

BOARD FOR CONTRACTORS BOARD MEETING

The Board for Contractors met on Tuesday, **June 23, 2020** at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia and by teleconference to the public. The members indicated below were present. Each of the other member's present was qualified to vote, except where a specific reason for disqualification is stated. There are sixteen (16) members on this board, in which nine (9) constitutes a quorum pursuant to §54.1-1102.

Herbert "Jack" Dyer, Jr, Chairman
James Oliver, Vice Chairman
Vance Ayres
Jeffrey Hux
Michael Redifer
Gene Magruder
E.G. Rudy Middleton
Caitlin King
Donald Groh
Wiley "Bil" Johnson
Shawn Mitchell
Deborah Tomlin
Sheila Bynum-Coleman

Board member(s) absent from the meeting:
Christopher Plummer
John David O'Dell

Joshua Laws, Board Counsel was present at the meeting.

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

Mary Broz-Vaughan, Director
Eric L. Olson, Executive Director
Marjorie King, Board Administrator
Stephanie Keuther, Administrative Assistant

1. **Chairman, Dyer** called the June 23, 2020 Board for Contractors Meeting to order at 9:15A.M.
Chairman, Dyer declared a quorum of board members are in attendance.

**Call
To Order**

2. **Mr. Oliver made a motion seconded by Mr. Hux** to adopt the Agenda of June 23, 2020.

**Approval of the
Agenda**

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

3. **Mr. Oliver made a motion seconded by Mr. Hux** to approve the Minutes of December 17, 2019 Board for Contractors Meeting as presented.

**Approval of
Minutes**

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

4b. **Chairman, Dyer** opened the Public Comment section of the meeting.

**Public Comment
Period**

Timothy Loscomb addressed the Board in opposition regarding the Regulatory Review for the removal of "Inspector" from the Sprinkler Regulations.

Mr. Loscomb submitted the handout below to the Board in opposition

June 16, 2020
Board for Contractors
c/o Virginia Department of Professional and Occupational Regulation
Atten: Mr. Eric Olson - Board Executive Director
Atten: Mr. Jack Dyer - Chairman of the Board
9960 Mayland Drive - Suite 400
Richmond, Virginia 23233
Re: Regulatory Review - Removal of "Inspector" from Sprinkler Regulations

Dear Sirs,

I am writing this letter on behalf of The Virginia Chapter of the American Fire Sprinkler Association's opposition to the proposed removal of the term "Inspector" from the upcoming new regulations. It is our understanding that per the June 23, 2020 Board for Contractors Meeting proposed agenda, under "New Business" item 7.b. Regulatory Review - Remove Inspector from Sprinkler, there seems to be a proposed change to the regulation verbiage, to remove the word Inspector. Please consider this letter as our opposition response to this change. On March 10, 2020, Mr. George Wagner of the AFSA Virginia Chapter, delivered a response statement by e-mail to Eric Olson, outlining the association's reason for opposition to the proposed change. We feel the response we received back from Mr. Olson was flawed and did not consider the original intent of the approved legislation. The AFSA Virginia Chapter has been working on this inspector competency regulation through the legislative process for some 4 years. The Legislative technical writers our association worked with in developing the bill, drafted the specific wording to insure that through the Tradesman Program that competent, qualified persons performing the inspection procedures, was to be part of, or employed by a Licensed Fire Sprinkler

Contractor in the State of Virginia. The intent from the start was to have individuals who perform fire sprinkler system inspections, be required to prove their competency, through a testing and certification process, and for that individual to be within an entity who is a Licensed Contractor in Virginia. If the word Inspector is removed from the Contractor regulation, it will allow for an individual to potentially pass the NICET or equivalent testing, and become state licensed in fire sprinkler system inspections, without any Licensed Contractor responsibilities, insurance, additional training or valuable industry support. Where this system would ideally be successful is when a State Licensed Contractor employs or has representatives that are to perform fire sprinkler system Inspections, those individuals would become trained through field experiences, and an apprenticeship or other developmental program, facilitated by the Licensed Contractor. Once the "inspector" has become trained, he/she could then sit for NICET or other equal competency testing. Without the back support from a Licensed Contractor entity, including a defined training system, the individual may or may not be fully capable of providing the adequate service required for these Life Safety systems. In this model, an inspector may not have the capability to perform routine service or repairs on the inspected systems, while on location with the said system just inspected. As with all fire sprinkler systems, there is an Inspection piece of regular maintenance, and there is a Service piece of regular maintenance. The NICET or equal certification testing does not necessarily address all aspects that a trained "Inspector" should know in terms of the serviceability of the systems.

If the term "Inspector" is removed from the regulation, an individual would only need a business license (or less in some cases), and inspector licensing from DPOR, based on passing the NICET or equal testing, to perform fire sprinkler system inspections in the State of Virginia. We do not feel this is an adequate means of insuring qualified individuals are inspecting and testing these life safety systems.

Additionally, and to this point, our Chapter was part of, and had representation included (by Mr. George Wagner) on the Board's Regulatory Review Committee, pertaining to this new regulation. During those committee meetings, this item was never addressed, and no exception was taken for a certified inspector, to NOT be part of a licensed organization within the state. Why is this item to be amended after the draft of the regulation was approved and completed with consultants from the Review Committee? The stance of the Virginia Chapter of the AFSA, including its sprinkler contractor members, manufacturer associates, design firms, and auxiliary fire services associates, is that we believe an individual who is to perform inspections on fire sprinkler systems in the State of Virginia, they must be required to prove competency for licensing, by testing and training, and be included under the umbrella of a State Licensed Fire Sprinkler contractor, and also be governed by the contract licensing requirements of this state. This shall be regulated through the already in place Tradesman program, within the state's DPOR guidelines. Given the agenda topic we have now been made aware of, our Chapter is planning to attend the upcoming Board for Contractors meeting scheduled for Tuesday, June 23, 2020. We will have several chapter contractor members there to speak in opposition to this regulatory review change, during the 5-minute Public Comment period. In addition to our contractor members, we have asked Senator John Edwards, who was the sponsor of the Senate Bill #1774, which we established through the legislative approval process, be in attendance to speak on behalf of this potential change to the regulation and its original intent.

We hope that we can assist you in further developing the correct means of regulation for this inspector requirement in the State of Virginia. If we are unable to change the way of thinking pertaining to an inspector individual and a state licensed contractor, we are prepared to consult with legal representation to oppose this wording change.

If you have any questions or comments pertaining to this opposition or there is additional information you feel we are lacking, please feel free to contact myself, or George Wagner with the Virginia Chapter AFSA. In the interim, and before the upcoming Board meeting our chapter will continue to gather

information and resources of opposition. Thank you for your time and consideration of this regulation.

Sincerely,

Timothy S. Loscomb ("Hooper")

First Vice President & Legislative Committee Board Director
Virginia Chapter of the American Fire Sprinkler Association

CC: File

GSW

BB

ER

Mr. Olson Executive Director explained to Mr. Loscomb that the Removal of "Inspector" from the Sprinkler Regulations does not change the requirements for inspectors, and that the change pertains to the Contractor Regulations not the individual regulations.



Bob Beckwith addressed the Board and spoke in opposition of the Removal of "Inspector" from Sprinkler Regulations.

George Wagner addressed the Board and spoke in opposition of the Removal of "Inspector" from Sprinkler Regulations.

5. RF Prima Facie, RF and Licensing Case Files

Recovery Fund Prima Facie Case Files

Prima Facie

In the matter of Recovery Fund File Number 2019-01461 Rob Baxter (Claimant) and Air Concepts Inc. (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

**File Number
2019-01461
Rob Baxter
(Claimant)**

Rob Baxter (Claimant) and Brian Casey (Attorney) attended the Board meeting in person and agreed with the recommendation.

After discussion, Mr. Oliver made a motion seconded by Mr. Magruder that the Board was not able to determine the Claimant's actual monetary loss. For that reason, the Board voted to remand the file to the Adjudication Section for the purposes of convening an Informal Fact Finding Conference to determine the amount of actual monetary loss.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2019-03102, Mark Muse (Claimant) and Devine Reeves (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2019-03102
Mark Muse
(Claimant)

Mark Muse (Claimant) attend the Board meeting in person.

After discussion, Mr. Middleton made a motion seconded by Mr. Oliver Upon review of the file, the Board was not able to determine if the requirement to conduct debtor's interrogatories was attempted or met. For that reason, the Board voted to remand the file to the Adjudication Section for the purposes of convening an Informal Fact Finding Conference to determine if the requirement to conduct debtor's interrogatories was attempted or met.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-00159, Curry Hall (Claimant) and Talmadge Barbour and Corbett's Construction (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-00159
Curry Hall
(Claimant)

Curry Hall (Claimant) attended the Board meeting in person but did not address the Board.

After discussion, Mr. Oliver made a motion seconded by Ms. King to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2019-02175, Mona Barr (Claimant) and Billy Delp (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2019-02175
Mona Barr
(Claimant)

Mona Barr (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Oliver made a motion seconded by Ms. King to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$861.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2019-02530, Milburn Warfield (Claimant) and Delmer Lee Grady Jr (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2019-02530
Milburn Warfield
(Claimant)

Milburn Warfield (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Oliver made a motion seconded by Mr. Middleton to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$5,214.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 12-1-0. Ayes: Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** Dyer **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-00673, Geraldine Reilly (Claimant) and Nicholas P. Romano d/b/a Romano Contracting (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-00673
Geraldine Reilly
(Claimant)

Geraldine Reilly (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Oliver made a motion seconded by Ms. King to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-01081, Anthony Fiorino (Claimant) and Apex Structures LLC (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-01081
Anthony Fiorino
(Claimant)

Anthony Fiorino (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Middleton made a motion seconded by Mr. Oliver to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$4,798.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-01087, Tony and Shanay Caballero (Claimant) and Veteran's Home Remodeling LLC (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-01087
Tony and Shanay
Caballero
(Claimant)

Tony and Shanay Caballero (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Middleton made a motion seconded by Mr. Oliver to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$3,112.69. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-01366, Kimberlie Young (Claimant) and Justin Michael Hoffman t/a J2 General Contractors, LLC (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-01366
Kimberlie Young
(Claimant)

Kimberlie Young (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Middleton made a motion seconded by Ms. Tomlin to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$12,659.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-01421, Archie Attarian and Mary Virginia Attarian (Claimant) and Billy Delp (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

Archie Attarian and Mary Virginia Attarian (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Oliver made a motion seconded by Ms. Bynum-Coleman to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-01422, Angel Torres (Claimant) and DDG II, Inc. (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

Angel Torres (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Middleton made a motion seconded by Mr. Oliver to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-01488, James Baker (Claimant) and Freeman Ent, LLC (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

James Baker (Claimant) did not attend the Board meeting in person or by counsel or by any other

File Number
2020-01421
Archie Attarian and
Mary Virginia
Attarian (Claimant)

File Number
2020-01422
Angel Torres
(Claimant)

File Number
2020-01488
James Baker
(Claimant)

qualified representative.

After discussion, Mr. Middleton made a motion seconded by Ms. King to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-01996, Francis Graninger, III and Mary Graninger (Claimant) and David Rodriguez dba Rodmans Enterprises (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-01996
Francis Graninger,
III and Mary
Graninger
(Claimant)

Francis Graninger, III and Mary Graninger (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Middleton made a motion seconded by Ms. King to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$3,680.09. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-00683, Lisa and Jonathan Sleigh (Claimant) and Tatari Construction Inc. (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-00683
Lisa and Jonathan
Sleigh
(Claimant)

Lisa and Jonathan Sleigh (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Oliver made a motion seconded by Ms. Bynum-Coleman to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None

Absent: O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-01488, 2020-01096 Sandra Guyton-White (Claimant) and Lee Dell Pollard (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-01096
Sandra Guyton-
White
(Claimant)

Sandra Guyton-White (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Oliver made a motion seconded by Mr. Middleton to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$12,058.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-01112, Medhi Ibrahim (Claimant) and Jireh Electric Inc. (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-01112
Medhi Ibrahim
(Claimant)

Medhi Ibrahim (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Middleton made a motion seconded by Mr. Hux to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does not meet the statutory provisions for reimbursement.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-01364, Linda Apple (Claimant) and George W. Spady, III General Contractor, Inc. (Regulant), the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-01364
Linda Apple
(Claimant)

Linda Apple (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Middleton made a motion seconded by Mr. Oliver to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00. Pursuant to 54.1-1123 (B),

payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-01391, Nir and Natalia Horev (Claimant) and Jeffrey Myers and My Heating and Air Guy, Inc. (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-01391
Nir and Natalia
Horev
(Claimant)

Nir and Natalia Horev (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

Mr. Middleton made a motion seconded by Mr. Oliver to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order.

