

BOARD FOR CONTRACTORS BOARD MEETING

Draft MINUTES

The Board for Contractors met on Tuesday, July 26th, 2011 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 15 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

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

Board members absent from the meeting were: and
David Giesen and E.G. Rudy Middleton, III.

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

Eric L. Olson, Executive Director
Gordon Dixon, Director
Sheila Watkins, Administrative Assistant
Karen Bullock, Administrative Assistant
Earlyne Perkins, Legal Analyst
Victoria Traylor, Legal Analyst
Kristen Becker, Legal Analyst
Chris Kunkel, Licensing Education Specialist
Adrienne Mayo, Regulatory Boards Administrator
Steven Jack, Assistant Attorney General
Leas Roth, Licensing and Education Administrator

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

**Call
To Order**

Chairman Smith introduced and welcomed our new Board Member: Mr. James Oliver to his four year term of service as a member of the Board for Contractors. He was welcomed by the members and staff present with a rousing applause.

**Introduction of New
Board Member**

Mr. Smith and the Board for Contractors members gave the DPOR staff a standing round of applause for their hard work and dedication. He shared that it is a pleasure to work with each staff member.

Thanks to the DPOR Staff

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

Approval of the Agenda

Board members, Giesen, and Middleton, were not present at the Board meeting.

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

Approval of Minutes

June 07th, 2011 Board for Contractors Meeting
May 10th, 2011 Informal Fact Finding Conference
June 09th, 2011 Informal Fact Finding Conference
June 07th, 2011 Informal Fact Finding Conference
June 10th, 2011 Informal Fact Finding Conference
June 14th, 2011 Informal Fact Finding Conference

Mr. Gelardi seconded the motion and it was unanimously approved by members: Members voting “Yes” were: The motion passed unanimously. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Tomlin, Williams and Walker.**

Board members, Giesen, and Middleton, were not present at the Board meeting.

There was no public comment.

Public Comment Period

In the matter of Recovery Fund File Number 2011-02992, James Jones and Rosalie Tapia (Claimants) vs. Woodpecker Construction, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Woodpecker Construction,**

**File Number
2011-02992
James Jones and Rosalie Tapia
(Claimant) vs.**

LLC (Regulant) did not appear at the board meeting in person or by counsel or by any other qualified representative. **James Jones and Rosalie Tapia (Claimant)** did not attend the Board meeting.

Woodpecker Construction, LLC (Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$15,151.00**. The Claim Review and Summary are incorporated as a part of this Order. Upon payment of this claim, the license of **Woodpecker Construction, LLC** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Oliver Murrow, Pace, Walton, Vander Pol, Sumpter, Smith, Tomlin, Williams and Walker.**

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-01576, Rodney and Nancy Cooper (Claimant) vs. Xtreme Structures, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Xtreme Structures, Inc. (Regulant)** did not appear at the board meeting. **Attorney Philip Hankey and Mr. Cooper (Claimants)** did attend the Board meeting. They shared their disagreement with the recommendation.

File Number 2010-01576 Rodney and Nancy Cooper (Claimant) vs. Xtreme Structures, Inc. (Regulant)

Mr. Redifer, the Board's Hearing Representative was not present and did not vote.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of \$14,294. The Claim Review and Summary are incorporated as a part of this Order. Following the discussion a motion passed by majority vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Oliver Murrow, Pace, Walton, Vander Pol, Sumpter, Smith, Tomlin, Williams and Walker.**

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-01476, Angela R. Smith (Claimants) vs. RIDG, INC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **RIDG, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Angela R. Smith (Claimants)** did not attend the Board meeting.

File Number 2011-01476 Angela R. Smith (Claimant) vs. RIDG, INC (Regulant)

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was offered by Mr. Williams that improper and dishonest conduct be identified as a finding and that the claim be paid. He shared that Debtor interrogatories were held within the required time period yet just not attached to the assets within the allotted time; it just wasn't attached to the assets within the required time period. He wanted to pay \$12,500. The motion failed due to lack of a second.

After further discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Dyer** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of \$1,684.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Oliver Murrow, Pace, Walton, Vander Pol, Sumpter, Smith, Tomlin, Williams and Walker.**

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-01472, Darrold D. Goode and Rosemarie V. Goode (Claimants) vs. Cutting Edge Landscaping, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Cutting Edge Landscaping LLC (Regulant)** did not appear at the board meeting. **The Goode's and their attorney, Bruce Smith (Claimants)** did attend the Board meeting. They addressed the Board.

File Number
2010-01472
Darrold D. Goode
And Rosemarie V. Goode
(Claimant) vs.
Cutting Edge Landscaping,
LLC
(Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

Mr. Dyer had questions. After discussion, a motion was made by Mr. Gelardi and seconded by Mr. Williams to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$15,065.00. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Oliver Murrow, Pace, Walton, Vander Pol, Sumpter, Smith, Williams and Walker.**

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-04426, Cheryl J. McCall (Claimants) vs. Don P Bishard, t/a Bishard's Home Improvement Co.

File Number
2010-04426

(Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Don P. Bishard, t/a Bishard's Home Improvement Co. (Regulant)** did not appear at the board meeting. **Cheryl J McCall (Claimant)** did attend the Board meeting.

Mrs. Tomlin the Board's Hearing Representatives was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Williams** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Oliver Murrow, Pace, Walton, Vander Pol, Sumpter, Smith, Williams and Walker.**

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-00102, Roy Sukens (Claimants) vs. Moses T. Cuffee (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Moses T. Cuffee (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Roy Sukens (Claimant)** did not attend the Board meeting.

Mrs. Tomlin, the Board's Hearing Representatives was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and approve the denial of payment in the amount of **\$3,411.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by majority vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Oliver Murrow, Pace, Walton, Vander Pol, Sumpter, Smith, Williams and Walker.**

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-00174, Gary Gray (Claimant) vs. Suburban Construction LLC. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Suburban Construction, LLC. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Gary Gray; (Claimant)** did not attend the Board meeting.

Mrs. Tomlin, the Board's Hearing Representatives were not present and did not

**Cheryl J McCall
(Claimants)
vs.
Don P. Bishard, t/a
Bishard's Home
Improvement Co.
(Regulant)**

**File Number
2011-00102
Roy Sukens
(Claimant) vs. Moses T.
Cuffee (Regulant)**

**File Number
2011-00174
Gary Gray (Claimant)
Suburban Construction, LLC
(Regulant)**

participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and approve the recommendation and approve denial of the recovery fund claim in the amount of \$16,556.40. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. The motion passed by majority vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Oliver Murrow, Pace, Walton, Vander Pol, Sumpter, Smith, Tomlin, Williams and Walker.**

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-00677, Linda S. Evans and Robert L. Martella (Claimant) vs. T & B Associates, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **T 7 B Associates, LLC (Regulant)** did not appear at the board meeting. **Linda S Evans and Robert L Martella (Claimants)** did not attend the Board meeting.

File Number
2011-00677
Linda S. Evans and Robert
L. Martella (Claimant)
T & B Associates, LLC
(Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After further discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Walton** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Oliver Murrow, Pace, Walton, Vander Pol, Sumpter, Smith, Tomlin, Williams and Walker.**

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-00705, Richard and Katherine Haas (Claimant) vs. Transcontinental Granite, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Transcontinental Granite, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Rick and Karen Fauber (Claimant)** did not attend the Board meeting.

File Number
2011-00705
Richard and Katherine Haas
(Claimant)
Transcontinental Granite, Inc.
(Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

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

to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$2,398.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote.

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

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-00705, Richard and Katherine Haas (Claimants) vs. Transcontinental Granite INC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Transcontinental Granite, INC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Richard and Katherine Haas (Claimants) did not** attend the Board meeting.

**File Number
2011-00705
Richard and Katherine Haas
(Claimants) and
Transcontinental Granite,
INC
(Regulant)**

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Williams** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$7,211.00**. The Claim Review and Summary are incorporated as a part of this Order.

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

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-00930, Caroline Bost (Claimant) vs. Kastech Incorporated, t/a Kastech Construction and Ventilator Specialist Co. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Kastech Incorporated, t/a Kastech Construction and Ventilator Specialist Co. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Caroline Bost (Claimant)** did not attend the meeting.

**File Number
2011-00930
Caroline Bost
(Claimant)
Kastech Incorporated, t/a
Kastech Construction and
Ventilator Specialist Co.
(Regulant)**

Ms. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** adopt the claim review and the hearings officer's recommendations and summary and to deny payment of the claim in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Oliver Murrow, Pace, Walton, Vander Pol, Sumpter, Smith, Tomlin, Williams and Walker.**

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-01319, John and Julie Parker (Claimant) vs. Tidewater Remodeling Network, LLC. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Tidewater Remodeling Network, LLC. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **John and Julie Parker (Claimants) did not** attend the Board meeting.

File Number
2011-01319
John and Julie Parker
(Claimant)
Tidewater Remodeling
Network, LLC. (Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote.

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

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-01477, James & Sandra Johnston (Claimant) vs. Isaac Forest (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Isaac Forest. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Michiel L Watkins and Attorney (Claimants) did** attend the Board meeting. They addressed the Board and shared their disagreement. Mr. Dowdy recused himself.

File Number
2011-01477
Michiel L Watkins
(Claimant)
James R Price t/a Right Price
Improvements (Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$20,00.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by majority vote.

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

Dowdy did not vote.

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-01531, Mine Lam (Claimant) vs. John Henry Fillmann, Jr., t/a Fillmann's. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **John Henry Fillmann. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Jeremy Hitslinger (attorney) and Mine Lam (Claimants) did** attend the Board meeting. They addressed the Board.

File Number
2011-01531
Mine Lam
(Claimant)
John Henry Fillmann, Jr., t/a
Fillmann's .
(Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After further discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by majority vote.

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

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-01539, Gail Calandrino (Claimant) vs. Regina L Cooke, t/a Budget Painting & Home Repair (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Regina L Cook (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Gail Calandrino (Claimants) did** attend the Board meeting. She requested the case be remanded for an IFF to provide additional information. A handout was given to the Board members for this case.

File Number
2011-01539
Gail Calandrino
(Claimant)
Regina L. Cooke, t/a Budget
Painting & Home Repair
(Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Walker** and seconded by **Mr. Dyer** to remand the case back to staff to conduct another Informal Fact Finding in order to review additional information. The motion passed by unanimous vote.

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

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-01696, Patricia A Magner (Claimant) vs. Creative Custom Framing & Trim, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Creative Custom Framing & Trim, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Patricia A Magner (Claimants) did** attend the Board meeting. She addressed the Board and shared her agreement.

File Number
2011-01696
Patricia A Magner
(Claimant)
Creative Custom Framing
& Trim, Inc.
(Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote.

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

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-01812, Rosa Gary (Claimant) vs. Ellerbe's Contracting, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Ellerbe's Contracting, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Rosa Gary and her counsel, Rhonda Perkins (Claimants) did** attend the Board meeting. They addressed the Board and shared her agreement.

