Number 2013-01887 Board v. Hamilton Mitchell & Associates Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2013-01887  
 Hamilton Mitchell &  
 Associates Inc**

**Hamilton Mitchell & Associates Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31 Four violations at \$250.00 each	\$ 1,000.00
Board Costs		\$ 150.00
Total		\$ 1,150.00

For violation of Count 1, **Hamilton Mitchell & Associates Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

**In the matter of Consent Order File Number 2013-01916 Board v. Rockbridge Granite Company LLC;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the

**File Number  
 2013-01916  
 Rockbridge Granite**

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

**Company LLC**

**Rockbridge Granite Company LLC** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-220 B	\$ 500.00
Count 2:	18 VAC 50-22-220. C	\$ 500.00
Count 3:	18 VAC 50-22-260.B.9	\$ 350.00
Count 4:	18 VAC 50-22-260.B.31	\$ 1,250.00
Board Costs		\$ 150.00
Total		\$ 2,750.00

In addition, for violation of Count 1-4, **Rockbridge Granite Company LLC** agrees to have a member of Responsible Management successfully complete a Board approved remedial education class within ninety days of the effective date of the Order.

Further, for violation of Count 1, **Rockbridge Granite Company LLC** agrees to report to the Board a change in the designated employee, in compliance with the Board's requirements, within thirty (30) days of the effective date of the Order. Failure to comply with the term will result in the automatic revocation of **Rockbridge Granite Company LLC** license.

Further, for violation of Count 2, **Rockbridge Granite Company LLC** agrees to report to the Board a change in the qualified individual, in compliance with the board's requirements, within thirty days of the effective date of the Order. Failure to comply with this term will result in the automatic revocation of **Rockridge Granite Company LLC's** license.

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

**In the matter of Consent Order File Number 2013-01959 Board v. Windle Construction Company;** the Board reviewed the Consent Order. Incorporated

**File Number  
2013-01959**

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

**Windle Construction Company**

**Windle Construction Company** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 350.00
Count 2:	18 VAC 50-22-260 B 6	\$ 500.00
Board Costs		\$ 150.00
Total		\$ 1,000.00

In addition, for violation of Counts 1 and 2, **Windle Construction Company** agrees to have a member of Responsible Management successfully complete a Board approved remedial education class within ninety days of the effective date of the Order.

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

**In the matter of Consent Order File Number 2013-02045 Board v. Vass Construction Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-02045  
Vass Construction Inc**

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

Count 1:	18 VAC 50-22-260 B 8	\$ 00.00
Count 2:	18 VAC 50-22-260. B 9	\$ 00.00
Count 3:	18 VAC 50-22-260.B.29	\$ 00.00
Count 4:	18 VAC 50-22-260.B.14	\$ 00.00
Count 5:	18 VAC 50-22-210	\$ 00.00
Board Costs		\$ 150.00
Total		\$ 150.00

In addition, for violation of **Vass Construction Inc** agrees to revocation of its license.

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

**In the matter of Consent Order File Number 2013-02057 Board v. Avis & Sons Electrical Contractors Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-02057**  
**Avis & Sons Electrical Contractors Inc**

**Avis & Sons Electrical Contractors Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 350.00
Count 2:	18 VAC 50-22-230.A	\$ 350.00
Board Costs		\$ 150.00
Total		\$ 850.00

Further, for violation of Count, **Avis & Sons Electrical Contractors Inc** agrees to have a member of Responsible Management successfully complete a Board approved remedial education class within ninety days of the effective date of the Order.

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

**In the matter of Consent Order File Number 2013-02072 Board v. Louisa Well Drilling Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-02072**  
**Louisa Well Drilling Inc**

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

Count 1:	18 VAC 50-22-260 B 8	\$ 400.00
Count 2:	18 VAC 50-22-260 B 9	\$ 400.00
Count 3:	18 VAC 50-22-260 B 31	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 1,350.00
Further, for violation of Counts 1, 2, and 3, <b>Louisa Well Drilling Inc</b> agrees to have a member of responsible Management successfully complete a Board-approved remedial education class.		

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

**In the matter of Consent Order File Number 2013-02123 Board v. Ayers Well Drilling Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2013-02123  
 Ayers Well Drilling Inc**

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

Count 1:	18 VAC 50-22-260 B 6	\$ 300.00
Board Costs		\$ 150.00
Total		\$ 450.00

Upon a motion by **Mr. Giesen** seconded by **Mr. Walton**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were:

**Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton. Members absent were: Gelardi and Williams.**

**In the matter of Consent Order File Number 2013-02130 Board v. Dale Wayne Alderman, t/a DWA Construction;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2013-02130  
 Dale Wayne Alderman,  
 t/a DWA Construction**

**Dale Wayne Alderman, t/a DWA Construction** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 18	\$ 800.00
Count 2:	18 VAC 50-22-260 B 18 4 violations at \$200.00 each	\$ 800.00
Count 3:	18 VAC 50-22-260 B 22	\$ 0.00
Count 4:	18 VAC 50-22-260 B 23	\$ 700.00
Board Costs		\$ 150.00
Total		\$ 2,450.00