After discussion, Mr. Middleton amended his motion seconded by Mr. Magruder to remand the file to the Adjudication Section for the purposes of convening an Informal Fact Finding Conference to determine the amount of actual monetary loss.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-01418, Chris and Susan Martin (Claimant) and EHD Design Build Group LLC (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-01418
Chris and Susan
Martin
(Claimant)

Chris and Susan Martin (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Middleton made a motion seconded by Mr. Oliver to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2017-02046, Joseph and Brittney Carter (Claimant) and Kingsland Homes LLC (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2017-02046
Joseph and Brittney

Joseph and Brittney Carter (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

**Carter
(Claimant)**

After discussion, Mr. Oliver made a motion seconded by Mr. Hux to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2018-01690, Joseph and Lynn Berry (Claimant) and Kingsland Homes LLC (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

**File Number
2018-01690
Joseph and Lynn
Berry
(Claimant)**

Joseph and Lynn Berry (Claimant) Attended the Board meeting in person but did not address the Board

After discussion, Mr. Oliver made a motion seconded by Ms. King to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-01668, Jeannette Jackson (Claimant) and Veteran's Home Remodeling LLC (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

**File Number
2020-01668
Jeannette Jackson
(Claimant)**

Jeannette Jackson (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Middleton made a motion seconded by Mr. Magruder to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$6,068.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 11-2-0. Ayes: Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** Dyer, Oliver **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-01942, Trula M. Crosier (Claimant) and Keith Hodnett dba Amherst Roofing & Construction (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-01942
Trula M. Crosier
(Claimant)

Trula M. Crosier (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Middleton made a motion seconded by Ms. Bynum-Coleman to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$2,136.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-02004, Harriet Hazel Smith (Claimant) and Restoration Contractors Of America (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-02004
Harriet Hazel Smith
(Claimant)

Harriet Hazel Smith (Claimant) Attended the Board meeting in person but did not address the Board.

After discussion, Mr. Oliver made a motion seconded by Mr. Hux to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$10,403.62. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Recovery Fund File Number 2020-02047, Willie Keith Scott (Claimant) and Pro Source Contracting LLC (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-02047
Willie Keith Scott

(Claimant)

Willie Keith Scott (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, Mr. Middleton made a motion seconded by Ms. King to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$9,257.86. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

Recovery Fund Case Files

Recovery Fund Case Files

In the matter of Recovery Fund File Number 2020-00674, James and Kimberly Gould, (Claimant) and JAV Remodeling Inc. (Regulant), the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. This case was remanded to an IFF at the October 29, 2019 Board for Contractors meeting.

File Number
2020-00674
James and
Kimberly Gould
(Claimant)

Presiding officer Ms. King, was not present did not participate in the discussion and did not vote.

James and Kimberly Gould (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

A motion was made by Mr. Oliver, and seconded by Mr. Redifer to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** King **Absent:** O'Dell, Plummer.

License Case Files

License Case Files

In the matter of License Application File Number 2020-00373, Agile Rebuilt Inc., the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2020-00373
Agile Rebuilt Inc.

Agile Rebuilt Inc. (applicant) participated in the Informal Fact Finding Conference.

Alan Russel on behalf of Agile Rebuilt Inc. (applicant) Appeared at the Board meeting in person and disagrees with the recommendation.

A motion was made by Mr. Oliver and seconded by Mr. Hux to approve the application for Class A Contractor License with a condition Mr. Russel submit 5 years verified experience within 30 days for RBC by the Building Official.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

After discussion, a motion was made by Mr. Magruder and seconded by Ms. King to reopen the case and amend the order to a Class B Contractor License with a condition Mr. Russel, submit 3 years verified experience within 30 days for RBC by the Building Official.

The motion was approved with a vote of 11-2-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Hux, Johnson, Mitchell, Tomlin and Magruder. **Nays:** Bynum-Coleman, Groh **Abstain:** None **Absent:** O'Dell, Plummer.

Prima Facie Recovery Fund Case

Prima Facie
Recovery Fund
Case

In the matter of Recovery Fund File Number 2020-02282, James and Kelly Purdie (Claimant) and Mickey Spady dba Mickey Spady General Contractor Inc. (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number
2020-02282
James and Kelly
Purdie
(Claimant)

James and Kelly Purdie (Claimant) Attended the Board meeting in person but did not address the Board.

After discussion, Mr. Oliver made a motion seconded by Mr. Magruder to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter. and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

License Case Files

In the matter of License Application, File Number 2020-01108, Unique Quality Construction, LLC. The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

Unique Quality Construction, LLC (Applicant) participated in the Informal Fact-Finding Conference.

William Martinez on behalf of Unique Quality Construction, LLC (Applicant) Attended the Board meeting and agrees with the recommendation.

After discussion, a motion was made by Mr. Oliver and seconded by Mr. Middleton to approve the application for a Class B Contractor License based upon the record and the recommendation.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-01165, Benje Inc. t/a Rainbow International Restoration of North Virginia Beach, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Amended Summary of the Informal Fact-Finding Conference.

Benje Inc. t/a Rainbow International Restoration of North Virginia Beach (Applicant) participated in the Informal Fact Finding Conference.

Kevin Butler on behalf of Benje Inc. t/a Rainbow International Restoration of North Virginia Beach (Applicant) appeared at the Board meeting and disagrees with the recommendation.

A motion was made by Mr. Oliver and seconded by Mr. Redifer to deny the application for a Class A Contractor License based upon the record and the recommendation.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-01166, Forza Cor, LLC, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

Forza Cor, LLC (Applicant) participated in the Informal Fact Finding Conference.

Chad Pessini on behalf of Forza Cor, LLC (Applicant) attended at the Board meeting and agrees with the recommendation.

License Case Files

File Number
2020-01108
Unique Quality
Construction, LLC

File Number
2020-01165
Benje Inc. t/a
Rainbow
International
Restoration of
North Virginia
Beach

File Number
2020-01166
Forza Cor, LLC

After discussion a motion was made by Mr. Oliver and seconded by Ms. Bynum-Coleman to approve the application for a Class A Contractor License based upon the record and the recommendation.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-01167, Tommy Eugene Brown t/a TNT Construction, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

Tommy Eugene Brown t/a TNT Construction (Applicant) participated in the Informal Fact-Finding Conference.

Tommy Eugene Brown on behalf of Tommy Eugene Brown t/a TNT Construction (Applicant) attended the Board meeting and agrees with the recommendation.

A motion was made by Mr. Oliver and seconded by Ms. Bynum-Coleman to approve the application for a Class B Contractor License based upon the record and the recommendation.

The motion was approved with a vote of 12-1-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** Middleton **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-01168, Advantage Green Solutions, LLC, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

Advantage Green Solutions, LLC (Applicant) participated in the Informal Fact-Finding Conference.

Kevin King on behalf of Advantage Green Solutions, LLC (Applicant) attended the Board meeting and disagrees with the recommendation.

A motion was made by Mr. Middleton and seconded by Mr. Hux to deny the application for a Class A Contractor License based upon the record and the recommendation.

The motion was approved with a vote of 12-1-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Bynum-Coleman, Tomlin and Magruder. **Nays:** Mitchell **Abstain:** None **Absent:** O'Dell, Plummer.

File Number
2020-01167
Tommy Eugene
Brown t/a TNT
Construction

File Number
2020-01168
Advantage Green
Solutions, LLC

In the matter of License Application File Number 2020-01255, Isaiah Jason Sams t/a K & J Roof Repairs. the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2020-01255
Isaiah Jason Sams
t/a K & J Roof
Repairs**

Isaiah Jason Sams t/a K & J Roof Repairs (Applicant) participated in the Informal Fact-Finding.

Isaiah Jason Sams t/a K & J Roof Repairs (Applicant) attended the Board meeting and agreed with the recommendation.

A motion was made by Mr. Oliver and seconded by Mr. Magruder to approve the application for a Class C Contractor License based upon the record and the recommendation.

The motion was approved with a vote of 12-1-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** Middleton **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-01107, EUP Management Group LLC, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2020-01107
EUP Management
Group LLC**

EUP Management Group LLC (Applicant) participated in the Informal Fact-Finding.

Rosa Holmes on behalf of EUP Management Group LLC (Applicant) Cheryl Rowlett-Dotson (Witness) and Mary Keeylen (Witness) attended the Board meeting and agreed with the recommendation.

A motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman to approve the application for a Class C Contractor License based upon the record and the recommendation.

After discussion, Mr. Middleton withdrew his motion.

Mr. Dyer made a motion seconded by Mr. Redifer to deny the application for a Class C Contractor License based upon the extent to which the occupation or profession might offer an opportunity to engage in further criminal activity of the same type as that in which the person had been involved.

After discussion, Mr. Dyer withdrew his motion.

Mr. Dyer made a motion seconded by Mr. Magruder to approve the application for a Class C Contractor License based upon the record and the recommendation.

Mr. Oliver made an amended motion seconded by Ms. Bynum-Coleman to amend and approve the application for a Class C Contractor License with a conditional approval, that Ms. Rosa-Holmes provides proof of payments from the restitution within 60 days.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-01260, Jerry Lee Robinson, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2020-01260
Jerry Lee Robinson**

Jerry Lee Robinson (Applicant) participated in the Informal Fact-Finding by telephone.

Jerry Lee Robinson (Applicant) attended the Board meeting and agreed with the recommendation.

A motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman to approve the application for a Journeyman Electrical Tradesman License based upon the record and the recommendation.

The motion was approved with a vote of 11-2-0. Ayes: Oliver, Redifer, Ayres, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** Dyer, King **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-01380, CST Industries Inc., the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2020-01380
CST Industries Inc.**

CST Industries Inc. (Applicant) participated in the Informal Fact-Finding.

CST Industries Inc. (Applicant) attended the Board meeting and agreed with the recommendation.

A motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman to approve the application for a Class A Contractor License based upon the record and the recommendation.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-01630, Frye Properties Inc., the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2020-01630
Frye Properties
Inc.**

Frye Properties Inc. (Applicant) participated in the Informal Fact-Finding by telephone.

Spencer Wiegard (Council) on behalf of Frye Properties Inc. (Applicant) attended the Board meeting and disagreed with the recommendation.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to amend the recommendation and to approve the application for a Class A Contractor License waiver of the CBC and RBC Qualified Individual examination requirement, if a member of responsible management completes the Board approved Remedial Education class within 90 days.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** King **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-01632, Valor Fencing LLC, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2020-01632
Valor Fencing LLC

Valor Fencing LLC (Applicant) participated in the Informal Fact-Finding by telephone.

Michael Brockmyer on behalf of Valor Fencing LLC (Applicant) attended the Board meeting and agreed with the recommendation

A motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman to approve the application for a Class C Contractor License based upon the record and the recommendation.

The motion was approved with a vote of 12-1-0. Ayes: Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** Dyer **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-01753, Nicholas Michael Ells, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2020-01753
Nicholas Michael
Ells

Nicholas Michael Ells (Applicant) participated in the Informal Fact-Finding by telephone.

Nicholas Michael Ells (Applicant) attended the Board meeting and agreed with the recommendation

A motion was made by Mr. Oliver and seconded by Mr. Hux to approve the application for a Journeyman Plumbing Tradesman License based upon the record and the recommendation.