File Number
2011-01812
Rosa Gary
(Claimant)
Ellerbe's Contracting, LLC
(Regulant)

Mrs. Tomlin, the Board's Hearing Representative was not present and did not

participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. . The motion passed by unanimous vote. Mr. Williams recused himself.

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

Williams did not vote.

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-02038, Denise Cahen and Charles Davidson (Claimant) vs. Crawford Construction Company of Virginia (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Elwood Crawford for **Technologies, Inc., t/a Suntech Homes (Regulant)** did appear at the board meeting in person. **Steve Julius attorney for Denise Cahen and Charles Davidson (Claimants) did** attend the Board meeting. He addressed the Board and shared his client's agreement.

**File Number START
2010-02038
Denise Cahen and Charles
Davidson
(Claimant)
Technologies, Inc., t/a Suntech
Homes
(Regulant)**

Mr. Redifer, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Dyer** to remand the case back to staff to have an Informal Fact Finding conducted to allow the claimant to submit additional information. Mr. Dyer expressed his concerns concerning the warrant in debt. Ms. Becker shared that this case is a default judgment and the facts were adopted. The motion passed by unanimous vote.

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

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-02356, Brent A and Wendie L Mewszel (Claimant) vs. Jesse Patrick McDowell, t/a AAPM Construction/Heck of a Deck Builds (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Jesse McDowell (Regulant)** did not appear at the

**File Number
2011-02356
Brent A and Wendie L
Mewszel
(Claimant)**

board meeting in person or by counsel or by any other qualified representative. **Brent and Wendie Mewszel (Claimants) did not** attend the Board meeting.

**Jesse Patrick McDowell, t/a
AAPM Construction/Heck
of a Deck Builds
(Regulant)**

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of **\$1,989.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote.

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

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-02460, Brian and Colleen Krezel (Claimant) vs. Meticulous Contracting (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Meticulous Contracting (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Brian and Colleen Krezel, (Claimants) did** attend the Board meeting. John Rife also attended. He addressed the Board and shared his agreement.

**File Number
2011-02460
Brian and Colleen Krezel
(Claimant)
Meticulous Contracting
(Regulant)**

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After further discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$11,140.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote.

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

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2011-02493, Frank E Lincoln, Jr. (Claimant) vs. James Michael Di Constanzo, t/a Insignia Design Contractors (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **James Michael Di Constanzo, t/a Insignia Design Contractors (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Frank E Lincoln, Jr. (Claimants)** did attend the Board meeting. John Billingsley attorney addressed the Board and shared his agreement and shared that based on the judgment he requests the Board to reconsider the amount of the recommended award and increase it to \$8,594.04.

File Number
2011-02493
Frank E Lincoln, Jr.
(Claimant)
James Michael Di Constanzo,
t/a Insignia Design
Contractors

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Dyer** to adopt the claim review and amend the hearing officer's recommendations and summary and pay the claim in the amount of **\$7,625.04**. The Claim Review and Summary are incorporated as a part of this Order. The motion failed due to lack of a second. After further discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$8,625.04** conforming to the judgment. The motion passed by unanimous vote.

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

Board members, Middleton, and Giesen, were not present at the Board meeting.

In the matter of Recovery Fund File Number 2010-03538, Jean Artis (Claimant) vs. Isaac Jon Hawkins t/a Diversified (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Isaac Jon Hawkins t/a Diversified Residential Services (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Jean Artis, (Claimants)** did attend the Board meeting. She addressed the Board and shared her agreement.

File Number
2010-03538
Jean Artis (Claimant)
Isaac Jon Hawkins t/a
Diversified Residential
Services

Mrs. Tomlin, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After further discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$16,563.00**. The Claim Review and Summary are incorporated as a part of this Order. **Mr. Dyer** shared that the Regulant paid \$1,800.00 towards the loss prior to the judgment. The motion passed by majority

vote.

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

Members voting “No” were: Dyer.

Board members, Middleton, and Giesen, were not present at the Board meeting.

The Board members took a 5 minute recess.

Recess

In the matter of License Application File Number 2011-03838, Sidney E Griffith, 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
2011-03838
Sidney E Griffith, LLC**

Applicant Sidney E Griffith appeared at the IFF. He did attend the Board meeting and shared that he agrees with the Recommendation.

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

After discussion **Mr. Vander Pol** offered a motion that was seconded by **Mr. Dyer** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference due to the 2007 bankruptcy and denies issuance of a license. The motion failed by majority vote. Members voting “Yes” were: **Dyer and Vander Pol.**

Members voting “no” were: Gelardi, Murrow, Pace, Walker, Smith, Sumpter, Tomlin, Williams, Walton and Oliver.

Board members, Giesen and Middleton, were not present at the Board meeting.

After further discussion a motion was made by **Mr. Gelardi** and seconded by **Mrs. Tomlin** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license. The motion passed by majority vote.

Members voting “Yes” were: **Gelardi, Murrow, Sumpter, Walker, Smith, Tomlin, Oliver, Williams and Pace.**

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of License Application File Number 2011-04151, Theodore T. Turpin t/a Quality Home Improvements the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2011-04151
Theodore T. Turpin, t/a
Quality Home Improvements**

Applicant Theodore T Turpin did appear at the IFF and he did attend the Board meeting. He addressed the Board and shared his agreement with the Recommendation.

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

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license. The motion passed by majority vote. Members voting "Yes" were: **Gelardi, Murrow, Sumpter, Walker, Smith, Tomlin, Oliver, Williams, Vander Pol, Walton, Dowdy, Dyer and Pace.**

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of License Application File Number 2011-04156, Phil Blosser, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2011-04156
Phil Blosser**

Applicant Phil Blosser appeared at the IFF. He did not attend the Board meeting.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. Ms. Perkins shared that a correction to the record needed to be made to show that Phil Blosser applied and not Blosser, Inc. The application for license is for a sole proprietor.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license. **Mr. Dyer** had concerns with the bankruptcy of the applicant and the effect it may have on his ability to treat the public fairly. Counsel elaborated on the issue of bankruptcy and granting of a license to a sole proprietor who has filed. **Mr. Vander Pol** shared that he felt it was the misuse of company funds and the timeframe that has elapsed since the filing of the bankruptcy that has a direct effect on issuance of a license to this applicant. **Mr. Oliver** also expressed some concerns about the bankruptcy and the current finances of the applicant. Mr.

Blosser was allowed to respond to the concerns of the members. The motion failed by majority vote.

Members voting “Yes” were: Dyer, Vander Pol, Oliver, Walton and Dowdy.

Members voting “No” were: **Gelardi, Murrow, Pace, Smith, Sumpter, Tomlin, Williams and Walker.**

Board members, Giesen and Middleton, were not present at the Board meeting.

After additional discussion **Dyer** offered a motion seconded by **Gelardi** to amend the Recommendation to reflect the issuance of a **conditional license** and require the designated employee to sit for the exam and to provide verification of having passed all portions of the Class B Contractor examination and Phil Blosser shall provide the Board with successful completion of an eight hour board approved remedial education class and to incorporate the correction as identified by Ms. Perkins, then a license will be issued. The motion passed by majority vote. Members voting “yes” were: **Oliver, Dyer, Vander Pol, Pace, Smith, Tomlin, Walker, Williams, Gelardi, Murrow and Dowdy.**

Members voting “no” were: **Walton and Sumpter.**

Board members, **Giesen and Middleton** were not present at the Board meeting.

In the matter of License Application File Number 2011-04157 John William Karakaris, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2011-04157
John William Karakaris

Applicant John Karakaris appeared at the IFF. He did attend the Board meeting. Mr. Karakaris addressed the Board and shared his agreement.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. Mrs. Perkins shared with the Board that a correction needed to be made to reflect only one conviction of distribution for consideration.

After further discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approves issuance of a license and to incorporate the correction as noted by Mrs. Perkins. The motion passed by unanimous vote. Members voting “Yes” were: **Oliver, Dyer, Vander Pol, Pace, Smith, Tomlin, Walker, Williams, Gelardi, Murrow, Walton, Sumpter and Dowdy.**

Board members, **Giesen and Middleton** were not present at the Board meeting.

In the matter of License Application File Number 2011-04158 Larry Samuels, t/a L.S. Home Repair, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2011-04158

Larry Samuels, t/a L.S. Home Repair

Applicant Larry Samuels appeared at the IFF. He did attend the Board meeting. Mr. Samuels addressed the Board.

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

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

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

Board members, **Giesen and Middleton** were not present at the Board meeting.

In the matter of License Application File Number 2011-04159 Stevens Construction Services, LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2011-04159

Stevens Construction Services, LLC

Applicant Buck Stevens, Jr. for Stevens Construction Services, LLC appeared at the IFF. He, counsel nor any other qualified representative attended the Board meeting.

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

After discussion **Mr. Vander Pol** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny granting a license. See order for additional explanation. The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Dowdy, Pace, Murrow, Walker, Vander Pol, Smith, Sumpter, Tomlin, Williams and Walton.**

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of License Application File Number 2011-04160 Cedar Electrical Services, 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
2011-04160
Cedar Electrical Services, Inc.**

Applicant Cedar Electrical Services, Inc. appeared at the IFF. Richard Shaw on behalf of Cedar Electrical Services, Inc. appeared at the Board meeting.

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

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license. **Mr. Dyer** offered a substitute motion seconded by **Mr. Dowdy** to deny issuing the license due to the short turn around on bankruptcy and applying for a new license. **Mr. Shaw** was allowed to respond. **Mr. Oliver** had some additional questions. The motion failed by majority vote.

Members voting “Yes” were: **Dyer and Walton.**

Members voting “No” were: Giesen, Murrow, Walker, Vander Pol, Smith, Sumpter, Tomlin, Williams, Dowdy, Oliver and Pace.

Mr. Dowdy did not vote.

Board members, Gelardi, and Middleton were not present at the Board meeting.

After further discussion, **Mr. Pace** made a motion seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding and grant a class B license. The motion passed by majority vote.

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

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

Board members, **Giesen and Middleton** were not present at the Board meeting.

In the matter of License Application File Number 2011-04238 Brighter Home of Hampton Roads, Inc., the Board members reviewed the record, which consisted of

**File Number
2011-04238**

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

Brighter Home of Hampton Roads, Inc.

Applicant Matthew & Christine LeBlanch appeared at the IFF. They did attend the Board meeting and address the members of the Board.

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

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Gelardi** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and not issue a Class A license but grants a class B license recommending management of funds moving forward due to history of mismanagement of funds. The Board has considered its Regulations: 18 VAC 50-22-60 E and other applicable law of the Code of Virginia. See order for additional information. The motion passed by unanimous vote.

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

Board members, **Giesen and Middleton** were not present at the Board meeting.