In addition, for violation of Counts 1, 2 and 4, **Dale Wayne Alderman, t/a DWA Construction** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Giesen** seconded by **Mrs. Tomlin**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Walker, and Walton. Members absent were: Gelardi and Williams. The Board's hearing officer Mr. Vander Pol was not present and did not vote in this matter.**

**In the matter of Consent Order File Number 2013-02193 Board v. Master Institute;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2013-02193  
 Master Institute**

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

Count 1:	18 VAC 50-22-350	\$ .00
Count 2:	18 VAC 50-30-260	\$ .00
Board Costs		\$ 0.00
Total		\$ 0.00

In addition, for violations of Counts 1 and 2, **Master Institute** agrees to revocation of its approval as an education provider. **Master Institute** agrees to the revocation of every course approval for pre-license, vocational, continuing education, or any other course pre-license, vocational, continuing education, or any other course approval awarded by the Board. **Master Institute** agrees to the revocation of all licenses, certifications, and registrations issued to it by the Board.

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

**In the matter of Consent Order File Number 2013-02195 Board v. Joseph O. Lee;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-02195**  
**Joseph O. Lee**

**Joseph O. Lee** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-30-190 2	\$ 2,500.00
Count 2:	18 VAC 50-30-190 2	\$ 2,500.00
Count 3:	18 VAC 50-30-190 2	\$ 2,500.00
Count 4:	18 VAC 50-30-190 2	\$ 2,500.00
Count 5:	18 VAC 50-30-190 1	\$ 2,500.00
Board Costs		\$ 0.00
Total		\$ 12,500.00

Further, any and all violations of counts 1 through 5, **Joseph O. Lee** agrees to the terms of the Order. Revocation of his tradesman license 2710046973. Revocation of his backflow

prevention device worker certificate 2717046973. Revocation of all licenses, certifications, registration, and approvals issued to him by the Board. Lee further agrees not apply for any examination, license, certificate, registration or approval, including the renewal or reinstatement of any license, certificate, registration, or approval issued by any of the Boards within the Department of Professional and Occupational Regulation (Department) for twenty-five years from the effective date of the Order. (December 17, 2013)

Lee agrees not to assist in any manner any person or entity to apply for any examination, license, certificate, registration, or approval, including the renewal or reinstatement of any license, certificate, registration, or approval issued by any of the Boards within the Department for 25 years from the effective date of the Order.

Lee also agrees not to assist in any manner any person or entity in obtaining any pre-license, vocational, continuing education or any other qualification, including the passing of any examination, needed to obtain, maintain, renew, or reinstate any license, certificate, registration, or approval issued by any of the Boards within the Department for 25 years from the effective date of this Order.

Lee agrees not to be affiliated in any manner with any educational institution approved by any of the Boards within the Department or provide any type of instruction requiring approval of any of the Boards within the Department for a period of 25 years.

Lee agrees he will not be an employee, subcontractor, consultant, partner, member, or owner of any entity or associate in any manner with any person or entity to which a license has been issued by any of the Boards within the Department for a period of 25 years from the date of the Order.

Lee agrees to cooperate with the Department in all investigations: (1) Master Institute, (2) associated with all individuals who are or were students or affiliated with Master Institute, and (3) associated with any other licenses, certifications, registrations, and approvals identified by the Department as being affiliated with Lee and/or his Contractor school in any manner where the Department maintains

jurisdiction to investigate.

Lee agrees to abide by the terms of any Consent Order it enters into with any Board within the Department, and agrees that a violation of any of the terms of the Consent Orders entered into with any Board within the Department shall additionally constitute a violation of the terms of the Consent Order.

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

**In the matter of Consent Order File Number 2012-02196 Board v. Young Soo Lee;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2012-02196**  
**Young Soo Lee**

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

Count 1:	18 VAC 50-22-190 2	\$ 2,500.00
Board Costs		\$ 0.00
Total		\$ 2,500.00

In addition, for violation of count 1, **Young Soo Lee** agrees to the terms outlined. In addition, the Board shall waive imposition of the \$2,500.00 monetary penalty so long as Lee abides by each and every term listed.

Lee agrees to the revocation of the tradesman licensees 2710039689 issued in the name of Young Soo Lee.

Lee agrees to the revocation of the backflow prevention device worker certificate 2764121764 issued in the name of Young Soo Lee.

Further, Lee agrees to the revocation of all licenses,

certifications, registrations, and approvals issued by the Board based on Lee's use of the names Young Soo Lee, Young S. Lee or Young Lee.

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

**In the matter of Consent Order file number 2013-02243 Board v. TBD3 LLC, t/a Davidson Builders;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-02243  
TBD3 LLC, t/a Davidson  
Builders**

**TBD3 LLC, t/a Davidson Builders** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 18	\$ 800.00
Count 2:	18 VAC 50-22-260 B 18	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 1,350.00

Further, for violation of counts 1 and 2, **TBD3 LLC, t/a Davidson Builders** agrees to have a member of Responsible Management successfully complete a Board approved remedial education class within ninety days of the effective date of the Order.