The motion was approved with a vote of 12-1-0. Ayes: Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** Dyer **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-00893, Christopher Patrick Hott, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Amended Summary of the Informal Fact-Finding Conference.

File Number
2020-00893
Christopher Patrick
Hott

Christopher Patrick Hott (applicant) participated in the Informal Fact Finding Conference by telephone.

Christopher Patrick Hott (applicant) did not appear at the Board meeting in person by counsel or by any other qualified person.

After discussion, a motion was made by Mr. Oliver and seconded by Mr. Middleton to deny the application for a Master Electrical Tradesman License based upon the extent to which the occupation or profession might offer an opportunity to engage in further criminal activity of the same type as that in which the person had been involved.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-00899, Sang Hyun Seo, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2020-00899
Sang Hyun Seo**

Sang Hyun Seo (applicant) participated in the Informal Fact-Finding Conference.

Sang Hyun Seo (applicant) did not appear at the Board meeting in person by counsel or by any other qualified person.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to Approve the application for Journeyman Heating, Ventilation and Air Conditioning Tradesman License based upon the record and the recommendation.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2019-03116, Jay Thomas Solomon, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference. This case was remanded to an IFF at the September 24, 2019 Board for Contractors Meeting.

**File Number
2019-03116
Jay Thomas
Solomon**

Presiding officers Mr. Redifer was not present did not participate in the discussion and did not vote.

Jay Thomas Solomon (Applicant) participated in the Informal Fact-Finding Conference by telephone.

Jay Thomas Solomon (Applicant) did not appear at the Board meeting in person by counsel or by any other qualified person.

A motion was made by Mr. Oliver and seconded by Mr. Mitchell to approve the application for a Master Electrical Tradesman License based upon the record and the recommendation.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Redifer **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-01170, Thomas Kae DeVine, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2020-01170
Thomas Kae
DeVine**

Thomas Kae DeVine (Applicant) participated in the Informal Fact-Finding Conference.

Thomas Kae DeVine (Applicant) did not appear at the Board meeting in person by counsel or by any other qualified person.

A motion was made by Mr. Middleton and seconded by Mr. King to amend the recommendation to deny the application for a Master Plumbing Tradesman License based upon the extent to which the

occupation or profession might offer an opportunity to engage in further criminal activity of the same type as that in which the person had been involved

The motion was approved with a vote of 12-1-0. Ayes: Dyer, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** Oliver **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-01256, Travis Lee Contracting LLC, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2020-01256
Travis Lee
Contracting LLC

Travis Lee Contracting LLC (Applicant) participated in the Informal Fact-Finding.

Travis Shiftlet on behalf of Travis Lee Contracting LLC (Applicant) attended the Board meeting and agreed with the recommendation.

A motion was made by Mr. Middleton to amend the recommendation and deny the application for a Class C Contractor License based upon the extent to which the occupation or profession might offer an opportunity to engage in further criminal activity of the same type as that in which the person had been involved **This motion failed.**

A motion was made by Mr. Magruder and seconded by Ms. Bynum-Coleman to approve the application for a Class C Contractor License based upon the record and the recommendation.

The motion was approved with a vote of 12-1-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** Middleton **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-01261, Earnest Tab Layne, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2020-01261
Earnest Tab Layne

Earnest Tab Layne (Applicant) participated in the Informal Fact-Finding Conference by telephone.

Earnest Tab Layne (Applicant) did not appear at the Board meeting in person by counsel or by any other qualified person.

A motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman to approve the application for a Journeyman Electrical Tradesman License based upon the record and the recommendation.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-01755, Dale M. Wilson General Contractor LLC. the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2020-01755
Dale M. Wilson
General Contractor
LLC**

Dale M. Wilson General Contractor LLC (Applicant) participated in the Informal Fact-Finding.

Dale M. Wilson General Contractor LLC (Applicant) did not appear at the Board meeting in person by counsel or by any other qualified person.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to approve the application for a Class A Contractor License waiver of the CBC and RBC Qualified Individual examination requirement based upon the record and the recommendation.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-00376, James Wallace Ford Jr. t/a Jimmy's Excavating. the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2020-00376
James Wallace
Ford Jr. t/a
Jimmy's
Excavating**

James Wallace Ford Jr. t/a Jimmy's Excavating (Applicant) participated in the Informal Fact-Finding by telephone.

James Wallace Ford Jr. t/a Jimmy's Excavating (Applicant) did not appear at the Board meeting in person by counsel or by any other qualified person.

A motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman to approve the application for a Class C Contractor License based upon the record and the recommendation.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of License Application File Number 2020-01626, JMM Masonry Company Inc., the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2020-01626
JMM Masonry
Company Inc.**

JMM Masonry Company Inc. (Applicant) participated in the Informal Fact-Finding by telephone.

JMM Masonry Company Inc. (Applicant) did not appear at the Board meeting in person by counsel or by any other qualified person.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to approve the application for a Class A Contractor License based upon the record and the recommendation.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton,

Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None
Absent: O'Dell, Plummer.

In the matter of License Application File Number 2020-01628, Harkesh Manocha, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2020-01628
Harkesh Manocha

Harkesh Manocha (Applicant) participated in the Informal Fact-Finding.

Harkesh Manocha (Applicant) did not appear at the Board meeting in person by counsel or by any other qualified person.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to deny the application for a Journeyman Electrical Tradesman License based upon the record and the recommendation.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None
Absent: O'Dell, Plummer.

In the matter of License Application File Number 2020-01754, Curtis Joseph Kelly, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2020-01754
Curtis Joseph Kelly

Curtis Joseph Kelly (Applicant) participated in the Informal Fact-Finding by telephone.

Curtis Joseph Kelly (Applicant) did not appear at the Board meeting in person by counsel or by any other qualified person.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to approve the application for a Journeyman Electrical Tradesman License based upon the record and the recommendation.

The motion was approved with a vote of 12-1-0. Ayes: Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** Dyer **Abstain:** None **Absent:** O'Dell, Plummer.

Chairman Dyer Called for a recess at 11:00 A.M.
Chairman Dyer called the meeting back to order at 11:10 A.M.

Recess

6. DISCIPLINARY CASES & RATIFICATION OF CONSENT ORDERS

DISCIPLINARY CASES

**DISCIPLINARY
CASES**

In the matter of Disciplinary File Number 2019-01341, Robert Herring t/a Herring's Concrete the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

**File Number
2019-01341
Robert Herring t/a
Herring's Concrete**

Presiding officers Redifer, Bynum-Coleman, and Tomlin were not present did not participate in the discussion and did not vote.

Robert Herring t/a Herring's Concrete (Regulant) participated in the Informal Fact-Finding Conference.

Robert Herring on behalf of Robert Herring t/a Herring's Concrete (Regulant) attended the Board meeting and disagreed with the recommendation.

After discussion a motion was made by Mr. Oliver and seconded by Mr. Middleton to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that Robert Herring t/a Herring's Concrete violated the following:

- Count 1: 18 VAC 50-22-260.B.8**
- Count 2: 18 VAC 50-22-260.B.5**

The motion was approved with a vote of 10-0-3. Ayes: Dyer, Oliver, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, and Magruder. **Nays:** None **Abstain:** Redifer, Bynum-Coleman, Tomlin **Absent:** O'Dell, Plummer.

After discussion a motion was made by Mr. Oliver and seconded by Mr. Middleton to amend the recommendation for Counts 1 and 2 from \$1,000.00 to \$500.00 and Remedial Education.

- Count 1: \$500.00 And Remedial Education**
- Count 2: \$500.00 And Remedial Education**

Total: \$1,000.00

The motion was approved with a vote of 10-0-3. Ayes: Dyer, Oliver, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, and Magruder. **Nays:** None **Abstain:** Redifer, Bynum-Coleman, Tomlin **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2017-00584, Trinity Building Company, LLC the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

**File Number
2017-00584
Trinity Building
Company, LLC**

Presiding officer's Mr. Oliver and Mr. Redifer, were not present did not participate in the discussion and

did not vote.

Trinity Building Company, LLC (Regulant) participated in the Informal Fact-Finding Conference.

Robert Vaughan (Counsel) on behalf of Trinity Building Company, LLC (Regulant) appeared at the Board meeting and agree with the recommendation.

After discussion, a motion was made by Mr. Middleton and seconded by Mr. Hux 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 Trinity Building Company, LLC violated the following:

Count 1: 18 VAC 50-22-260.B.33

Count 8: 18 VAC 50-22-260.B.33

As to Counts 2, 3, 4, 5, 6 and 7, the Board closes these aspects of the file with findings of no violation.

The motion was approved with a vote of 11-0-2. Ayes: Dyer, Ayres, King, Middleton, Groh-Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver, Redifer **Absent:** O'Dell, Plummer.

Priors
#57 D-6/2017-00584, C-1/2019-01524, C-2/2017-00347 – Trinity Building Company, LLC, license number 2705127746. On October 24, 2012, Trinity Building Company, LLC was found in violation of the Board for Contractors Regulations for missing elements in a contract and for failure to use a change order. Consent Order 2012-02116 resulted in fines of \$700, \$150 costs and assignment of remedial education. Compliance was obtained on January 25, 2013.

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

Count 1: \$850.00 And Remedial Education

Count 8: \$850.00 And Remedial Education

Total: \$1,700.00

The motion was approved with a vote of 11-0-2. Ayes: Dyer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver, Redifer **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2015-02790 Trinity Building Company LLC the board reviewed the Consent Order as seen and agreed to by Trinity Building Company LLC.

Robert Vaughan (Counsel) on behalf of Trinity Building Company, LLC (Regulant) appeared at the Board meeting and agree with the recommendation.

A motion was made by Mr. Middleton and seconded by Mr. Magruder to ratify the proposed

File Number
2015-02790
Trinity
Building Company
LLC

Consent Order offer wherein Trinity Building Company LLC acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Trinity Building Company LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8 \$400.00

Trinity Building Company LLC agrees to Board costs of \$150.00.

Total fines and costs of \$550.00

Further, for violation of Count 1, Trinity Building Company LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

Priors

#57 D-6/2017-00584, C-1/2019-01524, C-2/2017-00347 – Trinity Building Company, LLC, license number 2705127746. On October 24, 2012, Trinity Building Company LLC was found in violation of the Board for Contractors Regulations for missing elements in a contract and for failure to use a change order. Consent Order 2012-02116 resulted in fines of \$700, \$150 costs and assignment of remedial education. Compliance was obtained on January 25, 2013.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2017-00347 Trinity Building Company LLC the board reviewed the Consent Order as seen and agreed to by Trinity Building Company LLC.

File Number
2017-00347
Trinity Building
Company LLC

Robert Vaughan (Counsel) on behalf of Trinity Building Company, LLC (Regulant) appeared at the Board meeting and agree with the recommendation.

A motion was made by Mr. Middleton and seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Trinity Building Company LLC acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Trinity Building Company LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$650 .00

Trinity Building Company LLC agrees to Board costs of \$150.00.

Total fines and costs of \$800.00

Further, for violation of Count 1, Trinity Building Company LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

Priors

#57 D-6/2017-00584, C-1/2019-01524, C-2/2017-00347 – Trinity Building Company, LLC, license number 2705127746. On October 24, 2012, Trinity Building Company LLC was found in violation of the Board for Contractors Regulations for missing elements in a contract and for failure to use a change order. Consent Order 2012-02116 resulted in fines of \$700, \$150 costs and assignment of remedial education. Compliance was obtained on January 25, 2013.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-01769 MAC Design & Build LLC the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-01769
MAC Design & Build LLC

Presiding officer Mr. Ayres, was not present did not participate in the discussion and did not vote.

MAC Design & Build LLC (Regulant) participated in the Informal Fact-Finding Conference.

Derek Leiter (Respondent) on behalf of MAC Design & Build LLC, (Regulant) attended the Board meeting and disagreed with the recommendation.

After discussion a motion was made by Mr. Oliver and seconded by Mr. Hux 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 MAC Design & Build LLC violated the following:

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

Count 2: 18 VAC 50-22-260.B.33

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Ayres **Absent:** O'Dell, Plummer.