In the matter of License Application File Number 2011-04240 Laurent Kelly Darbouze, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2011-04240
Laurent Kelly Darbouze

Applicant Laurent Kelly Darbouze appeared at the IFF. He did attend the Board meeting and shared his agreement.

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

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants the license. **Mr. Vander Pol** offered a substitute motion to deny the license because only eleven months has passed since the commission of the last crime. His amendment failed due to lack of a second. The motion passed by majority vote.

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

Members voting “No” were: **Vander Pol.**

Board members, **Giesen and Middleton** were not present at the Board meeting.

In the matter of License Application File Number 2011-03832 Thomas Wayne Perdue, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2011-03832
Thomas Wayne Perdue

Applicant Thomas Wayne Perdue appeared at the IFF. He did not attend the Board meeting.

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

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

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

Board members, **Giesen and Middleton** were not present at the Board meeting.

In the matter of License Application File Number 2011-04243 Kendall Harold Adkins, Jr., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2011-04243
Kendall Harold Adkins, Jr.

Applicant Kendall Harold Adkins, Jr. appeared at the IFF. He did not attend the Board meeting.

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

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

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

Board members, **Giesen and Middleton** were not present at the Board meeting.

In the matter of License Application File Number 2011-04245 Shawn Edward Egan t/a Pride Construction, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2011-04245
Shawn Edward Egan t/a Pride Construction

Applicant Shawn Edward Egan t/a Pride Construction attended the IFF and appeared at the Board meeting. He addressed the Board.

The presiding Board representative **Ms. Brigil**, did not participate in the discussion and did not vote. **Ms. Perkins** shared that the record needs to delete Thomas Perdue from page 2 of the record. In the record we need to delete the February 15, 2006 date of conviction.

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

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

Board members, **Giesen and Middleton** were not present at the Board meeting.

In the matter of License Application File Number 2011-04519 Jeffrey Allan Bigelow, t/a Serenity Home and Landscape, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2011-04519
Jeffrey Allan Bigelow, t/a Serenity Home and Landscape

Applicant Steven Carroll and Jeffrey Allan Bigelow appeared at the IFF and the Board meeting. They addressed the Board.

The presiding Board representative **Ms. Becker**, did not participate in the discussion and did not vote.

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

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

Board members, **Giesen and Middleton** were not present at the Board meeting.

In the matter of License Application File Number 2011-04520, Toweh Deon Ketter, (Respondent); the board reviewed the record, which consisted of the application file, transcript, and exhibits from the Summary of the Informal fact-finding conference.

File Number
2011-04520
Toweh Deon Ketter

Toweh Deon Ketter and his attorney Jack Birch (Respondent) appeared at the IFF and Board meeting. They addressed the Board.

The presiding Board representatives **Ms. Becker** did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference. Mr. Vander Pol offered a substitute motion seconded by Mr. Oliver to approve the issuance of the license without restrictions of conditional reporting requirements.

The motion passed by unanimous vote and the license was granted without conditions. Members voting “yes” were: **Murrow, Williams, Vander Pol, Oliver, Smith, Gelardi, Walker, Sumpter, Walton, Dowdy, Dyer, Tomlin and Pace.**

Board members, **Giesen and Middleton** were not present at the Board meeting.

In the matter of License Application File Number 2011-04521 Michael Donovan Harwley, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2011-04521
Michael Donovan Harwley

Applicant Michael Donovan Harwley appeared at the IFF. He also attended the Board meeting.

The presiding Board representative **Ms. Becker** did not participate in the discussion and did not vote.

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

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

Board members, **Giesen and Middleton** were not present at the Board meeting.

In the matter of License File Number 2011-04522, Garland C Jorgensen (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference (IFF).

File Number
2011-04522
Garland C Jorgensen

Applicant Garland C Jorgensen (Respondent) appeared at the IFF. Mr. Jorgensen did appear at the Board meeting. He addressed the Board.

START

The presiding Board representative **Ms. Becker** did not participate in the discussion and did not vote.

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

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of License Application File Number 2011-04523 William Michael Herrick, II, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number
2011-04523
William Michael Herrick II

Applicant William Michael Herrick, II appeared at the IFF. He did attend the Board meeting.

The presiding Board representative **Ms. Becker** did not participate in the discussion and did not vote.

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

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of License Application File Number 2011-04524 Daniel Lee Young, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number
2011-04524
Daniel Lee Young**

Daniel Lee Young appeared at the IFF. Daniel Young and Ray Edwards did appear at the Board meeting.

The presiding Board representative **Ms. Becker** did not participate in the discussion and did not vote.

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

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of License Application File 2011-04584, Quintin Reynard Williams, the board members reviewed record, which consisted of: the application file, transcript, exhibits and the Summary of the Informal Fact Finding Conference (IFF).

**File Number
2011-04584
Quintin Reynard Williams**

Applicant Quintin Reynard Williams at the IFF and the Board meeting.

The presiding Board representative **Ms. Becker** did not participate in the discussion and did not vote.

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

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Murrow, Walker, Vander**

Pol, Pace, Smith, Sumpter, Tomlin, Williams, Oliver and Walton.

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of License Application File 2011-04585, Kenneth P Louk, Sr. the board members reviewed record, which consisted of: the application file, transcript, exhibits and the Summary of the Informal Fact Finding Conference (IFF).

**File Number
2011-04585
Kenneth P Louk, Sr.**

Applicant Kenneth P Louk, Sr. attended the IFF. He did attend the Board meeting.

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

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

The motion passed by unanimous vote.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

The Board took a five minute recess.

Break

In the matter of Disciplinary File Number 2011-01047, Roy McMillion, t/a Sunshine Home Builder (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2011-01047
Roy McMillion, t/a Sunshine
Home Builder**

Roy McMillion, t/a Sunshine Home Builder (Respondent) appeared at the IFF. **Roy McMillion, t/a Sunshine Home Builder and attorney Richard R. Nageotte** did appear at the Board meeting.

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

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

or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. Mr. Walton had questions. Mr. Nageotte counsel for Mr. McMillion was allowed to respond. Mr. Nageotte had a hand out that he wanted to distribute to the Board. Board Counsel, Steven Jack reviewed the hand out. Mr. Oliver offered an amendment to his motion to table the case for copies to be made of the handout and then distributed to the members of the Board. The motion was seconded by Mr. Williams. The case was tabled by unanimous vote.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-06052, David Wayne Carter, t/a Mr. Fixum (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number
2011-06052

David Wayne Carter, t/a
Mr. Fixum

David Wayne Carter, t/a Mr. Fixum (Respondent) did not appear at the IFF. **David Wayne Carter** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **David Wayne Carter**, did violate the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 26	
Count 2:	18 VAC 50-22-260 B 6	Two violation
Count 3:	18 VAC 50-22-260 B 27	Two violations
Count 4:	18 VAC 50-22-260 B 31	
Count 5:	18 VAC 50-22-260 B 13	

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

Board members, Giesen and Middleton, were not present at the Board meeting.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Dyer** to impose the following: The Board voted to impose the following penalty for the violation of the regulation.

Sanctions		
Count 1:	\$650.00	
Count 2:	\$1,000.00	
Count 3:	\$1,300.00	
Count 4:	\$1,000.00	
Count 5:	\$1,250.00	
Total		\$5,200.00

In addition, for violation of Count 1 through 5, the Board voted to **require David Wayne Carter** have a member of Responsible Management successfully complete a Board approved remedial education class within 90 days of the order.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-00272, Phillip A Jones, t/a Jones Transport Service Co. (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2011-00272
Phillip A Jones, t/a Jones
Transport Service Co.**

Neither Phillip A Jones, t/a Jones Transport Service Co. (Respondent) nor anyone on its behalf appeared at the IFF or at the Board meeting.

The presiding Board representative **Mr. Murrow and Mrs. Wood** were not present, did not participate in the discussion and did not vote. The Board was given a handout for consideration of a continuance requested by the Regulant. The Regulant provided in writing to the Board a waiver of his 90 day time period to be heard.

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

The Board finds substantial evidence that Phillip A Jones violated the following sections of its Regulation:

Sanctions	February, 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 10	
Count 3:	18 VAC 50-22-260 B 27	
Count 4:	18 VAC 50-22-260 B 15	
Count 5:	18 VAC 50-22-260 B 16	

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

Board members, Giesen and Middleton, were not present at the Board meeting.

After discussion, a motion was made by Mr. Sumpter and seconded by Mr. Gelardi to impose the following sanctions:

Violations		
Count 1:	\$350.00	
Count 2:	\$750.00	
Count 3:	\$650.00	
Count 4:	\$1,550.00	
Count 5:	\$1,850.00	
Total		\$5,150.00

I addition, for violation of Count 1 through 5 the Board voted to require Phillip A Jones 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: **Dyer, Dowdy, Gelardi, Walker, Vander Pol, Pace, Smith, Sumpter, Tomlin, Williams, Oliver and Walton.**

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-00817, Richard L Davis, t/a Davis One (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number
2011-00817
Richard L Davis, t/a
Davis One**

Richard L Davis, t/a Davis One (Respondent) did not appear at the IFF. **Neither Richard David**, in person, by counsel, nor anyone on its behalf appeared at the Board meeting.

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

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. 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 **Richard L Davis** violated the following sections of its Regulations:

Sanctions	February, 1, 2006	
Count 1:	18 VAC 50-22-260 B 10	
Count 2:	18 VAC 50-22-260 B 31	
Count 3:	18 VAC 50-22-260 B 25	
Count 4:	18 VAC 50-22-260 B 22	
Count 5:	18 VAC 50-22-260 B 13	

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

Board members, Giesen and Middleton, were not present at the Board meeting.

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

Violations	February, 1, 2006	
Count 1:	\$750.00	
Count 2:	\$400.00	
Count 3:	\$1,250.00	
Count 5:	\$1,250.00	

Total		\$3,650.00

In addition, for violation of Count 1, 2 and 4 the Board voted to require Richard L Davis have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. The Board also imposes the revocation of license for the violation of count 5. As to Count 4, pursuant to § 54.1-202 of the Code of Virginia, the Board voted to impose no monetary penalty for the violation of the regulation.

The motion passed by unanimous vote. Members voting yes were: Dyer, Dowdy, Gelardi, Walker, Vander Pol, Pace, Smith, Sumpter, Tomlin, Williams, Oliver and Walton.

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary Case File Number 2011-01892 Michael J Adamov, t/a Mike’s Painting, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2011-01892
Michael J Adamov,
t/a mike’s Painting**

Michael J Adamov, t/a Mike’s Painting did not attend the IFF or the Board meeting in person or by counsel or by any other qualified representative. Robert Gale Complainant attended the board meeting.