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

**In the matter of Consent Order File number 2013-02244 Board v. Pristine Pools LLC;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-02244  
Pristine Pools LLC**

**Pristine Pools LLC** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 550.00

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

**In the matter of Consent Order File number 2013-02349 Board v. Nathan S Armstrong, t/a Armstrong Construction;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-02349**  
**Nathan S Armstrong, t/a**  
**Armstrong Construction**

**Nathan S Armstrong, t/a Armstrong Construction** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 400.00
Count 2:	18 VAC 50-22-260 B 8 (four violations at \$400.00 each)	\$ 1,600.00
Board Costs		\$ 150.00
Total		\$ 2,150.00

In addition, for violation of counts 1, and 2, **Nathan S Armstrong, t/a Armstrong Construction** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Dyer** seconded by **Mr. Dowdy**, the Board ratified the Consent Order with a unanimous vote: Members voting “Yes” were:

**Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton. Members absent were: Gelardi and Williams.**

**In the matter of Consent Order File number 2013-02373 Board v. Cole Construction LLC;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-02373  
Cole Construction LLC**

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

Count 1:	18 VAC 50-22-260 B 8	\$ 400.00
Count 2:	18 VAC 50-22-260 B 28	\$ 1,850.00
Board Costs		\$ 150.00
Total		\$ 2,400.00

In addition, for violation of count 2, **Cole Construction LLC** agrees to revocation of its license.

Further, the Board shall waive imposition of the \$1,850.00 Monetary penalty and license revocation for Count 2 provided **Cole Construction LLC** satisfies the judgment and provides the Board with proof of the satisfaction within ninety days of the effective date of this Order. If **Cole Construction LLC** fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

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

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

**In the matter of Consent Order File number 2013-02428 Board v. James Hudgins Jr. t/a Middle Peninsula Contracting;** the Board reviewed the

**File Number  
2013-02428**

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

**James Hudgins Jr. t/a  
Middle Peninsula  
Contracting**

**James Hudgins Jr. t/a Middle Peninsula Contracting** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 200.00
Board Costs		\$ 150.00
Total		\$ 350.00

Further, for violation of count 1, **James Hudgins Jr. t/a Middle Peninsula Contracting** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

The Board shall waive imposition of the \$200.00 monetary penalty for Count 1 provided a member of Responsible Management of James S Hudgins Jr successfully complete remedial education within ninety days of the effective date of the Order. If a member of Responsible Management of James S Hudgins Jr fails to comply with this condition, then the full monetary penalty will be automatically imposed.

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

**In the matter of Consent Order File Number 2013-02453 Board v. Crawford Environmental Services Inc.;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-02453  
Crawford Environmental  
Services Inc**

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

Count 1:	18 VAC 50-22-260 B 18	\$ 800.00
Count 2:	18 VAC 50-22-260 B 18	\$ 800.00
Count 3:	18 VAC 50-22-260 B 18	\$ 400.00
Board Costs		\$ 0.00
Total		\$ 2,150.00

In addition, the Board shall waive the monetary penalty of \$800.00 for count 2, and shall waive the monetary penalty of \$400.00 for Count 3, provided a member of Responsible Management of Crawford Environmental Services Inc successfully completes remedial education within ninety days of the effective date of the Order.

If a member of Responsible Management of **Crawford Environmental Services Inc** fails to comply with this condition, then the full monetary penalty for Counts 2 and 3 will be automatically imposed and **Crawford Environmental Services Inc** license suspended until the remedial education is completed.

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

**In the matter of Consent Order File Number 2013-02507 Board v. Trimark Corporation;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2013-02507  
 Trimark Corporation**

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

Count 1:	18 VAC 50-22-260 B 6	\$ 750.00
Board Costs		\$ 0.00
Total		\$ 900.00

Further, for violation of count 1, **Trimark Corporation** agrees to have a member of Responsible Management

successfully complete a Board-approved remedial education class.

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

**In the matter of Consent Order File Number 2013-02531 Board v. Imperial Plumbing Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-02531  
Imperial Plumbing Inc**

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

Count 1:	18 VAC 50-22-260 B 6	\$ 200.00
Board Costs		\$ 0.00
Total		\$ 350.00

Further, for violation of count 1, **Imperial Plumbing Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

**In the matter of Consent Order File Number 2013-02583 Board v. Roundhouse Enterprises Inc, t/a Radon Safe Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-02583  
Roundhouse Enterprises  
Inc, t/a Radon Safe Inc**

**Roundhouse Enterprises Inc, t/a Radon Safe Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 550.00

Further, for violation of count 1, **Roundhouse Enterprises Inc, t/a Radon Safe Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

**In the matter of Consent Order File Number 2013-02636 Board v. Danny Ray Brunk, Jr. t/a D B Construction;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-02636**  
**Danny Ray Brunk, Jr.**  
**t/a D B Construction**

**Danny Ray Brunk, Jr. t/a D B Construction** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$ 400.00
Count 2:	18 VAC 50-22-260 B 31	\$ 400.00
Count 3:	18 VAC 50-22-260 B 27	\$ 750.00
Count 4:	18 VAC 50-22-260 B 28	\$1,000.00
Board Costs		\$ 150.00
Total		\$ 2,700.00

Further, for violation of count 4, **Danny Ray Brunk, Jr. t/a D B Construction** agrees to suspension of his license until such time as the judgment referenced therein is satisfied, including court costs, and **Danny Ray Brunk, Jr. t/a D B Construction** provides satisfactory proof thereof to the

Board. If proof of such satisfaction is not provided to the Board within ninety days of the effective date of the Order, **Danny Ray Brunk, Jr. t/a D B Construction** license shall be automatically revoked.