After discussion a motion was made by Mr. Oliver and seconded by Mr. Hux to impose the following sanctions:

Count 1: \$800.00 Remedial Education and Probation

Count 2: \$1,000.00 Remedial Education

Total: \$1,800.00

For violation of Count 1, the Board places MAC Design's license on probation for a period of 2 years. The terms of the probation shall be that if MAC Design commits further infractions of Board's regulations during the probationary period, the Board shall automatically suspend MAC Design's license.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Ayres **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2018-02250 Virginia HVAC and Electrical, LP the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

**File Number
2018-02250
Virginia HVAC and
Electrical, LP**

Presiding officer Mr. Dyer, was not present did not participate in the discussion and did not vote. Vice chairman Oliver took over as Chairman.

Virginia HVAC and Electrical, LP (Regulant) participated in the Informal Fact-Finding Conference.

Chuck Weisman (Respondent) and Mark Paullin (Council) on behalf of Virginia HVAC and Electrical, LP (Regulant) Heather and Charles Weisman witness; attended the Board meeting and disagrees with the recommendation.

Joseph Boykan (complainant) attended the Board meeting.

Mark Paullin (Council) on behalf of Virginia HVAC and Electrical, LP (Regulant) addressed the Board. Mark Paullin (Council) requested the IFF be reconvened so that he may provide additional information for the Board to consider. Chuck Weisman (Respondent) acknowledged he had a right to a prompt decision pursuant to from the Board within 90 days of the IFF and agreed to waive those rights so that the IFF could be reconvened.

After discussion, a motion was made by Mr. Middleton and seconded by Mr. Mitchell to remand the file to the Adjudication Section for the purposes of reconvening the Informal Fact Finding Conference to allow Charles Weisman to provide additional testimony.

The motion was approved with a vote of 12-0-1. Ayes: Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Dyer **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2018-02666 Virginia HVAC and Electrical, LP the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

**File Number
2018-02666
Virginia HVAC and
Electrical, LP**

Presiding officer Mr. Dyer, was not present did not participate in the discussion and did not vote. Vice chairman Oliver took over as Chairman.

Virginia HVAC and Electrical, LP (Regulant) participated in the Informal Fact-Finding Conference.

Chuck Weisman (Respondent) and Mark Paullin (Council) on behalf of Virginia HVAC and Electrical, LP (Regulant) Heather and Charles Weisman witness; attended the Board meeting and disagrees with the recommendation.

Wayne and Mary-Ann Anderson (complainant) attended the Board meeting.

Mark Paullin (Council) on behalf of Virginia HVAC and Electrical, LP (Regulant) addressed the Board. Mark Paullin (Council) requested the IFF be reconvened so that he may provide additional information for the Board to consider. Chuck Weisman (Respondent) acknowledged he had a right to a prompt decision pursuant to from the Board within 90 days of the IFF and agreed to waive those rights so that the IFF could be reconvened.

After discussion, a motion was made by Mr. Middleton and seconded by Mr. Mitchell to remand

the file to the Adjudication Section for the purposes of reconvening the Informal Fact Finding Conference to allow Charles Weisman to provide additional testimony.

The motion was approved with a vote of 11-1-1. Ayes: Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** Oliver **Abstain:** Dyer **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-00866 Virginia HVAC and Electrical, LP the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-00866
Virginia HVAC and
Electrical, LP

Presiding officer Mr. Dyer, was not present did not participate in the discussion and did not vote. Vice chairman Oliver took over as Chairman.

Virginia HVAC and Electrical, LP (Regulant) participated in the Informal Fact-Finding Conference.

Chuck Weisman (Respondent) and Mark Paullin (Council) on behalf of Virginia HVAC and Electrical, LP (Regulant) Heather and Charles Weisman witness; attended the Board meeting and disagrees with the recommendation.

Mark Paullin (Council) on behalf of Virginia HVAC and Electrical, LP (Regulant) addressed the Board. Mark Paullin (Council) requested the IFF be reconvened so that he may provide additional information for the Board to consider. Chuck Weisman (Respondent) acknowledged he had a right to a prompt decision pursuant to from the Board within 90 days of the IFF and agreed to waive those rights so that the IFF could be reconvened.

After discussion, a motion was made by Mr. Middleton and seconded by Mr. Mitchell to remand the file to the Adjudication Section for the purposes of reconvening the Informal Fact Finding Conference to allow Charles Weisman to provide additional testimony.

The motion was approved with a vote of 11-1-1. Ayes: Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** Oliver **Abstain:** Dyer **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-02008 Michael Alan Turner the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-02008
Michael Alan
Turner

Presiding officer Mr. Mitchell, was not present did not participate in the discussion and did not vote.

Michael Alan Turner (Respondent) participated in the Informal Fact-Finding Conference.

Michael Alan Turner (Regulant) Neal Talegaonkar (Council) appeared at the Board meeting and agrees with the recommendation.

After discussion a motion was made by Mr. Oliver and seconded by Mr. Redifer to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that Michael Alan Turner violated the following:

Count 1: 18 VAC 50-22-260.B.15
Count 2: No Violation
Count 3: 18 VAC 50-22-260.B.33

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Mitchell **Absent:** O'Dell, Plummer.

Priors

#70 D-19/2019-02008 and #71 D-20/2019-02124 – Michael Alan Turner, license number 2705-092166. On October 29, 2019, Michael Alan Turner was found in violation of the Board for Contractors Regulations for working outside the scope of his license and for failure to obtain a permit or inspection. Consent Order 2019-01860 resulted in fines of \$2450, \$150 costs, and assignment to remedial education. Compliance was obtained on January 30, 2020.

After discussion a motion was made by Mr. Oliver and seconded by Mr. Magruder to impose the following sanctions:

Count 1: \$500.00
Count 2: No Violation
Count 2: \$850.00

Total: \$1,350.00

The motion was approved with a vote of 10-2-1. Ayes: Oliver, Redifer, Ayres, King, Groh, Hux, Johnson, Bynum-Coleman, Tomlin and Magruder. **Nays:** Dyer, Middleton **Abstain:** Mitchell **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-02124 Michael Alan Turner the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-02124
Michael Alan
Turner

Presiding officer Mr. Mitchell, was not present did not participate in the discussion and did not vote.

Michael Alan Turner (Respondent) participated in the Informal Fact-Finding Conference.

Michael Alan Turner (Regulant) Neal Talegaonkar (Council) appeared at the Board meeting and agrees with the recommendation.

After discussion a motion was made by Mr. Middleton and seconded by Mr. Redifer to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that Michael Alan Turner violated the following:

Count 1: 18 VAC 50-22-260.B.31
Count 2: 18 VAC 50-22-260.B.29

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton,

Groh, Hux, Johnson, Bynum-Coleman, Tomlin and Magruder. **Nays: None Abstain: Mitchell Absent:**
O'Dell, Plummer.

Priors
#70 D-19/2019-02008 and #71 D-20/2019-02124 – Michael Alan Turner, license number 2705-092166. On October 29, 2019, Michael Alan Turner was found in violation of the Board for Contractors Regulations for working outside the scope of his license and for failure to obtain a permit or inspection. Consent Order 2019-01860 resulted in fines of \$2450, \$150 costs, and assignment to remedial education. Compliance was obtained on January 30, 2020.

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

Count 1: \$400.00
Count 2: \$700.00

Total: \$1,100.00

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: Mitchell Absent:
O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-01656 Real Developments, Inc. t/a Real Developments the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

**File Number
2019-01656
Real Developments,
Inc. t/a Real
Developments**

Presiding officer Mr. Hux, was not present did not participate in the discussion and did not vote.

Real Developments, Inc. t/a Real Developments (Respondent) participated in the Informal Fact-Finding Conference.

John Harris on behalf of Real Developments, Inc. t/a Real Developments (Regulant) appeared at the Board meeting and agrees with the recommendation.

After discussion a motion was made by Mr. Oliver and seconded by Ms. King 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 Real Developments, Inc. t/a Real Developments violated the following:

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

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: Hux Absent:
O'Dell, Plummer.

After discussion a motion was made by Mr. Oliver and seconded by Mr. Redifer to impose the

following sanctions:

Count 1: \$0.00 And Remedial Education

Total: \$0.00

The motion was approved with a vote of 11-1-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Groh, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** Middleton **Abstain:** Hux **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-01883 Michael & Son Services, Inc. the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-01883
Michael & Son
Services, Inc.

Presiding officer Mr. Hux, was not present did not participate in the discussion and did not vote.

Michael & Son Services, Inc. (Respondent) participated in the Informal Fact-Finding Conference.

Scott MacArthur and Ralph Smith on behalf of Michael & Son Services, Inc. (Regulant) appeared at the Board meeting and agrees with the recommendation.

Priors

#73 D-22/2019-01883, #74 D-23/2019-02185, #75 D-24/2019-02524 – Michael and Son Services, Inc., license number 2701-038423. On April 20, 2010, Michael and Son Services, Inc. was found in violation of the Board for Contractors Regulations for misconduct. Consent Order 2010-02074 resulted in a fine of \$800, \$150 costs, and assignment to remedial education. Compliance was obtained on July 22, 2010. On December 17, 2013, Michael and Son Services, Inc. was found in violation of the Board for Contractors Regulations for missing elements in a contract and for misconduct. Consent Order 2013-01513 resulted in fines of \$1950, \$150 costs, and assignment to remedial education. Compliance was obtained on March 20, 2014.

On September 27, 2016, Michael and Son Services, Inc., was found in violation of the Board for Contractors Regulations for missing elements in a contract and for failure to obtain a permit or inspection. Consent Order 2016-02237 resulted in fines of \$3200, \$150 costs, and assignment to remedial education. Compliance was obtained on December 29, 2016.

On June 20, 2017, Michael and Son Services, Inc., was found in violation of the Board for Contractors Regulations for missing elements in a contract, failure to obtain a permit or inspection, misconduct, and failing to respond to the Board or its agent. Consent Order 2017-00183 resulted in fines of \$8,500 (\$2500 waived if contract submitted to Board in compliance with regulations), probation for two years, \$150 costs, and assignment to remedial education. Compliance was obtained on September 21, 2017.

On June 20, 2017, Michael and Son Services, Inc., was found in violation of the Board for Contractors Regulations for failure to use a signed contract and for failure to obtain a permit or inspection. Consent Order 2018-02515 resulted in fines of \$2850, probation for two years, \$150 costs, and assignment to remedial education. Compliance was obtained on September 21, 2017.

On June 20, 2017, Michael and Son Services, Inc., was found in violation of the Board for Contractors Regulations for missing elements in a contract, failure to obtain a permit or inspection, and failure to respond to the Board or its agent. Consent Order 2016-02597 resulted in fines of \$8800 (\$2500 waived if contract submitted to Board in compliance with regulations), probation for two years, \$150 costs, and assignment to remedial education. Compliance was obtained on September 21, 2017.

On March 13, 2018, Michael and Son Services, Inc., was found in violation of the Board for Contractors Regulations for failure to complete work, failure to obtain a permit or inspection, and missing elements in a contract. Consent Order 2017-03166 resulted in fines of \$8200 (\$5,000 waived for providing a copy of the contract from a previous order). These violations occurred before the probationary period from the previous orders started.

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

- Count 1: 18 VAC 50-22-260.B.10**
Count 2: 18 VAC 50-22-260.B.9

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Hux **Absent:** O'Dell, Plummer.

A motion was made by Mr. Oliver and seconded by Ms. Bynum-Coleman to impose the following sanctions:

After discussion, Mr. Oliver withdrew his motion.

Ms. Bynum-Coleman made a motion seconded by Mr. Oliver to amend the recommendation to revocation of the license do to past violations. **This motion failed.**

Mr. Middleton made a motion seconded by Mr. Oliver to amend the recommendation and the Board shall waive imposition of license revocation if, within thirty (30) days and give Michael and Son Services, Inc.:

1. Michael & Son Services Inc. has presented a written contract that complies with the Board's regulations to its customers, and Michael & Son Services Inc.
2. And has implemented a plan to ensure that its employees provide all customers with a written contract.
3. Maximum amount of fines
4. Michael & Son Service Inc.'s license on probation for three years.