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

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations The Board found that **Michael J Adamov** violated the following sections of its Regulations:

Effective September 1, 2001	
Count 1:	18 VAC 50-22-260 B 31
Count 2:	18 VAC 50-22-260 B 6
Count 3:	18 VAC 50-22-260 B 15 February 1, 2006

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

Gelardi, Walker, Vander Pol, Pace, Smith, Sumpter, Tomlin, Williams, Oliver and Walton.

Board members, Giesen and Middleton, were not present at the Board meeting.

After discussion a motion was offered by **Mr. Gelardi** and seconded by **Mr. Pace** to impose the following monetary sanctions:

Count 1:	\$1,000.00
Count 2:	\$1,000.00
Count 3:	\$1,550.00
Total	\$3,550.00

In addition, for violation of Count 1, the Board recommends revocation of license 2705-102762. The Board also voted to require Michael J Adamov have a member of Responsible Management successfully complete a board-approved remedial education class within 90 days of the order.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-02732, Kelly King, t/a King Construction/remodeling (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

**File Number
2011-02732
Kelly King, t/a King
Construction/remodeling**

Neither Kelly King, t/a King Construction/remodeling, (Respondent), nor anyone on his behalf appeared at the IFF or the Board meeting.

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

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations The Board found that **Kelly King** violated the following sections of its Regulations:

Effective February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9
Count 2:	18 VAC 50-22-260 B 6
Count 3:	18 VAC 50-22-260 B 26
Count 4:	18 VAC 50-22-260 B 15
Count 5:	18 VAC 50-22-260 B 16 Effective September 1 2001
Count 6:	18 VAC 50-22-230 B

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

Board members, Giesen and Middleton, were not present at the Board meeting.

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

Count 1	\$1,000.00
Count 2	\$1,000.00
Count 3	\$650.00
Count 4	\$1,550.00
Count 5	\$1,850.00
Count 6	\$1,000.00
Total	\$7,050.00

In addition, for violation of Count 4 and 5, the Board recommends revocation of license 2705-128692.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary Case File Number 2011-03255 Michael J Adamov, t/a Mike’s Painting, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
 2010-03255
 Michael J Adamov, t/a
 Mike’s Painting**

Michael J Adamov, t/a Mike’s Painting did not attend the IFF or the Board meeting

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

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations The Board found that **Michael J Adamov** violated the following sections of its Regulations:

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

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

Board members, Giesen and Middleton, were not present at the Board meeting.

After discussion a motion was offered by **Mr. Williams** and seconded by **Mr. Vander Pol** to impose the following monetary sanctions:

Count 1:	\$1,850.00
Total	\$1,850.00

In addition, for violation of Count 1, the Board recommends revocation of license 2705-102762.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2010-04732 American Air Inc., (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number
2010-04732
American Air Inc**

American Air Inc (Respondent) appeared at the IFF. American Air Inc did not

appear at the Board meeting.

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Vander Pol** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations The Board found that **American Air Inc** violated the following sections of its Regulations:.

Effective February 1, 2006		
Count 1:	18 VAC 50-30-260 B 9	
Count 2:	18 VAC 50-22-260 B 15	September 1, 2001
Count 3:	18 VAC 50-22-220A	

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

Board members, Giesen and Middleton, were not present at the Board meeting .

After discussion a motion was offered by **Mr. Sumpter** and seconded by **Mr. Gelardi** the Board voted to impose the following monetary penalty for the violation of its regulations.

Count 1:		\$350.00
Count 2		\$1,550.00
Count 3		\$400.00
Total		\$2,300.00

In addition, for violation of Count 1 and Count 3, the Board voted to require American Air Inc. have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. The Board also imposes revocation of license 2705-023841 for violation of count 2.

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

Board members, Giesen and Middleton, were not present at the Board meeting .

In the matter of Disciplinary File Number 2010-05187, Grand Hill Builders Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number
2010-05187
Grand Hill Builders Inc**

Grand Hill Builders Inc, (Respondent) did appear at the IFF. They did not appear at the Board meeting in person or by counsel or by any other qualified representative. Deborah Sharpe Complainant appeared at the Board meeting.

The presiding Board representatives **Mr. Pace and Mrs. Wood** were not present, did not participate in the discussion and did not vote. Mrs. Perkins shared with the Board that the last paragraph of the Summary is remedial education language however the sanction does not specifically indicate remedial education in count 3.

After discussion, a motion was made by **Mr. Williams** 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 adopt the Summary of the Informal Fact-Finding Conference and Recommendations and to include the correction as noted by staff. The Board found that **Grand Hill Builders Inc** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-30-260 B 8	
Count 2:	18 VAC 50-22-260 B 9	
Count 3:	18 VAC 50-22-260B 27	
Count 4:	18 VAC 50-220260 B 6	
Count 5:	18 VAC 50-22-260 B 31	

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

Board members, Giesen and Middleton, were not present at the Board meeting .

After discussion a motion was offered by **Mr. Williams** and seconded by **Mr. Vander Pol**. There was further discussion to include an amendment to add revocation for working out of class in order to be consistent with previous Board rulings offered by Mr. Williams and seconded by Mr. Gelardi. The Board voted for

imposition of the monetary penalties for the violation of its regulations.

Effective February 1, 2006		
Count 1:		\$350.00
Count 2:		\$350.00
Count 3:		\$650.00
Count 4:		\$750.00
Count 5:		\$400.00
Total		\$2,500.00

The Board voted to require Grand Hill Builders 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. The Board further imposed Revocation of the license to be consistent with previous board action of a similar nature.

The motion passed by majority vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Walker, Vander Pol, Murrow, Smith, Sumpter, Tomlin, Oliver and Williams.**

Members voting “No” were: Walton.

Board members, Giesen and Middleton, were not present at the Board meeting .

In the matter of Disciplinary File Number 2011-00837, Faithful Steven W Johnson, t/a Albermarle Enterprises (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Steven W Johnson** on behalf of **Albermarle Enterprises (Respondent)** did appear at the IFF. He did not attend the Board meeting in person. **Jose Vallejo and Shasta Myers** (Complainant) attended the Informal Fact Finding meeting.

File Number
2011-00837
Steven W Johnson, t/a
Albermarle Enterprises

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

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference (IFF) with Recommendations. The Board found that **Steven W Johnson,**

t/a Albermarle Enterprises violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260.B 15	

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

Members voting “No” were: Walton.

Board members, Giesen and Middleton, were not present at the Board meeting .

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to impose the following monetary **sanctions:**

Count 1		\$350.00
Count 2		\$1,500.00
Total		\$1,850.00

In addition, for violation of Count 1, 3 and 4, the Board imposes requirement of **Steven W Johnson Inc** to 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 Board also imposed revocation of license 2705-004789 for violation of counts 2.

The motion passed by majority vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Walker, Vander Pol, Murrow, Smith, Sumpter, Tomlin, Oliver and Williams.**

Members voting “No” were: Walton.

Board members, Giesen and Middleton, were not present at the Board meeting .

In the matter of Disciplinary File Number 2011-02003, Anthony W Holmes Sr., t/a Plumbing-Gas Piping (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Anthony W Holmes (Respondent)** did not appear at the IFF or the Board meeting in person or by counsel or by any other qualified representative.

File Number
2011-02003
Anthony W. Holmes Sr., t/a
Plumbing-Gas Piping

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

After discussion and agreement from the respondent and complainant, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Anthony W Holmes Sr.** violated the following of its Regulations.

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260 B 6	

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

Board members, Giesen and Middleton, were not present at the Board meeting .

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

Count 1:		\$750.00
Total		\$750.00
In addition, for violation of count 1, the board requires Anthony W Holmes Sr. have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

Board members, Giesen and Middleton, were not present at the Board meeting .

In the matter of Disciplinary File Number 2011-03973, Timothy B Owens t/a Owens Heating & Air Conditioning (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the

**File Number
2011-03973
Timothy B Owens t/a Owens**

Heating & Air Conditioning

Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Timothy B Owens t/a Owens Heating & Air Conditioning (Respondent)** did not appear at the IFF. **Larry C Byrley, t/a Larry's Irrigation** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Timothy B Owens** violated the following of its Regulations.

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

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

Board members, Giesen and Middleton, were not present at the Board meeting.

After further discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Williams** to impose the following sanctions for the violation of the regulation.

Count 1:		\$1,500.00
Total		\$1,500.00
In addition, for violation of count 1, the board revoked 2705-108968.		

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2010-05906 Stone Creek Builders Of Virginia LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Stone Creek Builders Of**

File Number
2010-05906
Stone Creek Builders Of
Virginia LLC

Virginia LLC (Respondent) did not appear at the IFF meeting or the Board meeting in person or by counsel or by any other qualified representative. Brian and Sheila Adkins were present at the IFF and the board meeting. They addressed the Board and shared their disagreement.

The presiding Board representatives **Mr. Redifer and Mr. Smith** were not present and did not vote. **Mr. Dowdy** chaired this case.

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Williams** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Stone Creek Builders Of Virginia LLC**, violated the following sections of its Regulations:

Effective February 1, 2006		
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 15	
Count 4:	18 VAC 50-22-260 B 16	

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

Board members, Giesen and Middleton, were not present at the Board meeting.

After discussion a motion was made by **Mr. Williams** and seconded by **Mr. Walton** to impose the following sanctions.

Count 1		\$350.00
Count 2		\$400.00
Count 3:		\$1,500.00
Count 4		\$1,500.00
Total		\$3,750.00

In addition, for violation of Count 4, the Board voted to revoke license 2705-130305.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-00706 Steve Anderson Custom

File Number

2011-00706
Steve Anderson Custom
Carpentry LLC

Carpentry LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Steve Anderson (Respondent)**; did appear at the IFF. **Steve Anderson Custom Carpentry LLC** did attend the Board meeting in person. He addressed the board and shared his disagreement.

The presiding Board representatives **Mr. Redifer and Mr. Dyer** were not present and did not vote.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Steve Anderson Custom Carpentry LLC**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 8	
Count 3:	18 VAC 50-22-260 B 5	

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

Board members, Giesen and Middleton, were not present at the Board meeting.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to impose the following sanctions.

Count 1		\$350.00
Count 3		\$1,000.00
Total		\$1,350.00

In addition, for violation of Count 1 and 3, the Board voted to require **Steve Anderson Custom Carpentry LLC** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. The Board voted to close count 2 of this file with a finding of no violation.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2010-03737 James Baker Custom Builders Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **James Baker Custom Builders Inc (Respondent);** did not appear at the IFF. **James Baker Custom Builders Inc** did attend the Board. He addressed the Board. **Francine M Hall (Complainant)** attended the IFF.

File Number
2010-03737
James Baker Custom Builders Inc

The presiding Board representative **Mr. Smith** was not present and did not vote. **Mr. Dowdy chaired this case.**

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **James Baker Custom Builders Inc**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 31	
Count 2:	18 VAC 50-22-260 B 15	

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

Board members, Giesen and Middleton, were not present at the Board meeting.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to impose the following sanctions.