Further for violation of Counts 1, 2, and 3, **Danny Ray Brunk, Jr. t/a D B Construction** have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

**In the matter of Consent Order File Number 2013-02642 Board v. Nicely's Contracting Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-02642**  
**Nicely's Contracting Inc**

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

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

Further, for violation of count 1, **Nicely's Contracting Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

In addition, for violation of Count 3, **Nicely's Contracting Inc** agrees to suspension of is license until the judgment, including all court costs, attorney's fees, and interest, is satisfied and **Nicely's Contracting Inc** license will be automatically revoked.

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

**In the matter of Consent Order File Number 2013-02728 Board v. Jackie A Calloway, t/a Family Signs;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2013-02728  
 Jackie A Calloway, t/a  
 Family Signs**

**Jackie A Calloway, t/a Family Signs** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6 (2 violations at \$750.00 each)	\$ 1,500.00
Count 2:	18 VAC 50-22-260 B 27	\$ 650.00
Board Costs		\$ 0.00
Total		\$ 2,300.00

Further, for violation of counts 1 and 2, **Jackie A Calloway, t/a Family Signs** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

On September 23, 2013, **Jackie A Calloway, t/a Family Signs provided** evidence that she has now obtained the necessary permits referenced in count 1. Therefore, the Board agrees to waive \$1,000.00 of the monetary penalty for Count 1.

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

**In the matter of Consent Order File Number 2013-02531 Board v. New Atlantic Contracting Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the

**File Number  
 2013-02783  
 New Atlantic**

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

**Contracting Inc**

**New Atlantic Contracting Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29	\$ 250.00
Count 2:	18 VAC 50-22-260 B 29	\$ 250.00
Board Costs		\$ 150.00
Total		\$ 650.00

Further, for violation of count 1 and 2, **New Atlantic Contracting Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

**In the matter of Consent Order File Number 2013-02784 Board v. Burwil Construction Company, Inc.;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2013-02784  
 Burwil Construction  
 Company, Inc**

**Burwil Construction Company, Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29	\$ 250.00
Board Costs		\$ 150.00
Total		\$ 400.00

Further, for violation of count 1, **Burwil Construction Company, Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

**In the matter of Consent Order File Number 2013-02531 Board v. Franklin Jacobs t/a Jacobs Enterprises;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-02795**  
**Franklin Jacobs t/a**  
**Jacobs Enterprises**

**Franklin Jacobs t/a Jacobs Enterprises** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 19	\$ 650.00
Board Costs		\$ 150.00
Total		\$ 800.00

Further, for violation of count 1, **Franklin Jacobs t/a Jacobs Enterprises** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

**In the matter of Consent Order File Number 2013-02531 Board v. Richard K black, Sr. t/a 3 Generations Home Improvement;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-02828**  
**Richard K black, Sr. t/a 3**  
**Generations Home**  
**Improvement**

**Richard K black, Sr. t/a 3 Generations Home Improvement** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

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

Total	\$ 650.00
Further, for violation of count 1, <b>Richard K black, Sr. t/a 3 Generations Home Improvement</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.	

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

**In the matter of Consent Order File Number 2013-02531 Board v. Men @ Work LLC;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-02885**

**Douglas Rasmussen for Men @ Work LLC** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	§54.1-1110 of the Code of Virginia	\$ 00.00
Count 2:	18 VAC 50-22-260 B 2	\$ 900.00
Board Costs		\$ 150.00
Total		\$ 1,050.00

It is noted that as of July 29, 2013, **Douglas Rasmussen** is the sole Responsible Management, Qualified Individual, and Designated Employee for Men @ Work LLC.

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

**In the matter of Consent Order File Number 2013-02983 Board v. Randy Hostetter Excavating LLC;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-02983  
Randy Hostetter  
Excavating LLC**

**Randy Hostetter Excavating LLC** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 400.00
Count 2:	18 VAC 50-22-260 B 27	\$ 750.00
Count 3:	18 VAC 50-22-260 B 26	\$ 800.00
Board Costs		\$ 150.00
Total		\$ 2,100.00

Further, for violation of count 1, **randy Hostetter Excavating LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Further, the Board shall waive imposition of the **\$800.00** monetary penalty for Count 3 provided a member of Responsible Management of **Randy Hostetter Excavating LLC** successfully completes remedial education within ninety (90) days of the effective date of the Order. If a member of Responsible Management of **Randy Hostetter Excavating LLC** fails to comply with this condition, then the full monetary penalty will be automatically imposed.