Count 1: \$2,500.00 And Remedial Education
Count 2: \$2,500.00 And Remedial Education
Total: \$5,000.00

The motion was approved with a vote of 10-2-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Johnson, Mitchell, Tomlin and Magruder. **Nays:** Groh, Bynum-Coleman **Abstain:** Hux **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-02185 Michael & Son Services, Inc. the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-02185
Michael & Son
Services, Inc.

Presiding officer Mr. Hux, was not present did not participate in the discussion and did not vote.

Michael & Son Services, Inc. (Respondent) participated in the Informal Fact-Finding Conference.

Scott MacArthur and Ralph Smith on behalf of Michael & Son Services, Inc. (Regulant) appeared at the Board meeting and agrees with the recommendation.

Lucille Oliver (Complainant) attended the Board meeting

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

Count 1: 18 VAC 50-22-260.B.10

Count 2: 18 VAC 50-22-260.B.9

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Hux **Absent:** O'Dell, Plummer.

Priors

#73 D-22/2019-01883, #74 D-23/2019-02185, #75 D-24/2019-02524 – Michael and Son Services, Inc., license number 2701-038423. On April 20, 2010, Michael and Son Services, Inc. was found in violation of the Board for Contractors Regulations for misconduct. Consent Order 2010-02074 resulted in a fine of \$800, \$150 costs, and assignment to remedial education. Compliance was obtained on July 22, 2010. On December 17, 2013, Michael and Son Services, Inc. was found in violation of the Board for Contractors Regulations for missing elements in a contract and for misconduct. Consent Order 2013-01513 resulted in fines of \$1950, \$150 costs, and assignment to remedial education. Compliance was obtained on March 20, 2014.

On September 27, 2016, Michael and Son Services, Inc., was found in violation of the Board for Contractors Regulations for missing elements in a contract and for failure to obtain a permit or inspection. Consent Order 2016-02237 resulted in fines of \$3200, \$150 costs, and assignment to remedial education. Compliance was obtained on December 29, 2016.

On June 20, 2017, Michael and Son Services, Inc., was found in violation of the Board for Contractors Regulations for missing elements in a contract, failure to obtain a permit or inspection, misconduct, and failing to respond to the Board or its agent. Consent Order 2017-00183 resulted in fines of \$8,500 (\$2500 waived if contract submitted to Board in compliance with regulations), probation for two years, \$150 costs, and assignment to remedial education. Compliance was obtained on September 21, 2017.

On June 20, 2017, Michael and Son Services, Inc., was found in violation of the Board for Contractors Regulations for failure to use a signed contract and for failure to obtain a permit or inspection. Consent Order 2018-02515 resulted in fines of \$2850, probation for two years, \$150 costs, and assignment to remedial education. Compliance was obtained on September 21, 2017.

On June 20, 2017, Michael and Son Services, Inc., was found in violation of the Board for Contractors Regulations for missing elements in a contract, failure to obtain a permit or inspection, and failure to respond to the Board or its agent. Consent Order 2016-02597 resulted in fines of \$8800 (\$2500 waived if contract submitted to Board in compliance with regulations), probation for two years, \$150 costs, and assignment to remedial education. Compliance was obtained on September 21, 2017.

On March 13, 2018, Michael and Son Services, Inc., was found in violation of the Board for Contractors Regulations for failure to complete work, failure to obtain a permit or inspection, and missing elements in a contract. Consent Order 2017-03166 resulted in fines of \$8200 (\$5,000 waived for providing a copy of the contract from a previous order). These violations occurred before the probationary period from the

previous orders started.

After discussion a motion was made by Mr. Oliver and seconded by Mr. Johnson to amend the recommendation and the Board shall waive imposition of license revocation if, within thirty (30) days and give Michael and Son Services, Inc.:

1. Michael & Son Services Inc. has presented a written contract that complies with the Board's regulations to its customers, and Michael & Son Services Inc.
2. And has implemented a plan to ensure that its employees provide all customers with a written contract.
3. Maximum amount of fines
4. Michael & Son Service Inc.'s license on probation for three years.

Count 1: \$2,500.00 And Remedial Education

Count 2: \$2,500.00 And Remedial Education

Total: \$5,000.00

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Hux **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-02524 Michael & Son Services, Inc. the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-02524
Michael & Son
Services, Inc.

Presiding officer Mr. Hux, was not present did not participate in the discussion and did not vote.

Michael & Son Services, Inc. (Respondent) participated in the Informal Fact-Finding Conference.

Scott MacArthur and Ralph Smith on behalf of Michael & Son Services, Inc. (Regulant) appeared at the Board meeting and agrees with the recommendation.

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

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

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Hux **Absent:** O'Dell, Plummer.

Priors
#73 D-22/2019-01883, #74 D-23/2019-02185, #75 D-24/2019-02524 – Michael and Son Services, Inc., license number 2701-038423. On April 20, 2010, Michael and Son Services, Inc. was found in violation of the Board for Contractors Regulations for misconduct. Consent Order 2010-02074 resulted in a fine of

\$800, \$150 costs, and assignment to remedial education. Compliance was obtained on July 22, 2010. On December 17, 2013, Michael and Son Services, Inc. was found in violation of the Board for Contractors Regulations for missing elements in a contract and for misconduct. Consent Order 2013-01513 resulted in fines of \$1950, \$150 costs, and assignment to remedial education. Compliance was obtained on March 20, 2014.

On September 27, 2016, Michael and Son Services, Inc., was found in violation of the Board for Contractors Regulations for missing elements in a contract and for failure to obtain a permit or inspection. Consent Order 2016-02237 resulted in fines of \$3200, \$150 costs, and assignment to remedial education. Compliance was obtained on December 29, 2016.

On June 20, 2017, Michael and Son Services, Inc., was found in violation of the Board for Contractors Regulations for missing elements in a contract, failure to obtain a permit or inspection, misconduct, and failing to respond to the Board or its agent. Consent Order 2017-00183 resulted in fines of \$8,500 (\$2500 waived if contract submitted to Board in compliance with regulations), probation for two years, \$150 costs, and assignment to remedial education. Compliance was obtained on September 21, 2017.

On June 20, 2017, Michael and Son Services, Inc., was found in violation of the Board for Contractors Regulations for failure to use a signed contract and for failure to obtain a permit or inspection. Consent Order 2018-02515 resulted in fines of \$2850, probation for two years, \$150 costs, and assignment to remedial education. Compliance was obtained on September 21, 2017.

On June 20, 2017, Michael and Son Services, Inc., was found in violation of the Board for Contractors Regulations for missing elements in a contract, failure to obtain a permit or inspection, and failure to respond to the Board or its agent. Consent Order 2016-02597 resulted in fines of \$8800 (\$2500 waived if contract submitted to Board in compliance with regulations), probation for two years, \$150 costs, and assignment to remedial education. Compliance was obtained on September 21, 2017.

On March 13, 2018, Michael and Son Services, Inc., was found in violation of the Board for Contractors Regulations for failure to complete work, failure to obtain a permit or inspection, and missing elements in a contract. Consent Order 2017-03166 resulted in fines of \$8200 (\$5,000 waived for providing a copy of the contract from a previous order). These violations occurred before the probationary period from the previous orders started.

After discussion a motion was made by Mr. Oliver and seconded by Mr. Redifer to amend the recommendation and the Board shall waive imposition of license revocation if, within thirty (30) days and give Michael and Son Services, Inc.:

1. Michael & Son Services Inc. has presented a written contract that complies with the Board's regulations to its customers, and Michael & Son Services Inc.
2. And to has implemented a plan to ensure that its employees provide all customers with a written contract.
3. Maximum amount of fines
4. Michael & Son Service Inc.'s license on probation for three years.

Count 1: \$2,500.00 And Remedial Education

Total: \$2,500.00

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Hux **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-00714 Pentrey Builders Inc. the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-00714
Pentrey Builders
Inc.

Presiding officer Mr. O'Dell, was not present did not participate in the discussion and did not vote.

Pentrey Builders Inc. (Respondent) participated in the Informal Fact-Finding Conference.

Dennis Autry on behalf of Pentrey Builders Inc. (Regulant) appeared at the Board meeting. Dennis Autry addressed the Board. Dennis Autry requested the IFF be reconvened so that he may provide additional information for the Board to consider. Mouse acknowledged he had a right to a prompt decision pursuant to from the Board within 90 days of the IFF and agreed to waive those rights so that the IFF could be reconvened. After a discussion a motion was made.

After discussion a motion was made by Mr. Oliver and seconded by Ms. Bynum-Coleman to remand the file to the Adjudication Section for the purposes of reconvening the Informal Fact Finding Conference to allow Dennis Autrey to provide additional testimony.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

Prima Facie Disciplinary

Prima Facie **Disciplinary**

In the matter of Prima Facie Disciplinary File Number 2019-02542 Southside Building Services Inc. the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

File Number
2019-02542
Southside Building
Services Inc.

Southside Building Services Inc. did not request an Informal Fact Findings conference.

Joyce Hartman on behalf of Southside Building Services Inc. attended the Board meeting and agreed with the recommendation.

A motion was made by Mr. Redifer and seconded by Ms. Bynum-Coleman to adopt the report of findings including exhibits and the Recommendation. They are incorporated as part of the Order. The Board adopts the Recommendation. The Board finds substantial evidence that Southside Building Services Inc. violated the following:

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

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

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

Count 1: \$700.00 And Remedial Education

Total: \$700.00

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

Disciplinary Case

Disciplinary Case

In the matter of Disciplinary File Number 2018-01933 Carter Construction of VA Inc. the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number

2018-01933

**Carter Construction
of VA Inc.**

Presiding officers Mr. Hux and Groh, were not present did not participate in the discussion and did not vote.

Carter Construction of VA Inc. (Respondent) participated in the Informal Fact-Finding Conference.

Michael Carter (Respondent) and Christopher Hill (Council) on behalf of Carter Construction of VA Inc. (Regulant) appeared at the Board meeting and disagrees with the recommendation. Robert and Marilyn Tuite (Complainants) Attended the Board meeting and agree with the recommendation.

After discussion a motion was made by Mr. Oliver and seconded by Mr. Mitchell 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 Carter Construction of VA Inc. violated the following:

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

Count 2: 18 VAC 50-22-260.B.6 (Five violations) \$800.00 per violation)

The motion was approved with a vote of 11-0-2. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Groh, Hux **Absent:** O'Dell, Plummer.

A motion was made by Mr. Oliver and seconded by Mr. Mitchell to impose the following sanctions:

Count 1: \$400.00 And Remedial Education and License Revocation

Count 2: \$4,000.00 And Remedial Education and License Revocation

Total: \$4,400.00

After discussion, Mr. Oliver withdrew his motion.

Ms. Bynum-Coleman made an amended motion seconded by Mr. Mitchell to add probation. This motion failed.

A motion was made by Mr. Dyer and seconded by Mr. Mitchell to impose the following sanctions:

Count 1: \$400.00 And Remedial Education
Count 2: \$4,000.00 And Remedial Education

Total: \$4,400.00

The motion was approved with a vote of 10-1-2. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Johnson, Mitchell, Bynum-Coleman, and Tomlin. **Nays:** Magruder **Abstain:** Groh, Hux **Absent:** O'Dell, Plummer.

Consent Order

Consent Order

In the matter of Consent Order File Number 2019-02977 Ronald E Linares, t/a JR Home Inspection & Services the board reviewed the Consent Order as seen and agreed to by Ronald E Linares, t/a JR Home Inspection & Services.

File Number
2019-02977
Ronald E Linares,
t/a JR Home
Inspection &
Services

Ronald E Linares, t/a JR Home Inspection & Services attended the Board meeting and agreed with the recommendation.