Count 1		\$100.00
Count 2		\$600.00
Total		\$700.00

In addition, for violation of Counts 1 and 2, the Board voted to require James Baker Custom Builders 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.

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

Board members, Giesen and Middleton, were not present at the Board meeting .

In the matter of Disciplinary File Number 2011-05136 James C Baker, II, t/a Tiger Enterprises (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. James Baker, II on behalf of **James C Baker, II, t/a Tiger Enterprises (Respondent);** did not appear at the IFF in person or by counsel or by any other qualified representative. **James Baker** did attend the Board meeting in person and he addressed the Board and requested the case be remanded back for another Informal Fact Finding Meeting in order to allow him to present evidence that will have direct bearing on the case.

File Number
2011-05136
James C Baker, II, t/a Tiger Enterprises

The presiding Board representative **Mr. Smith** was not present and did not vote. **Mr. Dowdy chaired this case.**

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to remand the case back to staff for an Informal Fact Finding Conference in order to allow evidence to be submitted for consideration.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-00053 Melody Lee Hemby, t/a Danco Builders (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Melody Lee Hemby, t/a Danco Builders (Respondent);** did not appear at the IFF. **Melody Lee Hemby, t/a Danco Builders** did not attend the Board meeting in person or by counsel or by any other qualified representative.

File Number
2011-00053
Melody Lee Hemby, t/a Danco Builders

The presiding Board representatives **Mrs. Wood, Mr. Gelardi and Mr. Smith** were not present and did not vote. **Mr. Dowdy chaired this case.**

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Williams** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Melody Lee Hemby** violated the following sections of its Regulations:

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

Count 3:	18 VAC 50-22-260 B 28	Three violations
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The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Walker, Vander Pol, Murrow, Pace, Sumpter, Tomlin, Walton, Oliver and Williams.**

Board members, Giesen and Middleton, were not present at the Board meeting.

After discussion a motion was made by **Mr. Williams** and seconded by **Mr. Dyer** to amend the recommendation and remove the revocation impose the following sanctions.

Count 1		\$200.00
Count 2:		\$2,000.00
Count 3:		\$2,000.00
Total		\$4,200.00

In addition, for violation of Counts 1, 2, and 3, the Board voted to require **Melody Lee Hemby** have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of effective date of this Order. The Board also voted to revoke license 2705-101113.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-00130 Arthur Morris III, t/a M & M Construction Co. (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Robert Garney, Attorney for Arthur Morris III, t/a M & M Construction Co. (Respondent);** did not appear at the IFF. **Arthur Morris** did not attend the Board meeting in person or by counsel or by any other qualified representative.

File Number
2011-00130
Arthur Morris III, t/a M & M
Construction Co.

The presiding Board representatives **Mrs. Wood, Mr. Smith and Mr. Gelardi** were not present and did not vote. **Mr. Dowdy chaired this case.**

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Walton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Arthur Morris III,** violated the following sections of its Regulations:

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 6	

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

Board members, Giesen and Middleton, were not present at the Board meeting.

After discussion a motion was made by **Mr. Williams** and seconded by **Mr. Vander Pol** to impose the following sanctions.

Count 1		\$100.00
Count 2		\$300.00
Count 3		\$400.00
Total		\$800.00

The Board voted to require Arthur Morris III have a member of Responsible Management to successfully complete a Board-approved remedial education class within 90 days of the effective of the order.

The motion passed by majority vote. Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Sumpter, Tomlin, Walton, Oliver and Williams.**

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-00660 Griffith (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Griffith Construction Inc (Respondent);** did appear at the IFF and the Board meeting.

File Number
2011-00660
Griffith Construction Inc

The presiding Board representatives **Mr. Smith and Mr. Gelardi** were not present and did not vote. **Mr. Dowdy chaired this case.**

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Walker** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary (in part) of the Informal Fact-

Finding Conference with Recommendations. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Griffith Construction Inc**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 29	
Count 4	18 VAC 50-22-260 B 31	
Count 5	18 VAC 50-22-260 B 28	

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

Board members, Giesen and Middleton, were not present at the Board meeting.

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

Count 1		\$400.00
Total		\$400.00

In addition, for violation of Count 1 and Count 4, the Board voted to require Griffith Construction 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. As to Count 1, 2 and 5, the Board voted to impose no monetary penalty for the violation and as to Count 3, the Board closes this aspect of the file with a finding of no violation.

The motion passed by a unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Sumpter, Tomlin, Walton, Oliver and Williams.**

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-00673 Beacon Hardscapes Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Beacon Hardscapes Inc (Respondent);** did not appear at the IFF. **Beacon Hardscapes Inc** did not attend the Board meeting in person or by counsel or by any other qualified representative.

File Number
2011-00673
Beacon Hardscapes Inc

The presiding Board representatives **Mr. Smith and Mr. Gelardi** was not present

and did not vote. **Mr. Dowdy chaired this case.**

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Beacon Hardscapes Inc**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 14	
Count 2:	18 VAC 50-22-260 B 16	
Count 3:	18 VAC 50-22-260 B 13	September 1, 2001
Count 4:	18 VAC 50-22-230 B	February 1, 2006
Count 5:	18 VAC 50-22-260 B 2	

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

Board members, Giesen and Middleton, were not present at the Board meeting.

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

Count 1		\$2,500.00
Count 2		\$2,500.00
Count 3		\$2,000.00
Count 4		\$600.00
Count 5		\$2,500.00
Total		\$10,100.00

In addition, for violation of count 1, 2, and 3 and 5, the Board voted to revoke the license 2705-128968.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-01304 M & M Construction Co of Chesterfield LLC, t/a M & M Construction. (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF,

**File Number
 2011-01304
 M & M Construction Co of**

Chesterfield LLC, t/a M & M Construction

and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **M & M Construction Co of Chesterfield LLC, t/a M & M Construction (Respondent)**; did not attend the Board meeting in person by counsel or by any other qualified representative.

The presiding Board representatives **Mrs. Wood, Mr. Smith and Mr. Gelardi** were not present and did not vote. **Mr. Dowdy chaired this case.**

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Pace** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary, in part. The Report of Findings and Summary are incorporated as part of the file.

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

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

Board members, Giesen and Middleton, were not present at the Board meeting.

After further discussion Mr. Dyer offered a motion seconded by Mr. Oliver to impose the following sanctions, Mr. Sumpter offered a substitute motion seconded by Mr. Oliver to request the Designated Employee to take the pre license examination and provide proof of successful completion to the Board.

Count 1	\$900.00	\$450.00 each
Count 2	\$900.00	\$450.00 each
Total		\$1,800.00

In addition, for violation of count 1 and 2, the Board voted to require M & M Construction Co. Of Chesterfield LLC have both members of Responsible Management, Morris, III and Morris, IV successfully complete a Board-approved remedial education class with 90 days of the order. The Board also voted to have the designated employee, of M & M Construction Co of Chesterfield LLC, take the pre-license examination and provide proof of successful completion.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-02966, Energy Star Additions, Inc., the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Michael Logan for Energy Star Additions, Inc,** attended the Board meeting and requested that the Board remand his case back to an Informal Fact Finding Meeting so he can present evidence that will directly impact the outcome. Mrs. Leach called.

File Number
2011-02966
Energy Star Additions, Inc.

The presiding Board representatives **Mr. Smith and Mr. Gelardi** were not present and did not vote. **Mr. Dowdy chaired this case.**

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Oliver** to remand this case back to staff in order to conduct an Informal Fact Finding Conference to review evidence.

The motion passed by majority vote. Members voting “Yes” were: **Dowdy, Pace, Vander Pol, Murrow, Sumpter, Tomlin, Walton, Oliver and Williams.**

Members voting “no” were: Dyer and Walker.

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-04408, Strong LLC, t/a Dreamsbuilt; the Board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Strong LLC, t/a Dreamsbuilt (Respondent);** did not attend the IFF or the Board meeting in person by counsel or by any other qualified representative.

File Number
2010-04408
Strong LLC, t/a Dreamsbuilt

The presiding Board representatives **Mrs. Tomlin and Mr. Smith** were not present and did not vote. **Mr. Dowdy chaired this case.**

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

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

Count 3	18 VAC 50-22-260 B 5	
Count 4	18 VAC 50-22-260 B 11	

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

Board members, Giesen and Middleton, were not present at the Board meeting.

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

Count 1	\$350.00	
Count 2	\$750.00	
Count 3	\$750.00	
Count 4	\$450.00	
Total		\$2,300.00

In addition, for violation of count 1 and 3 and 4, the Board voted to require Strong LLC have both members of Responsible Management, successfully complete a Board-approved remedial education class with 90 days of the order. The Board also voted to revoke the license 2705-094808.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-01751, Stone Images Concrete Inc; the Board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Peter Yiotis** on behalf of **Stone Images Concrete Inc (Respondent)**; did attend the IFF and the Board meeting in person. He shared his disagreement.

File Number
2011-01751
Stone Images Concrete Inc

The presiding Board representatives **Mrs. Tomlin and Mr. Dowdy** were not present and did not vote. **Mr. Smith chaired this case.**

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

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

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

Board members, Giesen and Middleton, were not present at the Board meeting.

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

Count 1	\$650.00	
Count 2	\$1,350.00	
Total		\$2,300.00

In addition, for violation of count 1 and 3 and 4, the Board voted to revoke the license 2705-135606.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-01752, Stone Image Masonry; the Board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. Peter Yiotis on behalf of **Stone Image Masonry (Respondent)**; did attend the IFF and the Board meeting in person. He shared his disagreement.

**File Number
2011-01752
Stone Image Masonry**

The presiding Board representatives **Mrs. Tomlin and Mr. Dowdy** were not present and did not vote.

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

Effective February 1, 2006		
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Count 1:	18 VAC 50-22-260 B 2	
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Count 2:	18 VAC 50-22-260 B 13	
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The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Smith, Pace, Walker, Vander Pol, Murrow, Sumpter, Walton, Oliver and Williams.**

Board members, Giesen and Middleton, were not present at the Board meeting.

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

Count 1	\$650.00	
Count 2	\$1,350.00	
Total		\$2,000.00

In addition, for violation of count 1 and 2, the Board voted to revoke the license 2705-135572.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-02741, James Jenkins Roofing Co Inc; the Board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **James Jenkins Roofing Co Inc (Respondent);** did not attend the IFF or the Board meeting in person by counsel or by any other qualified representative.

File Number

2011-02741

**James Jenkins Roofing
Co Inc**

The presiding Board representative **Mrs. Tomlin** was not present and did not vote.