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

**In the matter of Consent Order File Number 2013-02995 Board v. Rockbridge Farmers Cooperative, Inc.;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-02995  
Rockbridge Farmers  
Cooperative, Inc.**

**Rockbridge Farmers Cooperative, Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$ 850.00
Board Costs		\$ 150.00
Total		\$ 1,000.00

Further, for violation of count 1, **Rockbridge Farmers Cooperative, Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

In the matter of Consent Order File Number 2013-02983 Board v. **Young S Lee & Profiro Hernandez, t/a Hernandez Plumbing Co**; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number  
**2013-03282**  
**Young S Lee & Profiro Hernandez, t/a Hernandez Plumbing Co**

**Young S Lee & Profiro Hernandez, t/a Hernandez Plumbing Co** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 2	\$ 2,500.00
Board Costs		\$ 0.00
Total		\$ 2,500.00

Further, for violation of count 1, **Young S Lee & Profiro Hernandez, t/a Hernandez Plumbing Co** agrees to the terms outlined below. In addition, the board shall waive imposition of the \$2,500.00 monetary penalty so long as Hernandez Plumbing Co. abides by each and every term listed.

**Young S Lee & Profiro Hernandez, t/a Hernandez Plumbing Co** agrees to the revocation of its contractor license 2705070488.

Further, **Young S Lee & Profiro Hernandez, t/a Hernandez Plumbing Co** agrees to the revocation of all licenses, certifications, registrations, and approvals issued by the Board based on Lee's use of the names Young Soo Lee, Young S. Lee, or Young Lee.

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

**In the matter of Consent Order File Number 2013-03317 Board v. Suncrest Builders, Inc.**; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-03317**  
**Suncrest Builders, Inc**

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

Count 1:	18 VAC 50-22-260 B 9	\$ 200.00
Board Costs		\$ 150.00
Total		\$ 350.00

Further, for violation of count 1, **Suncrest Builders, Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

**In the matter of Consent Order File Number 2013-023403 Board v. Beach Windows Inc, t/a Beach Windows and Siding;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-03403  
Beach Windows Inc, t/a  
Beach Windows and  
Siding**

**Beach Windows Inc, t/a Beach Windows and Siding** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-220 A	\$ 450.00
Count 2:	18 VAC 50-22-220 A	\$ 450.00
Count 3:	18 VAC 50-22-220 B	\$ 450.00
Count 4:	18 VAC 50-22-220 C	\$ 450.00
Count 5:	18 VAC 50-22-260 B 27 two violations at \$700.00 each	\$1,400.00
Board Costs		\$ 150.00
Total		\$ 4,050.00

Further, for violation of counts 1 through 6, **Beach Windows Inc, t/a Beach Windows and Siding** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

**In the matter of Consent Order File Number 2013-03499 Board v. Taratex Development Corp;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-03499  
Taratex Development  
Corp;**

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

Count 1:	18 VAC 50-22-260 B 8	\$ 400.00
Count 2:	18 VAC 50-22-260 B 27	\$ 750.00
Count 3:	18 VAC 50-22-260 B 26	\$ 800.00
Board Costs		\$ 150.00
Total		\$ 2,100.00

Further, for violation of count 1, **Taratex Development Corp**; agrees to have its license suspended until the judgments are satisfied and **Taratex Development Corp** provides the board with proof of the satisfaction. If the Board is not provided with proof of satisfaction within six months of the effective date of the Order, **Taratex Development Corp** agrees that its license shall be automatically revoked.

Further, the Board shall waive imposition of the **\$1,000.00** monetary penalty for Count 1 provided a member of Responsible Management of **Taratex Development Corp**; satisfies the judgments and provided the board with proof of the satisfaction within six months of the effective date of the Order. If **Taratex Development Corp** fails to comply with these conditions, than the full monetary penalty will be automatically imposed.

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

**Closed Motion: Motion for closed meeting: At 1:15 pm, Mr. Dyer** offered a motion seconded by **Mr. Walton**. Mr. Chairman, I move that this meeting be recessed and that the Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and/or briefings by staff members pertaining to actual and/or potential litigation as permitted by § 2.2-3711.A.7 of the Code of Virginia. The following non-members will be in attendance to reasonably aid the consideration of the topic. R. Thomas Payne, James Flaherty, Nick Christner, Eric Olson, Gordon Dixon, Mindy Spruill, Johnathan Darden, Jonathan Roth, Rhonda McKnight and Gary Jenkins. This motion is made with respect to the matters (s) identified as agenda item (s) 7A.

**Closed Meeting Session**  
**Agenda Item 7 A**  
**Litigation Briefing**

The motion was unanimously adopted by members voting yes: **Chowdhuri, Giesen, Middleton, Dowdy, Murrow, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton. Members absent were: Gelardi and Williams.**

**Certification of Closed Meeting:** WHEREAS, the Board for Contractors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

**Certification of Closed Meeting**

WHEREAS, § 2.2-3712 of the Code of Virginia requires a certification by this Board for Contractors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board for Contractors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board for Contractors.