A motion was made by Mr. Redifer and seconded by Mr. Mitchell to ratify the proposed Consent Order offer wherein Ronald E Linares, t/a JR Home Inspection & Services, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Ronald E Linares, t/a JR Home Inspection & Services consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.1 \$900.00

Ronald E Linares, t/a JR Home Inspection & Services agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,050.00

Further, for violation of Count 1, Ronald E Linares, t/a JR Home Inspection & Services agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02090 Sage Custom Contracting Inc. the board

File Number

reviewed the Consent Order as seen and agreed to by Sage Custom Contracting Inc.

**2019-02090
Sage Custom
Contracting Inc.**

Sage Custom Contracting Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

Mary Piotrowski (Complainant) attended the Board meeting but did not address the Board.

A motion was made by Mr. Oliver and seconded by Ms. King to ratify the proposed Consent Order offer wherein Sage Custom Contracting Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Sage Custom Contracting Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.10	\$350.00
Count 2: 18 VAC 50-22-260.B.31	\$400.00
Count 3: 18 VAC 50-22-220.A	\$500.00

Sage Custom Contracting Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,400.00

For violation of Count 3, Sage Custom Contracting, Inc. has removed Anna Marie Gimpel as a member of Responsible Management, therefore, imposition of the \$500.00 monetary penalty is hereby waived.

Further, for violation of Counts 1, 2, and 3 Sage Custom Contracting Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01006 Total Remodeling Systems LLC, t/a Four Seasons Sunrooms, the board reviewed the Consent Order as seen and agreed to by Total Remodeling Systems LLC, t/a Four Seasons Sunrooms.

**File Number
2019-01006
Total Remodeling
Systems LLC, t/a
Four Seasons
Sunrooms**

Presiding officer Ms. Tomlin, was not present did not participate in the discussion and did not vote.

Charles J. Henley on behalf of Total Remodeling Systems LLC, t/a Four Seasons Sunrooms attended the Board meeting and disagreed with the recommendation.

Charles J. Henley requested an IFF be convened so that he may provide additional information for the Board to consider.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to remand the file to the Adjudication Section for the purposes of convening an Informal Fact Finding Conference.

Ms. Bynum-Coleman was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 11-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, and Magruder. **Nays:** None **Abstain:** Tomlin **Absent:** Bynum-Coleman, O'Dell, Plummer.

Chairman Dyer called for a recess at 1:18 P.M.
Chairman Dyer called the meeting back to order at 1:30 P.M.

Recess

Disciplinary Cases

In the matter of Disciplinary File Number 2019-00518 Paul Henry Scrivner t/a Trademaster Remodeling the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

Disciplinary Cases

File Number
2019-00518
Paul Henry Scrivner
t/a Trademaster
Remodeling

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

Paul Henry Scrivner t/a Trademaster Remodeling (Regulant) participated in the Informal Fact-Finding Conference.

Paul Henry Scrivner t/a Trademaster Remodeling (Regulant) did not appear at the Board meeting in person by counsel or by any other qualified person.

After discussion, a motion was made by Mr. Oliver and seconded by Mr. Middleton 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 Paul Henry Scrivner t/a Trademaster Remodeling violated the following:

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

As to Count 1, the Board closes this aspect of the file with a finding of no violation.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Redifer **Absent:** O'Dell, Plummer.

Priors
#52 D-12019-00518 – Patrick Henry Scrivner t/a Trademaster Remodeling, license number 2705-112779. On April 28, 2014, Patrick Henry Scrivner was found in violation of the Board for Contractors Regulations for failure to use a change order, submitting inaccurate information to the Board, and for failure to satisfy a judgment. Consent Order 2013-02603 resulted in fines of \$2250 (\$1850 waived upon satisfaction of the judgment), \$150 costs and assignment of remedial education. Compliance was obtained on July 31, 2014.

After discussion a motion was made by Mr. Oliver and seconded by Mr. Middleton to impose the following sanctions:

Count 2: \$0.00 And License Revocation

Total: \$0.00

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Redifer **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-01173, CPL Contracting LLC, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-01173
CPL Contracting
LLC

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

CPL Contracting LLC (Regulant) did not participate in the Informal Fact-Finding Conference.

CPL Contracting LLC (Regulant) did not appear at the Board meeting in person by counsel or by any other qualified person.

After discussion, a motion was made by Mr. Middleton and seconded by Ms. King 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 CPL Contracting LLC violated the following:

- Count 1: 18 VAC 50-22-260. B.9**
- Count 2: 18 VAC 50-22-260.B.8**
- Count 3: 18 VAC 50-22-260.B.6**
- Count 4: 18 VAC 50-22-260.B.29**
- Count 5: 18 VAC 50-22-260.B.31**
- Count 6: 18 VAC 50-22-260.B.16**
- Count 7: 18 VAC 50-22-260.B.12**
- Count 8: 18 VAC 50-22-220.A**

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Redifer **Absent:** O'Dell, Plummer.

After discussion, Mr. Middleton made a motion seconded by Mr. Hux to amend the recommendation to License revocation do to the conduct and work activity of the person prior to and following the criminal activity.

- Count 1: \$500.00 And Remedial Education**
- Count 2: \$500.00 And Remedial Education**
- Count 3: \$1,500.00 And License Revocation**
- Count 4: \$1,500.00 And License Revocation**
- Count 5: \$500.00 And Remedial Education**
- Count 6: \$2,000.00 And License Revocation**
- Count 7: \$1,250.00 And License Revocation**
- Count 8: \$500.00 Remedial Education and License Revocation**

Total: \$8,250.00

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Redifer **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-01237, JCG Building Company LLC the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-01237
JCG Building
Company LLC

Presiding officers Mr. Redifer was not present did not participate in the discussion and did not vote.

JCG Building Company LLC (Regulant) participated in the Informal Fact-Finding Conference.

JCG Building Company LLC (Regulant) did not appear at the Board meeting in person by counsel or by any other qualified person.

After discussion, a motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman 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 JCG Building Company LLC violated the following:

- Count 1: 18 VAC 50-22-260. B.27**
- Count 2: 18 VAC 50-22-260. B.25**
- Count 3: 18 VAC 50-22-260. B.15**
- Count 4: 18 VAC 50-22-260. B.12**

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Redifer **Absent:** O'Dell, Plummer.

Priors

#54 D-3/2019-01237 – JCG Building Company LLC, license number 2705-131381. On November 9, 2012, JCG Building Company LLC was found in violation of the § 54.1-1110 of the Code of Virginia for substantial identity of interest. Consent Order 2012-02824 resulted in costs of \$500 and the requirement that JCG satisfy the debts of the previous entity. Compliance was obtained on February 10, 2013.

After discussion, a motion was made by Mr. Middleton and seconded by Mr. Oliver to amend the recommendation to License Revocation do to the extent to which the occupation or profession might offer an opportunity to engage in further criminal activity of the same type as that in which the person had been involved and impose the following sanctions:

- Count 1: \$1,000.00 And Remedial Education**
- Count 2: \$1,500.00 Remedial Education and License Revocation**
- Count 3: \$1,500.00 Remedial Education and License Revocation**
- Count 4: \$0.00 Remedial Education and License Revocation**

Total: \$4,000.00

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Redifer **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-02525, David K. Fincham t/a Fincham Excavating, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-02525
David K. Fincham
t/a Fincham
Excavating

Presiding officers Mr. Redifer was not present did not participate in the discussion and did not vote.

David K. Fincham t/a Fincham Excavating (Regulant) participated in the Informal Fact-Finding Conference.

David K. Fincham t/a Fincham Excavating (Regulant), nor anyone on its behalf appeared at the Board meeting.

After discussion, a motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that David K. Fincham t/a Fincham Excavating violated the following:

- Count 1: 18 VAC 50-22-230. B.8**
- Count 2: 18 VAC 50-22-260.B.26**
- Count 4: 18 VAC 50-22-260.B.13**

As to Count 3, the Board closes this aspect of the file with a finding of no violation.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Redifer **Absent:** O'Dell, Plummer.

After discussion a motion was made by Mr. Middleton and seconded by Mr. Hux to impose the following sanctions:

- Count 1: \$400.00 And Remedial Education**
- Count 2: \$650.00 And Remedial Education**
- Count 4: \$0.00**

Total: \$1,050.00

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Redifer **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2017-02181 Home Sweet Home Renovation, Repair &

File Number

**2017-02181
Home Sweet Home
Renovation, Repair
& Construction
LLC**

Construction LLC the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

Presiding officer Mr. Ayres, was not present did not participate in the discussion and did not vote.

Home Sweet Home Renovation, Repair & Construction LLC (Regulant) nor anyone on its behalf participated in the Informal Fact-Finding Conference.

Home Sweet Home Renovation, Repair & Construction LLC (Regulant) nor anyone on its behalf appeared at the Board meeting.

After discussion, a motion was made by Mr. Oliver and seconded by Mr. Middleton 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 Home Sweet Home Renovation, Repair & Construction LLC violated the following:

- Count 1: 18 VAC 50-22-260 .B.8**
- Count 2: 18 VAC 50-22-260.B.26**
- Count 3: 18 VAC 50-22-260 .B.31**
- Count 4: 18 VAC 50-22-260 .B.6**

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Ayres **Absent:** O'Dell, Plummer.

After discussion, a motion was made by Mr. Dyer and seconded by Mr. Middleton to amend the monetary penalty for Count 4 to reflect the severity of the violations.

- Count 1: \$400.00 And Remedial Education**
- Count 2: \$650.00 And Remedial Education**
- Count 3: \$500.00 And Remedial Education**
- Count 4: \$1,000.00 And License Revocation**

- Total: \$2,550.00**

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Ayres **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2018-02968 Jeffrey Wayne Studdard, t/a Jeff's Home Improvements the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

Presiding officer Mr. Ayres, was not present did not participate in the discussion and did not vote.

**File Number
2018-02968
Jeffrey Wayne
Studdard, t/a Jeff's
Home
Improvements**

Jeffrey Wayne Studdard, t/a Jeff's Home Improvements (Regulant) nor anyone on its behalf participated in the Informal Fact-Finding Conference.

After discussion, a motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman 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 Jeffrey Wayne Studdard, t/a Jeff's Home Improvements violated the following:

- 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.11**
- Count 4: 18 VAC 50-22-260.B.28**
- Count 5: 18 VAC 50-22-260.B.22**

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Ayres **Absent:** O'Dell, Plummer.

Priors

#59 D-8/2018-02968 – Jeffrey Wayne Studdard t/a Jeff's Home Improvements, license number 2705-134301. On November 8, 2016 Jeffrey Wayne Studdard was found in violation of the Board for Contractors regulations for not using a contract and for working outside the scope of his license. Consent Order 2016-02567 resulted in fines of \$1000, \$150 costs, and assignment to remedial education. Compliance was obtained on February 9, 2017.

After discussion a motion was made by Mr. Dyer and seconded by Mr. Middleton to amend the recommendation that Due to the length of time that the judgment has remained unpaid, the Board removed the recommendation that the license revocation imposed for violation of Count 4 be stayed. The Board finds substantial evidence that Jeffrey Wayne Studdard violated the following and imposes the listed monetary penalties:

- | | | |
|-----------------|-------------------|-------------------------------|
| Count 1: | \$400.00 | And Remedial Education |
| Count 2: | \$200.00 | And Remedial Education |
| Count 3: | \$200.00 | And Remedial Education |
| Count 4: | \$1,750.00 | And License Revocation |
| Count 5: | \$0.00 | |
| Total: | \$2,550.00 | |

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Ayres **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2018-03312 Cheri E. Sipe & Scotty D. Sipe t/a Sipe's Construction the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2018-03312
Cheri E. Sipe &
Scotty D. Sipe t/a

Presiding officer Mr. Ayres, was not present did not participate in the discussion and did not vote.

Cheri E. Sipe & Scotty D. Sipe t/a Sipe's Construction (Regulant) participated in the Informal Fact-Finding Conference.

Cheri E. Sipe & Scotty D. Sipe t/a Sipe's Construction (Regulant) did not appear at the Board meeting in person, nor by any other qualified representative.