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

Effective September 1, 2001

Count 1:	18 VAC 50-22-260 B 22	
Count 2:	18 VAC 50-22-230 B	February 1, 2006
Count 3	18 VAC 50-22-260 B 9	September 1, 2001
Count 4	18 VAC 50-22-230 B 31	
Count 5	18 VAC 50-22-260 B 5	February 1, 2006
Count 6	18 VAC 50-22-260 B 25	Three violations
Count 7	18 VAC 50-22-260 B 22	Three violations
Count 8	18 VAC 50-22-260 B 23	Three violations

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

Board members, Giesen and Middleton, were not present at the Board meeting.

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

Count 2	\$350.00	
Count 3	\$350.00	
Count 4	\$400.00	
Count 5	\$1,300.00	
Count 6	\$2,500.00	
Total		\$4,900.00

In addition, for violation of count 1 and 2 and 3 and 4, the Board voted to require James Jenkins Roofing Co Inc have a member of Responsible Management, successfully complete a Board-approved remedial education class with 90 days of the order. The Board also voted to revoke the license 2705-034217. The Board voted to impose no monetary penalty for the violation of Count 1 and Count 8. As to Count 7, the Board voted to impose no monetary penalty for the violation of the regulation.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-02840, Randy Lee Blankenship, t/a Tri-State Roofing; the Board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. Randy Lee Blankenship,

**File Number
 2011-02840
 Randy Lee Blankenship,
 t/a Tri-State Roofing**

t/a Tri-State Roofing (Respondent); did not attend the IFF or the Board meeting in person by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Tomlin** was not present and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Walker** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary, in part. The Report of Findings and Summary are incorporated as part of the file.

Effective September 1, 2001		
Count 1:	18 VAC 50-22-230 A	
Count 2:	18 VAC 50-22-260 B 27	February 1, 2006
Count 3	18 VAC 50-22-260 B 6	
Count 4	18 VAC 50-22-230 B 17	
Count 5	18 VAC 50-22-260 B 30	
Count 6	18 VAC 50-22-260 B 11	

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

Board members, Giesen and Middleton, were not present at the Board meeting.

After further discussion Mr. Sumpter offered a motion seconded by Mr. Pace to impose the following sanctions,

Count 1	\$500.00	
Count 2	\$750.00	
Count 3	\$750.00	
Count 4	\$1,500.00	
Count 5	\$1,200.00	
Count 6	\$ 450.00	
Total		\$5,150.00

In addition, for violation of count 1 and 2 and 6, the Board voted to require Randy Lee Blankenship have a member of Responsible Management, successfully complete a Board-approved remedial education class with 90 days of the order. The Board also voted to revoke the license 2705-127106.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-02942, Energy Saving Exteriors Inc, t/a National Remodeling Company; the Board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. Energy Saving Exteriors Inc, t/a National Remodeling Company (Respondent); did not attend the IFF or the Board meeting in person by counsel or by any other qualified representative.

**File Number
2011-02942
Energy Saving Exteriors Inc,
t/a National Remodeling
Company**

The presiding Board representatives **Mrs. Tomlin and Mr. Smith** were not present and did not vote. **Mr. Dowdy chaired this case.**

After discussion, a motion was made by **Mr. Pace** 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, in part. The Report of Findings and Summary are incorporated as part of the file.

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 15	
Count 2:	18 VAC 50-22-260 B 16	September 1, 2001
Count 3	18 VAC 50-22-220 A	

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Pace, Walker, Vander Pol, Murrow, Sumpter, Gelardi, Dowdy, Walton, Oliver and Williams.**

Board members, Giesen and Middleton, were not present at the Board meeting.

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

Count 1	\$1,500.00	
Count 2	\$2,000.00	
Count 3	\$350.00	
Total		\$3,850.00

In addition, for violation of count 3, the Board voted to require Energy saving Exteriors Inc have a member of Responsible Management, successfully complete a

Board-approved remedial education class with 90 days of the order. The Board also voted to revoke the license 2705-024940.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-02961, Cunningham Contracting Inc; the Board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. Melissa Cunningham for **Cunningham Contracting Inc (Respondent)**; did attend the IFF and the Board meeting in person. She addressed the Board and requested no license revocation.

**File Number
2011-02961
Cunningham Contracting
Inc.**

The presiding Board representative **Mrs. Tomlin** was not present and did not vote.

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary, in part. The Report of Findings and Summary are incorporated as part of the file. Mr. Williams offered a substitute motion which failed due to lack of a second to drop Count 2.

The Board considered the original motion:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 2	
Count 2:	18 VAC 50-22-260 B 13	September 1, 2001
Count 3	18 VAC 50-22-230 B	

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

Board members, Giesen and Middleton, were not present at the Board meeting.

After further discussion Mr. Walton offered a motion seconded by Mr. Oliver to impose the following sanctions,

Count 1	\$500.00	
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Count 2	\$600.00	Reduction in fine from \$1,250 to be consistent with previous Board actions and remove revocation.
Count 3	\$500.00	
Total		\$1,600.00

In addition, for violation of count 1 and 3, the Board voted to require Cunningham Contracting Inc have a member of Responsible Management, successfully complete a Board-approved remedial education class with 90 days of the order.

The motion passed by majority vote. Members voting “Yes” were: **Dowdy, Pace, Walker, Murrow, Smith, Walton, Gelardi, and Williams.**

Members voting “no” were: Oliver, Dyer, Sumpter and Vander Pol.

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-03215, James R Martz & Mary Brewer Martz, t/a Mason Enterprise Services; the Board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **James R Martz & Mary Brewer Martz, t/a Mason Enterprise Services (Respondent);** did not attend the IFF or the Board meeting in person by counsel or by any other qualified representative.

**File Number
2011-03215**

James R Martz & Mary Brewer Martz, t/a Mason Enterprise Services

The presiding Board representative **Mrs. Tomlin** was not present and did not vote.

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

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 28	
Count 2:	18 VAC 50-22-260 B 13	September 1, 2001
Count 3	18 VAC 50-22-230 B	

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

Board members, Giesen and Middleton, were not present at the Board meeting.

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

Count 1	\$1,500.00	
Count 2	\$1,250.00	
Count 3	\$500.00	
Total		\$3,250.00

In addition, for violation of count 3, the Board voted to require James R Martz & Mary Brewer Martz have a member of Responsible Management, successfully complete a Board-approved remedial education class with 90 days of the order. The Board also voted to revoke the license 2705-116379.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Disciplinary File Number 2011-04301, Bartley Michael Gorman t/a BMG; the Board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Bartley Michael Gorman, t/a BMG (Respondent); did not attend the IFF or the Board meeting in person by counsel or by any other qualified representative.**

**File Number
2011-04301
Bartley Michael Gorman,
t/a BMG**

The presiding Board representative **Mrs. Tomlin** was not present and did not vote.

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

Effective February 1, 2006

Count 1:	18 VAC 50-22-260 B 13	
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The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Sumpter, Gelardi, Smith, Walton, Oliver and Williams.**

Board members, Giesen and Middleton, were not present at the Board meeting.

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

Count 1	\$1,250.00	
Total		\$1,250.00

In addition, for violation of count 1, the Board voted to revoke the license 2705-112898.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

Board member Tomlin left the meeting for the day.

Board Member Tomlin left the Meeting for the day.

Mr. Oliver offered a motion seconded by Mr. Williams to reopen case 2011-01047 for Board consideration. The motion passed by unanimous vote. Members voting “yes” were: Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Sumpter, Gelardi, Smith, Walton, Oliver and Williams.

**File Number
2011-01047
Roy McMillion, t/a Sunshine
Home Builders
Re open Case**

Sumpter was the hearing officer and was not present and did not vote.

In the matter of Disciplinary File Number 2011-01047, Roy McMillion, t/a Sunshine Home Builders; the Board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. Roy McMillion, t/a Sunshine Home Builders (Respondent); did attend the IFF and the Board meeting in person and with counsel. Richard R Nageotte. They addressed the Board and shared their disagreement with the original recommendation.

**File Number
2011-01047
Roy McMillion, t/a Sunshine
Home Builders**

The presiding Board representatives **Mr. Sumpter and Mr. Redifer** were not present and did not vote.

After discussion, a motion was made by **Mr. Vander Pol** 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, in part with amendments to reflect no violation on Counts 2 and 3. The Report of Findings and Summary are incorporated as part of the file as follows.

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260 B 18	

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

Board members, Giesen and Middleton, were not present at the Board meeting.

After further discussion Mr. Vander Pol offered a motion seconded by Mr. Oliver to impose the following sanctions,

Count 1	\$800.00	
Total		\$800.00

In addition, for violation of count 1, the Board voted to require Roy McMillion have a member of Responsible Management, successfully complete a Board-approved remedial education class with 90 days of the order. The Board also voted to close count 2 and 3 with a finding of no violation.

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

Board members, Giesen and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-03639 Board v. Mark A Modrzynski, t/a Stars & Stripes 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
2011-03639
Mark A Modrzynski, t/a
Stars & Stripes Construction**

Mark A Modrzynski, 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 15	\$1,550.00
Count 3:	18 VAC 50-22-260 B 28	\$1,850.00
Board Costs		\$150.00
Total		\$3,900.00

In addition, for violation of Count 1 and 2, Mark A Modrzynski agrees to have a member of Responsible Management successfully complete a Board –approved remedial education class. Further, the Board shall waive imposition of the \$1,850.00 monetary penalties for Count 3, provided **Mark A Modrzynski, satisfies** the judgment and provides the Board with proof of the satisfaction within ninety days of the effective date of this order. If he fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-00812 Board v. Bray and Scarff Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2011-00812
Bray and Scarff Inc.**

Bray and Scarff 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	\$800.00
Count 2:	18 VAC 50-22-260 B 29 (two violations at \$1,000.00 each)	\$2,000.00
Count 3:	18 VAC 50-22-260 B 18	\$800.00
Board Costs		\$150.00
Total		\$3,750.00

In addition, **for violation of Count 2 and 3, Bray and Scarff, Inc.**, agrees to a one year probation of its license as of the effective date of the order. See order for additional details. Bray and Scarff, Inc. agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the order.

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

Mr. Sumpter the reviewing officer did not vote and was not present for the vote.

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-03998 Board v. Matthew Thomas Patrick; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2011-03998

Matthew Thomas Patrick

Matthew Thomas Patrick, 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 .5	\$00.00
Board Costs		\$00.00
Total		\$00.00

Further, **Matthew Thomas Patrick**, agrees to reimburse \$1,250.00 to Martin K Johnson and provide the Board with proof of payment within sixty days of the Order. If Patrick fails to comply with this condition, then license revocation will be automatically imposed. Further, for violation of Counts 1 and 2, Patrick agrees to complete a Board-approved HVAC education course and provide the Board with proof of successful completion within sixty days of the effective date of the Order. If Patrick fails to comply with this condition, then license revocation will be automatically imposed.

Upon a motion by **Mr. Williams** seconded by **Mr. Dyer**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Smith, Sumpter, Walton, Oliver**

and Williams.