**At 2:03 pm** there was a Call for vote (each member must answer "Aye" or "Nay"):

Goutam Chowdhuri  
H. Bailey Dowdy  
Herbert "Jack" Dyer, Jr.  
David Giesen  
E G Rudy Middleton, III  
Doug Murrow  
James Oliver  
E. C. Chick Pace, III  
Troy Smith, Jr.  
Deborah L. Tomlin  
Dwight Todd Vander Pol  
Chancey Walker  
Wyatt Walton

Vote

Ayes: Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Tomlin, Vander Pol, Walker, Walton. Williams and Gelardi were absent and did not vote.

**The Board took a five minute break and reconvened at 2:12 pm**

**Break and Reconvene**

**Closed Motion: Motion for closed meeting: At 2:14 pm, Mr. Dyer** offered a motion seconded by **Mr. Pace**. Mr. Chairman, I move that this meeting be recessed and that the Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and/or briefings by staff members pertaining to legal matters within the jurisdiction of the Board as permitted by § 2.2-3711.A.7 of the Code of Virginia. The following non-members will be in attendance to reasonably aid the consideration of the topic. R. Thomas Payne, James Flaherty, Eric Olson, Nick Christner and Mindy Spruill. This motion is made with respect to the matters (s) identified as agenda item (s) 7B File 2013-00333.

**Closed Motion**  
**Agenda Item 7 B**  
**Recovery Fund Appeal**  
**2013-00333**

The motion was unanimously adopted by members voting yes: **Chowdhuri, Giesen, Middleton, Dowdy, Murrow, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton**. **Members absent were: Gelardi and Williams**.

**Certification of Closed Meeting:** WHEREAS, the Board for Contractors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

**Certification of Closed**  
**Meeting Agenda Item 7 B**  
**Recovery Fund Appeal**  
**2013-00333**

WHEREAS, § 2.2-3712 of the Code of Virginia requires a certification by this Board for Contractors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board for Contractors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board for Contractors.

**At 2:25 pm** there was a Call for vote (each member must answer "Aye" or "Nay"):

Goutam Chowdhuri  
H. Bailey Dowdy  
Herbert "Jack" Dyer, Jr.  
David Giesen  
E G Rudy Middleton, III  
Doug Murrow  
James Oliver  
E. C. Chick Pace, III  
Troy Smith, Jr.

Deborah L. Tomlin  
Dwight Todd Vander Pol  
Chancey Walker  
Wyatt Walton

Vote

Ayes: Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Tomlin, Vander Pol, Walker, Walton. Williams and Gelardi were absent and did not vote.

**Reopen and hear Agenda Item 7 B; File 2013-00333, In the matter of Recovery Fund Case John L Bisnett Sr, t/a JL Bisnett Construction (Regulant) and Charles Twitchell (Claimant).**

**File Number  
Reopen and Hear  
2013-00333  
Charles Twitchell  
(Claimant) , John L  
Bisnett Sr, t/a JL Bisnett  
Construction (Regulant)**

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Walton** to reconsider the case and accept the Presiding Officer's recommendations. The Board finds there is language in the pleadings that supports the conclusion that the court found that the conduct of **John L Bisnett Sr, t/a JL Bisnett Construction** involved improper or dishonest conduct. The Board orders that this claim be approved in the amount of \$18,875.00.

Pursuant to 54.1-1123.B payments may be reduced on a prorated basis based on the number of claims received. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**Closed Motion: Motion for closed meeting: At 2:28 pm, Mr. Dyer** offered a motion seconded by **Mr. Pace**. Mr. Chairman, I move that this meeting be recessed and that the Board immediately reconvene in closed meeting for the purpose of consultation with legal matters within the jurisdiction of the Board as permitted by § 2.2-3711.A.7 of the Code of Virginia. The following non-members will be in attendance to reasonably aid the consideration of the topic. R. Thomas Payne, James Flaherty, Nick Christner, Eric Olson, and Mindy Spruill. This motion is made with respect to the matters (s) identified as agenda item (s) 7C. File 2012-01742

**Closed Motion  
Agenda Item  
7 C Disciplinary Appeal  
2012-01742**

The motion was unanimously adopted by members voting yes: **Chowdhuri, Giesen, Middleton, Dowdy, Murrow, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.**

**Certification of Closed Meeting:** WHEREAS, the Board for Contractors has

**Certification of**

convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

**Closed Meeting**  
**7 C Disciplinary Appeal**  
**2012-01742**

WHEREAS, § 2.2-3712 of the Code of Virginia requires a certification by this Board for Contractors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board for Contractors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board for Contractors.

**At 2:35 pm** there was a Call for vote (each member must answer "Aye" or "Nay"):

Goutam Chowdhuri  
H. Bailey Dowdy  
Herbert "Jack" Dyer, Jr.  
David Giesen  
E G Rudy Middleton, III  
Doug Murrow  
James Oliver  
E. C. Chick Pace, III  
Troy Smith, Jr.  
Deborah L. Tomlin  
Dwight Todd Vander Pol  
Chancey Walker  
Wyatt Walton

Vote

Ayes: Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Tomlin, Vander Pol, Walker, Walton. Williams and Gelardi were absent and did not vote.