After discussion, a motion was made by Mr. Middleton and seconded by Ms. Tomlin 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 Cheri E. Sipe & Scotty D. Sipe t/a Sipe's Construction violated the following:

- Count 1: 18 VAC 50-22-210**
- Count 2: 18 VAC 50-22-260.B.13**

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Ayres **Absent:** O'Dell, Plummer.

Priors

#60 D-9/2018-03312 – Cherri & Scotty Sipe t/a Sipe's Construction, license number 2705-036814. On April 12, 2016, Cherri & Scotty Sipe were found in violation of the Board for Contractors Regulations for failure to notify the Board of a change of address. Consent Order 2015-02843 resulted in a fine of \$550, \$150 costs, and assignment to remedial education. Compliance was obtained on July 14, 2016.

After discussion a motion was made by Mr. Middleton and seconded by Mr. Oliver to impose the following sanctions:

- Count 1: \$0.00**
- Count 2: \$0.00 And Remedial Education**

- Total: \$0.00**

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Ayres **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-01964 Jeffrey Keith Moore dba Creative Colors the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-01964
Jeffrey Keith Moore
dba Creative Colors

Presiding officer Mr. Ayres, was not present did not participate in the discussion and did not vote.

Jeffrey Keith Moore dba Creative Colors.) participated in the Informal Fact-Finding Conference.

Jeffrey Keith Moore dba Creative Colors (Regulant) did not appear at the Board meeting in person, nor

by any other qualified representative.

After discussion, a motion was made by Mr. Oliver and seconded by Mr. Hux 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 Jeffrey Keith Moore dba Creative Colors violated the following:

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

Count 2: 18 VAC 50-22-260.B.23

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Ayres **Absent:** O'Dell, Plummer.

After discussion a motion was made by Mr. Oliver and seconded by Ms. Bynum-Coleman to impose the following sanctions:

Count 1: \$0.00

Count 2: \$0.00 And Remedial Education

Total: \$0.00

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Ayres **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2017-02159 Renew the Bay, LLC the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2017-02189
Renew the Bay,
LLC

Presiding officer's Mr. Johnson and Mr. O'Dell, were not present did not participate in the discussion and did not vote.

Mr. Goodman attorney on behalf of Renew the Bay, LLC (Regulant) participated in the Informal Fact-Finding Conference.

Renew the Bay, LLC (Respondent) did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

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

Count 1: 18 VAC 50-22-260.B.5

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Johnson, **Absent:** O'Dell, Plummer.

After discussion a motion was made by Mr. Groh and seconded by Mr. Oliver to impose the following sanctions:

Count 1: \$2,500.00 And License Revocation

Total: \$2,500.00

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Mitchell, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: Johnson, Absent: O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-01406 Lux Construction LLC the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

**File Number
2019-01406
Lux Construction
LLC**

Presiding officer Mr. Dyer, was not present did not participate in the discussion and did not vote. Vice Chairman Mr. Oliver took over as chairman

Lux Construction LLC (Respondent) participated in the Informal Fact-Finding Conference.

Lux Construction LLC (Regulant) did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

Handout

Andrew P. Hill - Attorney

RE: File No. 2019-01406

Lux Construction, LLC Dear Members of the Board:

This firm represents Lux Construction, LLC ("Lux") in the above-captioned matter. Lux has received and had the chance to review the materials sent to it by letter dated February 21, 2020, including the Summary of the Informal Fact Finding Conference (the « Summary ») prepared by Herbert "Jack" Dyer, Jr., Presiding Board Member.

In lieu of appearance in person (necessitating approximately five hours of total travel time from the northern Shenandoah Valley) at the upcoming Board meeting on March 24, 2020, this letter will serve to advise the Board that Lux no longer contests the imposition of a penalty in this case and consents to the penalties recommended in Mr. Dyer's Summary.

After discussion a motion was made by Mr. Redifer and seconded by Ms. King 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 Lux Construction LLC violated the following:

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

Count 3: 18 VAC 50-22-260.B.33

The motion was approved with a vote of 12-0-1. Ayes: Oliver, Redifer, Ayres, King, Middleton, Groh.

Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays: None Abstain: Dyer Absent:**
O'Dell, Plummer.

After discussion a motion was made by Mr. Middleton and seconded by Ms. King to impose the following sanctions:

Count 1: \$200.00 And Remedial Education
Count 2: \$500.00 And Remedial Education

Total: \$700.00

The motion was approved with a vote of 12-0-1. Ayes: Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays: None Abstain: Dyer Absent:**
O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-02518 V3 Solutions Inc. the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative. This case was remanded to an IFF at the request of the respondent at the September 24, 2019 Board for Contractors Meeting.

File Number
2019-02518
V3 Solutions Inc.

Presiding officer Mr. Dyer, was not present did not participate in the discussion and did not vote. Vice Chairman Mr. Oliver took over as chairman

Neither V3 Solutions Inc. (Respondent) nor anyone on its behalf participated in the Informal Fact-Finding Conference.

V3 Solutions Inc. (Regulant) did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

After discussion a motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman 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 V3 Solutions Inc. violated the following:

Count 1: 18 VAC 50-22-220:A
Count 2: 18 VAC 50-22-260:B:13

The motion was approved with a vote of 12-0-1. Ayes: Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays: None Abstain: Dyer Absent:**
O'Dell, Plummer.

After discussion a motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman to impose the following sanctions:

Count 1: \$550.00 And License Revocation
Count 2: \$1,350.00 And License Revocation

Total: \$1,900.00

The motion was approved with a vote of 12-0-1. Ayes: Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Dyer **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-01789 Back to Nature Landscaping LLC the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-01789
Back to Nature
Landscaping LLC

Presiding officers Mr. Groh and Oliver, were not present did not participate in the discussion and did not vote.

Back to Nature Landscaping LLC (Respondent) participated in the Informal Fact-Finding Conference by telephone.

Back to Nature Landscaping LLC (Regulant) did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

After discussion a motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman 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 Back to Nature Landscaping LLC violated the following:

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

The motion was approved with a vote of 11-0-2. Ayes: Dyer, Redifer, Ayres, King, Middleton, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver, Groh **Absent:** O'Dell, Plummer.

After discussion a motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman to impose the following sanctions:

Count 1: \$200.00 And Remedial Education

Total: \$200.00

The motion was approved with a vote of 11-0-2. Ayes: Dyer, Redifer, Ayres, King, Middleton, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver, Groh **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-01882 Keith Edgar Stevens dba Redbud Construction the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-01882
Keith Edgar Stevens
dba Redbud
Construction

Presiding officer Mr. Groh, was not present did not participate in the discussion and did not vote.

Keith Edgar Stevens dba Redbud Construction (Respondent) participated in the Informal Fact-Finding

Conference by telephone.

Keith Edgar Stevens dba Redbud Construction (Regulant) did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

After discussion a motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman 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 Keith Edgar Stevens dba Redbud Construction violated the following:

- 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.27
- Count 4: 18 VAC 50-22-260.B.27
- Count 5: 18 VAC 50-22-260.B17
- Count 6: 18 VAC 50-22-260.B.33
- Count 7: 18 VAC 50-22-260.B.5
- Count 8: 18 VAC 50-22-260.B15

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: Groh Absent: O'Dell, Plummer.

After discussion a motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman to amend counts 2 and 4 to Remedial Education and impose the following sanctions:

- | | | |
|----------|------------|------------------------|
| Count 1: | \$400.00 | And Remedial Education |
| Count 2: | \$400.00 | And Remedial Education |
| Count 3: | \$750.00 | And License Revocation |
| Count 4: | \$750.00 | And Remedial Education |
| Count 5: | \$1,500.00 | And License Revocation |
| Count 6: | \$850.00 | And License Revocation |
| Count 7: | \$1,500.00 | And License Revocation |
| Count 8: | \$1,500.00 | And License Revocation |

Total: \$7,650.00

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: Groh Absent: O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-02109 IIP LLC the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-02109
IIP LLC

Presiding officers Mr. Groh and Johnson, were not present did not participate in the discussion and did not vote.

IIP LLC (Respondent) participated in the Informal Fact-Finding Conference by telephone.

IIP LLC (Regulant) did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

Handout

Re: File No. 2019-02109 IIP LLC

Dear Board members,

I would like to respond to the Summary presented to the Board by Mr. Donald Groh.

On March 17, 2020, I participated, by telephone, an Informal Fact-Finding Conference at the Department of Professional and Occupational Regulation. I was interviewed by Mrs. Caroline Pruett and Mr. Donald Groh about violations found during investigation about Nadolinski's complaint.

Based on the Summary, signed by Mr. Groh, there was some mistakes I would like to clarify.

1. Salman Abilov is not a subcontractor: he is a full-time employee. He is working 40 hours a week, 50 weeks a year. I pay him all holidays and one week of vacation. I told that to Mr. Dibiase, however he kept calling him as a subcontractor because of 1099. Mr. Dibiase assured me that I cannot call Mr. Abilov as my employee. I never stated to investigator Dibiase that Abilov is a subcontractor. That was Dibiase's own determination.

[REDACTED]

[REDACTED]

A copy of the check I provided to Mr. Dibiase issued to Salman Abilov in amount of \$4,817.00 on February 18, 2019 was paid for:

1) Week from 12/31/2018 through 01/04/2019 -	38.5 hrs. *\$28:	\$1,079.00
2) Week from 01/07/2019 through 01/11/2019 -	35.4 hrs. *\$28:	\$990.00
3) Week from 01/14/2019 through 01/18/2019 -	39.5 hrs. *\$28:	\$1,105.00
4) Week from 01/21/2019 through 01/25/2019 -	39.6 hrs. *\$28:	\$1,110.00
5) Week from 01/28/2019 through 02/01/2019 -	40.1 hrs. *\$28:	\$1,125.00
6) Materials purchased for projects:	\$1,123.00	
7) Car payment compensation for January:	\$285	
Subtotal:	\$6,817.00	

Partial payment made on 02/08/2019:

Total:

-\$2,000.00

\$4,817.00

2. Our company did not work at the Nadolinski project due to their vacation from January 16, 2019 until February 2, 2019. Because of all of the above I cannot agree with the statement that "IIP contracted with an unlicensed or improperly licensed contractor or subcontractor in the delivery of contracting services".

3. From May 2005 till November 2006 I worked for the company Mr Handyman and I did all kind of carpentry, electric and plumbing work. And I, personally, or with helper replaced hundreds of water heaters, toilets, bathroom vanities etc. That time it did not even required to have a permit to replace any gas appliances. That's why I stated that I have an experience of replacing water heaters. I did not mean that it was "normal".

4. I never stated that I thought I "was permitted to perform this work (gas water heater replacement) because I

had a plumbing license". It is the incorrect interpretation by Mr. Groh. I asked Ms. Pruett to clarify if licensed plumber can replace a gas water heater. I also sent her an email on the same day, where she clarified that question.

5. As I stated to investigator Dibiase and on the telephone conference, we (me and Salman Abilov) performed all plumbing work under supervision of Master Plumber, who has Master Gas Fitter (MGFC); Master Heating Ventilation and Air Cond; (MHVA) and Master Plumber (MPLB) license.

6. The last violation discovered by investigator Dibiase was failed to have signed change orders, for which our company already punished, since Nadolinski did not pay for all that extra work (approx. \$3,000). Please understand me right, my company, IIP LLC, now is only me - Igor Ponomarev, my wife - Irina Ponomareva and my only one employee - Salman Abilov. Three other guys I had to lay down, because of COVID-19 economy recession.

It was never my intent to make inconsistent statements and mislead the Board, as Mr. Groh stated. So, I ask that you to reconsider this 'aggravating factor'. If you decide that I violated the regulations, then I understand that I must pay a fine and I agree to take a remedial education course. But revoking my license will force me to close my business and I will lose the only way that I can provide support for my family. My wife, three daughters and mother are depending on me.

Sincerely
Igor Ponomarev

After discussion a motion was made by Mr. Oliver and seconded by Ms. King to remand the file to the Adjudication Section for the purposes of reconvening the Informal Fact Finding Conference to allow Igor Ponomarev to provide additional testimony.