Board members, Giesen, Gelardi, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-03355 Board v. John C Goodall t/a Goodall 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
2011-03355
John C. Goodall t/a
Goodall Construction**

John C Goodall, 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 8	\$350.00
Count 3:	18VAC 50-22-260. B 6	\$100.00
Board Costs		\$150.00
Total		\$950.00
Further for violation of Count 1, 2 and 3, John C Goodall agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2010-03474 Board v. E Pendleton 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
2010-03474
E Pendleton Construction Inc**

E Pendleton 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 31	\$400.00
Board Costs		\$150.00

Total	\$550.00
Further, E Pendleton Construction Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.	

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-02068 Board v. Mark S Foster, t/aMark S Foster Custom Carpentry; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
 2011-02068
 Mark S Foster, t/a
 Mark S Foster
 Custom Carpentry**

Mark S Foster, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 .B 27	\$450.00
Count 2:	18 VAC 50-22-260. B 15	\$1,000.00
Count 3:	18 VAC 50-22-260.B 31 two violations at \$175.00 each	\$ 350.00
Count 4:	18 VAC 50-22-260 B 13	\$100.00
Board Costs		\$150.00
Total		\$2,050.00

In addition, for violation of Counts 1 through 4, **Mark S. Foster** agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the effective of this order.

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-02172 Board v. Enterprise Builders 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
2011-02172
Enterprise Builders
Construction Inc.**

Mr. Donald Brewster attended the Board meeting and addressed the Board.

Enterprise Builders 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	\$100.00
Count 2:	18 VAC 50-22-260 B 31	\$100.00
Board Costs		\$ 150.00
Total		\$350.00

In addition, for the violation of Count 1 and 2, **Enterprise Builders Construction Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class. Further it is noted that a member of Responsible Management for Enterprise Builders Construction Inc has agreed to complete Remedial Education pursuant to the terms of the Consent Order entered into regarding case number 2011-00051. If all conditions of said Consent Order are met, the above-referenced remedial education requirement will be waived.

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-02393 Board v. Remodeling Contractors 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
2011-02393
Remodeling Contractors LLC**

Remodeling Contractors LLC, acknowledges an understanding of the charges and

hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B.9	\$400.00
Count 2:	18 VAC 50-22-260 B 27	\$650.00
Count 3:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$1,600.00

Further, **Remodeling Contractors LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-02404 Board v. Custom Renovations & Management, 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
2011-02404
Custom Renovations &
Management, LLC**

Custom Renovations & Management, LLC., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B.9	\$350.00
Count 2:	18 VAC 50-22-260 B 27	\$650.00
Count 3:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$1,550.00

Further, **Custom Renovation & Management, LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-02455 Board v. Smith Consultants Inc, t/a SCI General Contractors Stortech; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2011-02455
Smith Consultants Inc, t/a SCI
General Contractors Stortech**

Smith Consultants Inc, t/a SCI General Contractors Stortech, 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 6	\$2,500.00
Count 4:	18 VAC 50-22-260 B 15	\$400.00
Count 5:	18 VAC 50-22-260 B 29	\$600.00
Board Costs		\$150.00
Total		\$4,450.00

Further, **Smith Consultants, Inc.,** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. Further, the Board shall waive the imposition of the \$400.00 monetary penalties for Counts 1 and 2, and the Board shall waive \$2,000.00 of the \$2,500.00 monetary penalty for Count 3.

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

Board members, Giesen, Tomlin, Murrow and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-02498 Board v. Invictus Construction Co Inc, t/a S A Christian Remodeling 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
2011-02498
Invictus Construction Co Inc,
t/a S A Christian Remodeling
Company**

Invictus Construction Co Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the

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following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B.8	\$300.00
Count 2:	18 VAC 50-22-260 B 27	\$300.00
Count 3:	18 VAC 50-22-260B 6	\$350.00
Board Costs		\$150.00
Total		\$1,100.00
Further, Invictus Construction co Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-02708 Board v. Ridge Side Properties 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
2011-02708

Ridge Side Properties LLC

Ridge Side Properties LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230 A	\$350.00
Count 2:	18 VAC 50-22-260 B 27	\$650.00
Count 3:	18 VAC 50-22-260 B 6	\$800.00
Board Costs		\$150.00
Total		\$1,950.00
Further, Ridge Side Properties LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		
Further, for violation of Count 3, Ridge Side Properties, LLC agrees to revocation of its license. The Board shall waive imposition of license revocation if Ridge Side Properties, LLC pays sub-contractor Moffett Paving & Excavation Corporation, in full, within ninety days of the effective date of the order.		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-02813 Board v. Rocky Branch Farms Inc; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2011-02813
Rocky Branch Farms Inc**

Rock Branch Farms 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 18	\$350.00
Count 3:	18 VAC 50-22-260 B 29	\$500.00
Count 4:	18 VAC 50-22-260 B 31	\$400.00
Count 5:	18 VAC 50-22-260 B 22	\$ 0
Count 6:	18VAC 50-22-260 B 23	\$700.00
Board Costs		\$150.00
Total		\$2,450.00

Further, **Rocky Branch Farms, Inc.** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

Rocky Branch Farms, Inc. agrees to a one year term of probation of its license as of the effective date of the order, July 26, 2011. See order for additional terms.

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-02819 Coyle Construction, Inc. t/a Coyle 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
 2011-02819
 Coyle Construction Inc. t/a
 Coyle Construction Inc.**

Coyle Construction Inc. t/a Coyle 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	\$ 350.00
Count 2:	18 VAC 50-22-260 15	\$1,550.00
Count 3:	18 VAC 50-22-260 B 5	\$ 100.00
Count 4:	18 VAC 50-22-260 B 31	\$ 400.00
Board Costs		\$150.00
Total		\$2,250.00
Further, for violation of Count 1, Coyle Construction Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-02990 Board v. C T Camden Plumbing & Heating Inc, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
 2011-02990
 C T Camden Plumbing &
 Heating Inc**

C T Camden Plumbing & Heating 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	\$ 0.00
Count 2:	18 VAC 50-22-230 B.	\$ 0.00
Count 3:	18 VAC 50-22-260 B 13	\$ 0.00
Count 4:	18 VAC 50-22-260 B 10	\$ 150.00
Board Costs		\$150.00
Total		\$300.00
Further, for violation of Count 4, C T Camden Plumbing & Heating 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. Williams** seconded by **Mr. Dyer**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Smith, Sumpter, Walton, Oliver and Williams.**

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-02993 Board v. Alexander Davis, t/a Davis Contracting, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2011-02993
Alexander Davis, t/a Davis
Contracting**

Alexander Davis, t/a Davis 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 31	\$400.00
Board Costs		\$150.00
Total		\$550.00
Further, for violation of Count 1, Alexander Davis , agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-04548 Board v. Cruces Heating & Cooling Inc, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2011-04548
Cruces Heating & Cooling Inc**

Cruces Heating & Cooling, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the

following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B.27	\$650.00
Board Costs		\$150.00
Total		\$800.00
In addition, for violation of Count 1, Cruces Heating & Cooling, Inc. agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the effective date of this order..		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-04023 Board v. Douglas Pauley t/a The Fence Master, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
 2011-04023
 Douglas Pauley t/a The
 Fence Master**

Douglas Pauley t/a The Fence Master acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B.22	\$0.00
Count 2:	18 VAC 50-22-260 B.23	\$700.00
Board Costs		\$150.00
Total		\$850.00
Further, for violation of Counts 1, Douglas Pauley 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. Williams** seconded by **Mr. Dyer**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Smith, Sumpter, Walton, Oliver and Williams.**

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-03969 Board v. David Daniel Dolinger, t/a 3-D Carpentry, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
 2011-03969
 David Daniel Dolinger, t/a
 3-D Carpentry**

David Daniel Dolinger, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B.22	\$ 0.00
Board Costs		\$ 0.00
Total		\$ 0.00
Further, David Daniel Dolinger 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. Williams** seconded by **Mr. Dyer**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Smith, Sumpter, Walton, Oliver and Williams.**

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-03934 Board v. David Barnhart & Alice Barnhart t/a A & D Homes, and the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
 2011-03934
 David Barnhart & Alice
 Barnhart t/a A & D Homes**

David Barnhart & Alice Barnhart t/a A & D Homes, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	§54.1-1110 of Code of Virginia	\$ 0.00
Board Costs		\$150.00
Total		\$150.00
Further, David Barnhart & Alice Barnhart, t/a A & D Homes , agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-03902 Board v. Gary W Underwood, t/a A Helping Hand Roofing 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
2011-03902
Gary W Underwood, t/a
A Helping Hand Roofing
Company**

Gary W Underwood, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B.9	\$ 0.00
Count 2:	18 VAC 50-22-230 A	\$ 0.00
Count 3:	18 VAC 50-22-260 B.27	\$ 0.00
Count 4:	18 VAC 50-22-260 B 6	\$ 0.00
Count 5:	18 VAC 50-22-260 B 29	\$ 0.00
Count 6:	18 VAC 50-22-260 B 31	\$ 0.00
Count 7:	18 VAC 50-22-260 B 28	\$ 0.00
Board Costs		\$150.00
Total		\$150.00
Further, Gary W Underwood agrees to license revocation 2705-084232.		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-02736 Board v. Keith Shifflett, t/a K & K Plumbing and Mechanical Inc, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which

**File Number
2011-02736
Keith Shifflett t/a K & K**

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

Plumbing and Mechanical Inc

Keith Shifflett t/a K & K Plumbing and Mechanical Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-220 B. 27	\$650.00
Board Costs		\$150.00
Total		\$800.00
Further, for violation of Count 1, K & K Plumbing and Mechanical Inc agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-03009 Board v. Jerry's Handyman & Remodeling Inc, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2011-03009
Jerry's Handyman &
Remodeling Inc**

Jerry's Handyman & Remodeling Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 28	\$350.00
Board Costs		\$150.00
Total		\$500.00
In addition, for violation of Counts 1, Jerry's Handyman & Remodeling Inc agrees to have a member of Responsible Management successfully complete remedial education with ninety days of the effective date of the order.		

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

Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Smith, Sumpter, Walton, Oliver and Williams.