**Opening of Consent Order case: Consent Order File Number 2012-01742 Board and Culver Design Build, Inc; Mr. Oliver** offered a motion seconded by **Mr. Dyer** to rescind the original order involving this case and approve the Consent Order drafted by staff with the following terms:

**File Number**  
**2012-01742**  
**Culver Design Build, Inc.**

**Culver Design Build, Inc.** recognizes and acknowledges being subject to and bound by the Regulations of the Board for Contractors, as well as by all other

applicable Virginia laws.

Pursuant to the Administrative Process Act § 2.21-4019 of the Code of Virginia as amended:

The Board and Culver, as evidenced by the signatures affixed on the order, enter into the Consent Order. Culver knowingly and voluntarily waives any further proceedings in this matter under Administrative Process Act § 2.21-4019 and 2.2-4021 of the 1950 Code of Virginia, as amended; provided, however, Culver shall not be deemed to have waived such rights if, after the exhaustion of all appeals of the Final Order of the Circuit Court of the City of Alexandria in Case No. CL13002088, the Complainant in Board Case No. 2012-01742 is granted party status or the case is remanded to determine same.

By signing the Consent Order, Culver acknowledges an understanding of the charge alleging a violation of Board Regulation 18 VAC 50-22-260 B 25; however, it does not admit to any violation of such regulation. Culver otherwise accepts the terms of the Consent Order for the purposes of resolving this matter.

The Board and Culver further agree to the following additional terms: The entry of the Consent Order shall not affect any continuing education requirements otherwise applicable for renewal of Culver's license, provided that this Consent Order shall not be a bar to acceptance of any application for licensure made by the Responsible Management of Culver for renewal of this license or for licensure of another entity controlled by such management. Such application shall not be required to proceed through an Informal Fact-Finding Conference, provided the application otherwise meets the appropriate renewal or entry requirements of the Board at that time.

Each of the Board and Culver agree to waive all rights to appeal this Consent Order under § 2.21-4026 and 2.2-4027 of the 1950 Code of Virginia as amended; provided, however, neither the Board nor Culver shall be deemed to have waived such rights if, after the exhaustion of all appeals of the Final Order of the Circuit Court of the City of Alexandria in Case No. CL13002088, the Complainant in Board Case No. 2012-01742 is granted party status or the case is remanded to determine same.

The Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**Education Provider Applications:** Education Specialist, Marcie Hyman shared that the following applications for proposed education providers and

**Agenda Item 7 D**  
**Education Providers**

courses were reviewed by the Committee on December 16<sup>th</sup>, 2013 and their recommendations are as follows:

Deborah Tomlin was present and addressed the Committee. After discussion, and a motion by **Mr. Walton**, seconded by **Mr. Vander Pol**, the Committee unanimously recommended the Board approve Central Virginia Contractors Education – Pre-License Contractors online course.

Upon a motion by **Mr. Oliver** seconded by **Mr. Dyer** the Board unanimously approved Central Virginia Contractors Education course: Members voting “Yes” were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Vander Pol, Walker, and Walton**. **Ms. Tomlin recused herself and did not participate and did not vote in the matter. Members absent were: Gelardi and Williams.**

After discussion, and a motion by **Mr. Vander Pol**, seconded by **Mr. Middleton**, the Committee unanimously recommended the Board approve IEC Chesapeake (ELE) continuing education classroom course.

Upon a motion by **Mr. Oliver** seconded by **Mr. Dyer** the Board unanimously approved IEC Chesapeake course: Members voting “Yes” were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton**. **Members absent were: Gelardi and Williams.**

After discussion, and a motion by **Mr. Middleton**, seconded by **Mr. Vander Pol**, the Committee unanimously recommended the Board approve AEMC Instruments (ELE) continuing education classroom course.

Upon a motion by **Mr. Oliver** seconded by **Mr. Dyer** the Board unanimously approved AEMC course: Members voting “Yes” were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton**. **Members absent were: Gelardi and Williams.**

After discussion, and a motion by **Mr. Middleton**, seconded by **Mr. Vander Pol**, the Committee unanimously recommended the Board approve Electrical Training Course (ELE) continuing education classroom course.

Upon a motion by **Mr. Oliver** seconded by **Mr. Dyer** the Board unanimously approved Electrical Training course: Members voting “Yes” were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton**. **Members absent were: Gelardi and Williams.**

After discussion, and a motion by **Mr. Middleton**, seconded by **Mr. Vander Pol**, the Committee unanimously recommended the Board approve M.

## Application Report

### Central Virginia Contractors Education

### IEC Chesapeake

### AEMC Instruments

### Electrical Training Course

### M. Frederick Enterprises

Frederick Enterprises (HVAC) continuing education classroom and online course.

Upon a motion by **Mr. Oliver** seconded by **Mr. Dyer** the Board unanimously approved M. Frederick Enterprises course: Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

After discussion, and a motion by **Mr. Vander Pol**, seconded by **Mr. Middleton**, the Committee unanimously recommended the Board approve National Ground Water Association (Certified Water Well) continuing education classroom course.

**National Ground Water Association**

Upon a motion by **Mr. Oliver** seconded by **Mr. Dyer** the Board unanimously approved National Ground Water Association course: Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams**

After discussion, and a motion by **Mr. Middleton**, seconded by **Mr. Vander Pol**, the Committee unanimously recommended the Board approve The College of Southern Maryland Center for Trades and Energy Training (ELE and HVAC) continuing education classroom course.

**College of Southern Maryland Center for Trades and Energy Training**

Upon a motion by **Mr. Oliver** seconded by **Mr. Dyer** the Board unanimously approved College of Southern Maryland Center for Trades and Energy Training course: Members voting "Yes" were: **Chowdhuri, Dowdy, Dyer, Giesen, Middleton, Murrow, Pace, Oliver, Smith, Tomlin, Vander Pol, Walker, and Walton.** Members absent were: **Gelardi and Williams.**

**House Bill 1645 Study Review:** Executive Director of the Board for Contractors, Eric Olson provided an update to the Board on house Bill 1645.

**HB 1645 Agenda Item 7 E**

**Senate Bill 1375 Study Review:** Executive Director of the Board for Contractors, Eric Olson provided the Board with an update on Senate Bill 1375.

**SB 1375 Agenda Item 7 F**

**Examination Stat Review:** Executive Director of the Board for Contractors, Eric Olson discussed the exam stats review with the Board members. After additional discussion Mr. Vander Pol offered a motion that was seconded by Mr. Smith to have Board staff further review the exam stats and provide the Board with a more detailed report at the next meeting in March of 2014. The motion was adopted with a unanimous vote. Members voting "yes" were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Murrow, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.**

**Examination Statistical Review 7 G**

**Adoption of Final Regulations-Contractor Regulations Reform:** The Board members discussed the Regulations and the proposed changes and considered the public comments. After a lengthy discussion, a motion was offered by **Mr. Dyer** and seconded by **Mr. Pace** to keep the Regulations as final.

The motion was adopted by a unanimous vote. Members voting ‘yes’ were: **Chowdhuri, Giesen, Middleton, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, Murrow, and Walton.** Members absent were: **Gelardi and Williams.**

**Adoption of Final Regulations-Individual Tradesman Regulations Reform:** The Board members considered project 3534, the proposed Tradesman Regulation Regulatory Reform, the proposed changes and the public comment.

There was much discussion concerning the possible change of extending the reinstatement period from one year to two years.

After additional discussion by Mr. Middleton, Mr. Murrow, Mr. Dowdy, Mr. Oliver, Mr. Walker, Mr. Vander Pol and Mr. Walton; **Mr. Vander Pol** offered a motion seconded by **Mr. Dyer** to have the reinstatement period become two year and to discontinue the requirement for continuing education. The motion failed by a majority vote. Members voting “yes” were: **Vander Pol, Chowdhuri, Walker, and Dyer.** Members voting “no” were: **Giesen, Middleton, Dowdy, Pace, Oliver, Smith, Tomlin, Murrow, and Walton.** Members absent were: **Gelardi and Williams.**

After further discussion, Mr. Murrow offered a motion seconded by Mr. Dowdy to amend the Regulations and to remove the language that recommends removing the Continuing Education requirements and to keep the two year reinstatement period recommendation.

The motion passed by majority vote. Members voting “yes” were: **Tomlin, Smith, Murrow, Walton, Giesen, Middleton, Dowdy and Pace.** Members voting “no” were: **Oliver, Vander Pol, Chowdhuri, Walker and Dyer.** Members absent were: **Gelardi and Williams.**

**Mindy Spruill** gave the Board members an update on the Regulatory Update and the Legislative Update and she reminded the Board members that each member of the Board is required to complete the COIA training. She also shared that their Financial Disclosure statements must be completed by January 15<sup>th</sup>, 2014

**Eric Olson** reminded the Board members that the General Assembly starts in

**New Business:**  
**Contractor Regulations**  
**8 A**

**Tradesman Regulations**  
**8 B**

**Agenda item 8 C and**  
**8 D and 8 E**  
**Reg. Update**  
**Legislative Update**  
**COIA training**

**General Assembly**

January of 2014 and the Board members cannot address issues of concern “for the Board”.

The next Board meeting will be March 4th, 2014.

**Next Board meeting**

The Board Chair asked all members to be certain to complete their Conflict of Interest Forms and Travel Vouchers and turn them in to Sheila Watkins prior to leaving the meeting. Also any members who have not completed their Financial Disclosure Statement please see Sheila Watkins today. Board chair wished all members and staff a Happy New Year and a Merry Christmas. He reminded members and staff that after adjournment they would be able to eat their lunch.

**Paperwork**

There being no further business to come before the Board, the meeting was adjourned at **3:56 p.m.** upon a motion by **Mr. Vander Pol** and seconded by **Mr. Pace**.

**Adjournment**

The motion was unanimously approved. Members voting “yes” were: **Chowdhuri, Giesen, Middleton, Murrow, Dowdy, Dyer, Walker, Pace, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Members absent were: **Gelardi and Williams.**

---

E.G. Middleton, III, Chairman

---

Gordon N. Dixon, Secretary