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-03073 Board v. Ralph A Mawyer III and Shannon D Mawyer t/a R and S Outdoors, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2011-03073
Ralph A Mawyer III and
Shannon D Mawyer
t/a R and S Outdoors**

Ralph A Mawyer III and Shannon D Mawyer t/a R and S Outdoors, 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	\$500.00
Count 2:	18 VAC 50-22-260 B 31	\$ 500.00
Board Costs		\$150.00
Total		\$1,150.00
In addition, for violation of Counts 1, R and S Outdoors agrees to have a member of Responsible Management successfully complete remedial education with ninety days of the effective date of the order.		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-03140 Board v. CW Davis Hauling, Inc. t/a CW Davis Hauling, Inc, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2011-03140
CW Davis Hauling, Inc. t/a
CW Davis Hauling, Inc.**

C W Davis Hauling, 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	\$400.00
Board Costs		\$150.00
Total		\$550.00
In addition, for violation of Counts 1, CW Davis Hauling Inc agrees to have a member of Responsible Management successfully complete remedial education with ninety days of the effective date of the order.		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-03183 Board v. The Hine Group, 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
 2011-03183
 The Hine Group, LLC**

The Hine Group, 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 6	\$ 800.00
Count 2:	18 VAC 50-22-260 B 15	\$1,700.00
Count 3:	18 VAC 50-22-260 B 29	\$ 600.00
Board Costs		\$150.00
Total		\$3,250.00
In addition, for violation of Counts 1 and 3, The Hine Group, LLC agrees to have a member of Responsible Management successfully complete remedial education with ninety days of the effective date of the order.		

Upon a motion by **Mr. Williams** seconded by **Mr. Dyer**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Smith, Sumpter, Walton,**

Oliver and Williams.

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-03197 Board v. Virginia Construction and Conservation Incorporated, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2011-03197
Virginia Construction and
Conservation Incorporated

Virginia Construction and Conservation Incorporated, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 28	\$350.00
Board Costs		\$150.00
Total		\$500.00
In addition, for violation of Counts 1, Virginia Construction and Conservation Incorporated agrees to have a member of Responsible Management successfully complete remedial education with ninety days of the effective date of the order.		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-03268 Board v. Michael Bernard Moya t/a CRA-Custom Remodeling Addition 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
2011-03268
Michael Bernard Moya t/a
CRA-Custom Remodeling
Addition CO

Michael Bernard Moya 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
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Draft Board for Contractors Meeting Minutes

July 26th, 2011

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Board Costs		\$150.00
Total		\$550.00
In addition, for violation of Counts 1, Michael Bernard Moye agrees to have a member of Responsible Management successfully complete remedial education with ninety days of the effective date of the order.		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-03295 Board v. Matthew T Spencer t/a Matthew T Spencer, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2011-03295
Matthew T Spencer t/a
Matthew T Spencer**

Matthew T Spencer, 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	\$ 0.00
Count 2:	18 VAC 50-22-260 B 9	\$ 0.00
Count 3:	18 VAC 50-2-260 B 27	\$ 0.00
Count 4:	18 VAC 50-22-260 B 5	\$ 0.00
Board Costs		\$ 0.00
Total		\$ 0.00
In addition, for violation of Counts 1- 4, Matthew T Spencer agrees to revocation of his license 2705-035108.		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board

meeting.

In the matter of Consent Order File Number 2011-03318 Board v. Ideal Home Improvement 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
2011-03318
Ideal Home Improvement
LLC

Ideal Home Improvement 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 26	\$500.00
Count 2:	18 VAC 50-22-260 B 15	\$2,500.00
Count 3:	18 VAC 50-22-260 B 16	\$1,850.00
Count 4:	18 VAC 50-22-260 B 6	\$ 750.00
Count 5:	18 VAC 50-22-260 B 29 five violations @ \$500. Each	\$2,500.00
Board Costs		\$150.00
Total		\$8,250.00
In addition, for violation of Counts 1, Ideal Home Improvement LLC agrees to have a member of Responsible Management successfully complete remedial education with ninety days of the effective date of the order. See order for additional terms of probation and fines.		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-03970 Board v. David Barnhart & Alice Barnhart t/a A & D Homes, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2011-03970
David Barnhart & Alice
Barnhart t/a A & D Homes

David Barnhart & Alice Barnhart t/a A & D Homes, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	§54.1-1110 of the code of Virginia	\$ 0.00
Board Costs		\$150.00
Total		\$150.00
In addition, for violation of Counts 1, David Barnhart & Alice Barnhart t/a A & D Homes agrees to revocation of its license 2705-016749.		

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

Eric Olson, Executive Director of the Board for Contractors, conducted Board Member Training. There was discussion around the administrative process and reviewing cases and making decisions. Steven Jack, Board Counsel also conducted Board Member Training and shared information concerning the Recovery Fund Process. Both Mr. Olson and Mr. Jack entertained questions.

Other Board Business Board Member Training

The DPOR team of Mrs. Mayo and Mrs. Roth shared the education providers and course applications for consideration before the Committee on Monday, July 25th, 2011. The Recommendations were shared with the Board and a vote was requested.

Committee Report Adrienne Mayo and Leas Roth

Education Provider Applications*

The following Applications for proposed education providers and courses were reviewed and the Committee recommended for Board approval are as follows:

Name	Education	Type	Staff Recommendation	Committee Recommendation
Surging Forward	Continuing	Electrical in the Classroom	Approval – 1 course	Approval

@ 1 st Attempt	Pre-licensure and Remedial	Contractors Online	Approval – 2 courses	Approval
ACR Construction Education	Continuing	Plumbing and HVAC in the Classroom (4 courses per trade for 8 courses total)	Approval – 8 courses (4 for Plb and 4 for HVAC)	Approval
David M. Woolfford & Sons, Inc.	Continuing and Vocational	Electrical (1 course for CE and 4 courses at 117 per course for VT)	Approval – 5 courses	Approval
PDH Enterprises	Continuing Education	Electrical online & correspondence	Approval -1 course	Approval
The Rectorseal Corp	Continuing Education	HVAC in the classroom	Approval-1 course	Approval
Albermarle Regional Health Services	Continuing and Vocational	WWP in Classroom	Approval – 1 course for both	Approval
Virginia Technical Institute	Vocational	Backflow in Classroom w/ Wet Lab	Approval – 2 courses	Approval
American Trainco	Vocational	Electrical in Classroom	Approval – 1 course	Approval

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

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

Elevator Mechanics – Certified Accessibility Mechanic Program

The Committee voted to table this agenda item until their October 2011 meeting.

Regulation Update

Staff provided the committee with an update regarding the status of regulation review submissions for Board for Contractors and Individual License and Certification

Regulations.

Energy Conference

Executive Director, Eric Olson addressed the committee regarding the June 29, 2011 Energy Conference that was hosted by the agency and the Board for Contractors. Mr. Olson further advised the Committee that recommendations will be presented for their review and consideration during their October 2011 meeting.

Policy Discussion*

The Committee tasked staff to gather continuing education information for their review for boarder states along with states the Board have reciprocity/examination agreements. The Committee recommends for Board approval to accept the continuing education courses from such states until October 2011. A motion was offered by Mr. Vander Pol and seconded by Mr. Williams to accept this recommendation. The motion was adopted by unanimous vote. Members voting "yes" were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Smith, Sumpter, Walton, Oliver and Williams.**

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

Gas Fitting

Leas Roth passed out a hand out to the board members as shared that it was requested that the Board share their ruling on whether or not a gas fitter is needed to change out gas appliances. A motion was offered by Mr. Gelardi and seconded by Mr. Pace to keep the policy as it is. The motion was approved by a unanimous vote. Members voting "yes" were" **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Smith, Sumpter, Walton, Oliver and Williams.**

Board members, Giesen, Tomlin and Middleton, were not present at the Board meeting.

Mr. Dowdy left the meeting at 1:30 pm.

**Board member left
the meeting**

In the matter of A-1 American Services Inc, t/a A-1 American Plumbing, v. Commonwealth of Virginia, Department of Professional and Occupational Regulation, Board of Contractors Final Order and Opinion effective December 7, 2010. Steven Jack addressed the Board concerning this order and the concerns of the Circuit Court of Appeals in the city of Chesapeake, Virginia. The Board members were given a handout and after review and discussion Mr. Dyer offered a

**File Number
2011-01244**

**A -1 American Services Inc,
t/a A-1 American Plumbing**

motion that was seconded by Mr. Vander Pol to rescind the Board's final order and opinion.

The motion passed with a unanimous vote: Members voting "Yes" were: **Dyer, Pace, Walker, Vander Pol, Murrow, Gelardi, Smith, Sumpter, Walton, Oliver and Williams.**

Board members, Giesen, Dowdy, Tomlin and Middleton, were not present at the Board meeting.

After further discussion, Mr. Dyer offered a motion that was seconded by Mr. Williams to enter into a consent order with A-1 American Services Inc, t/a A-1 American Plumbing. The motion passed with a unanimous vote: Members voting "Yes" were: **Dyer, Pace, Walker, Vander Pol, Murrow, Gelardi, Smith, Sumpter, Walton, Oliver and Williams.**

Board members, Giesen, Dowdy, Tomlin and Middleton, were not present at the Board meeting.

In the matter of Consent Order File Number 2011-01244 Board v. A-1 American Services Inc, t/a A-1 American Plumbing, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2011-01244
A-1 American Services Inc,
t/a A-1 American Plumbing
Consent Order**

A-s American Services Inc, t/a A-1 American Plumbing, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

On July 26, 2011, the board for contractors met to reconsider the final Opinion and Order 2011-01244 entered by the Board on December 7, 2010. The Board hereby Vacated the Final Opinion and Order 2011-1244, and adopts the following terms: A-1 agrees to a monetary penalty of \$350.00 and to complete an 8 hour remedial education course from a board approved provider for the violation of the board's February 1, 2006, Regulation 18 VAC 50-22-260 B 13. Failure to complete the terms of this order within sixty days of the execution the order will result in the revocation of the license. In addition, A-1 agrees to withdraw its Motion for Stay of Agency Action and Petition for Appeal, case number CL11-12, of the board's Final Opinion and Order 2011-01244 in the Circuit Court of the City of Chesapeake.

Upon a motion by **Mr. Williams** seconded by **Mr. Dyer**, the Board ratified the

Consent Order with an unanimous vote: Members voting “Yes” were: **Dyer, Pace, Walker, Vander Pol, Murrow, Gelardi, Smith, Sumpter, Walton, Oliver and Williams.**

Board members, Giesen, Dowdy, Tomlin and Middleton, were not present at the Board meeting.

The Board members reviewed the Recovery Fund Statements.

Recovery Fund Statement

The next Board meeting will be October 25th, 2011.

Next Board meeting

The Board Chair and Mr. Olson asked all members to be certain to complete and turn in their paperwork for processing to Sheila Watkins prior to leaving the meeting. It is important to turn it in so we can have it processed in a timely fashion.

Paperwork

There being no further business to come before the board, the meeting was adjourned at **02:47 p.m.** upon a motion by **Mr. Sumpter** and seconded by **Mr. Williams**. The motion passed by unanimous vote. The Motion passed with a unanimous vote: Members voting “Yes” were: **Dyer, Pace, Walker, Vander Pol, Murrow, Gelardi, Smith, Sumpter, Walton, Oliver and Williams.**

Adjournment

Board members, Giesen, Dowdy, Tomlin and Middleton, were not present at the Board meeting.

Troy Smith, Chairman

Gordon N. Dixon, Secretary

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Custodian of the Record