The motion was approved with a vote of 11-0-2. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Hux, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Groh, Johnson **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-03190 Salman Abilov the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-03190
Salman Abilov

Presiding officers Johnson and Groh, were not present did not participate in the discussion and did not vote.

Salman Abilov (Respondent) participated in the Informal Fact-Finding Conference by telephone.

Salman Abilov (Regulant) did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

Handout below

June 6, 2020

Commonwealth of Virginia

Department of Professional and Occupational Regulation

Re: **File No. 2019-03190**

Salman Abilov

Dear Board members,

I would like to respond to the Summary presented to the Board by Mr. Wiley "Bif" Johnson.

On April 14, 2020, I participated, by telephone, an Informal Fact-Finding Conference at the Department of Professional and Occupational Regulation. I was interviewed about violations found during investigation about Nadolinski's complaint.

Based on the Summary, signed by Mr. Johnson, I would like to clarify.

I am not a subcontractor. I am a full-time employee of IIP LLC. I am working 40 hours a week, 50 weeks a year. I am getting paid for all National holidays, plus one week of vacation. I explained that to Mr. Dibiase, however he kept calling me a subcontractor because of 1099 form. Mr. Dibiase assured me that I cannot be called as an employee of IIP LLC at this point. I never stated to investigator Dibiase that I am a subcontractor. That was Dibiase's own determination. As an employee of IIP LLC, I perform all kind of work including carpentry, electrical, minor plumbing, painting, demolishing, framing etc.



A copy of the check provided by IIP LLC in amount of \$4,817.00 on February 18, 2019 was paid for:

1. Week from 12/31/2018 through 01/04/2019 – 38.5 hrs. *\$28:	\$1,079.00
2. Week from 01/07/2019 through 01/11/2019 – 35.4 hrs. *\$28:	\$990.00
3. Week from 01/14/2019 through 01/18/2019 – 39.5 hrs. *\$28:	\$1,105.00
4. Week from 01/21/2019 through 01/25/2019 – 39.6 hrs. *\$28:	\$1,110.00
5. Week from 01/28/2019 through 02/01/2019 – 40.1 hrs. *\$28:	\$1,125.00
6. Materials purchased for projects:	\$1,123.00
7. Car payment compensation for January:	\$285
Subtotal:	\$6,817.00
Partial payment made on 02/08/2019:	-\$2,000.00
Total:	\$4,817.00

It was never my intent to perform any work that required specialty services on my own. That is why I work for the company. When we need to do electrical, carpentry, mechanical or plumbing work we always working with licensed contractors and I am working under their supervision. Because otherwise there is no way to get a license without experience and no way to get an experience without license. My certificates show you that I am trained and experienced worker. I respect rules and regulations. That is why I applied for Plumbing Tradesman license, based on my experience.

If you decide that I violated the regulations, then I understand that I must pay a fine and I agree to take a remedial education course.

After discussion, a motion was made by Mr. Oliver and seconded by Ms. King to remand the file to

the Adjudication Section for the purposes of reconvening the Informal Fact Finding Conference to allow Igor Ponomarev to provide additional testimony.

The motion was approved with a vote of 11-0-2. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Hux, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Groh, Johnson **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-01169 RRI LLC the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-01169
RRI LLC

Presiding officers O'Dell and King, were not present did not participate in the discussion and did not vote.

RRI LLC (Respondent) participated in the Informal Fact-Finding Conference.

RRI LLC (Regulant) did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

After discussion a motion was made by Mr. Oliver and seconded by Mr. Redifer 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 RRI LLC violated the following:

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

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** King **Absent:** O'Dell, Plummer.

Priors

#82 D-31/2019-01169 – RRI LLC, license number 2705-086229. On June 5, 2012, RRI LLC was found in violation of the Board for Contractors Regulations for the conviction of an RM, DE, or Q1, failure to report that conviction to the Board and for having a substantial identity of interest as defined in § 54.1-1110 of the Code of Virginia. Final Order 2012-00152 resulted in a fine of \$750 and assignment to remedial education. Compliance was obtained on September 6, 2012.

After discussion a motion was made by Mr. Oliver and seconded by Mr. Hux to impose the following sanctions:

Count 1: \$0.00 And Remedial Education

Total: \$0.00

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** King **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-02774 Old Dominion Custom Homes, LLC the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-02774
Old Dominion
Custom Homes,
LLC

Presiding officer Mr. O'Dell, was not present did not participate in the discussion and did not vote.

Old Dominion Custom Homes, LLC (Respondent) Did not participate in the Informal Fact-Finding Conference.

Old Dominion Custom Homes, LLC (Regulant) did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

After discussion a motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman 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 Old Dominion Custom Homes, LLC violated the following:

- Count 1: 18 VAC 50-22-260.B.15
- Count 2: 18 VAC 50-22-260.B.29 (Three violations at \$700.00 per violation)
- Count 3: 18 VAC 50-22-260.B.33
- Count 4: 18 VAC 50-22-260.B.29
- Count 5: 18 VAC 50-22-260.B.7

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: None Absent: O'Dell, Plummer.

Priors

#83 D-32/2019-02774 – Old Dominion Custom Homes LLC, license number 2705-154931. On December 19, 2017, Old Dominion Custom Homes-LLC was found in violation of the Board for Contractors Regulations for missing elements in a contract, failure to use a change order, and failure to satisfy a judgment. Consent Order 2017-02681 (resulted revocation of the license waived for satisfying the judgment), fines of \$2500 (\$1700 waived for satisfying the judgment), \$150 costs, and assignment to remedial education Compliance was obtained on March 22, 2018.

After discussion a motion was made by Mr. Middleton and seconded by Mr. Oliver to impose the following sanctions:

- Count 1: \$1,450.00 And License Revocation
- Count 2: \$2,100.00 And License Revocation
- Count 3: \$850.00 And License Revocation
- Count 4: \$1,750.00 And License Revocation
- Count 5: \$1,150.00 And License Revocation

Total: 7,300.00

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Disciplinary File Number 2019-03087 Valley Drilling Corporation of Virginia the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

File Number
2019-03087
Valley Drilling Corporation of Virginia

Presiding officers O'Dell and King, were not present did not participate in the discussion and did not vote.

Valley Drilling Corporation of Virginia (Respondent) participated in the Informal Fact-Finding Conference.

Valley Drilling Corporation of Virginia (Regulant) did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

After discussion a motion was made by Mr. Oliver and seconded by Ms. Bynum-Coleman 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 Valley Drilling Corporation of Virginia violated the following:

Count 1: 18 VAC 50-22-260.B.8

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** King **Absent:** O'Dell, Plummer.

After discussion a motion was made by Mr. Oliver and seconded by Ms. Bynum-Coleman to impose the following sanctions:

Count 1: \$0.00 And Remedial Education

Total: \$0.00

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** King **Absent:** O'Dell, Plummer.

Prima Facie Disciplinary Cases

Prima Facie Disciplinary Cases

In the matter of Prima Facie Disciplinary File Number 2019-00630 Donald James Knowles t/a

File Number

Knowles Flooring the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**2019-00630
Donald James
Knowles t/a
Knowles Flooring**

Donald James Knowles t/a Knowles Flooring did not request an Informal Fact Findings conference.

Donald James Knowles t/a Knowles Flooring did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman to adopt the report of findings including exhibits and the Recommendation. They are incorporated as part of the Order. The Board adopts the Recommendation. The Board finds substantial evidence that Donald James Knowles t/a Knowles Flooring violated the following:

- Count 1: 18 VAC 50-22-230.A**
- Count 2: 18 VAC 50-22-260.B.8**
- Count 3: 18 VAC 50-22-260.B.9**
- Count 4: 18 VAC 50-22-260.B.27**
- Count 5: 18 VAC 50-22-260.B.31**

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

After discussion a motion was made by Mr. Middleton and seconded by Bynum-Coleman to impose the following sanctions:

- Count 1: \$350.00 And Remedial Education**
- Count 2: \$400.00 And Remedial Education**
- Count 3: \$400.00 And Remedial Education**
- Count 4: \$750.00 And Remedial Education**
- Count 5: \$400.00 And Remedial Education**

- Total: \$2,300.00**

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Prima Facie Disciplinary File Number 2019-01666 Pro Source Contracting LLC the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2019-01666
Pro Source
Contracting LLC**

Pro Source Contracting LLC did not request an Informal Fact Findings conference.

Pro Source Contracting LLC did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman to adopt the report of findings including exhibits and the Recommendation. They are incorporated as part of the Order. The Board

adopts the Recommendation. The Board finds substantial evidence that Pro Source Contracting LLC violated the following:

- 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.17

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

After discussion a motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman to impose the following sanctions:

- Count 1: \$400.00 And Remedial Education
 - Count 2: \$400.00 And Remedial Education
 - Count 3: \$1,350.00 And License Revocation
- Total: \$2,150.00**

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Prima Facie Disciplinary File Number 2019-01815 Larry Curtis Bivens dba Professional Home Improvements the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

Larry Curtis Bivens dba Professional Home Improvements did not request an Informal Fact Findings conference.

Larry Curtis Bivens dba Professional Home Improvements did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation. They are incorporated as part of the Order. The Board adopts the Recommendation. The Board finds substantial evidence that Larry Curtis Bivens dba Professional Home Improvements violated the following:

- Count 1: 18 VAC 50-22-260.B.8
- Count 2: 18 VAC 50-22-260.B.33
- Count 3: 18 VAC 50-22-260.B.14
- Count 4: 18 VAC 50-22-260.B.16

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

File Number
2019-01815
Larry Curtis Bivens
dba Professional
Home
Improvements

After discussion a motion was made by Mr. Middleton and seconded by Mr. Oliver to impose the following sanctions:

Count 1: \$400.00 And Remedial Education
Count 2: \$850.00 And Remedial Education
Count 3: \$1,900.00 And License Revocation
Count 4: \$1,850.00 And License Revocation

Total: \$5,000.00

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: None Absent: O'Dell, Plummer.

In the matter of Prima Facie Disciplinary File Number 2019-02062 RTB Construction LLC the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

File Number
2019-02062
RTB Construction
LLC

RTB Construction LLC did not request an Informal Fact Findings conference.

RTB Construction LLC did not appear at the Board meeting in person, by counsel, nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation. They are incorporated as part of the Order. The Board adopts the Recommendation. The Board finds substantial evidence that RTB Construction LLC violated the following:

Count 1: 18 VAC 50-22-260.B.28

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: None Absent: O'Dell, Plummer.

After discussion a motion was made by Mr. Middleton and seconded by Mr. Oliver to impose the following sanctions:

Count 1: \$1,750.00 And License Revocation

Total: \$1,750.00

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: None Absent: O'Dell, Plummer.

In the matter of Prima Facie Disciplinary File Number 2019-02591 Patricia Akinyi Omondi t/a Cornerstone Craftsmen and Developers the Board members reviewed the record, which consisted of the

File Number
2019-02591

Notice, the Report of Findings, including exhibits, and the Recommendation.

Patricia Akinyi Omondi t/a Cornerstone Craftsmen and Developers did not request an Informal Fact Findings conference.

**Patricia Akinyi
Omondi t/a
Cornerstone
Craftsmen and
Developers**

Patricia Akinyi Omondi t/a Cornerstone Craftsmen and Developers did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Redifer to adopt the report of findings including exhibits and the Recommendation. They are incorporated as part of the Order. The Board adopts the Recommendation. The Board finds substantial evidence that Patricia Akinyi Omondi t/a Cornerstone Craftsmen and Developers violated the following:

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

Count 2: 18 VAC 50-22-260.B.23

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

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

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

Count 1: \$0.00 And License Revocation

Count 2: \$700.00 And Remedial Education

Count 3: \$650.00 And Remedial Education

Total: \$1,350.00

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Prima Facie Disciplinary File Number 2019-02877 Shamrock Custom Homes LLC the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2019-02877
Shamrock Custom
Homes LLC**

Shamrock Custom Homes LLC did not request an Informal Fact Findings conference.

Shamrock Custom Homes LLC did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Hux to adopt the report of findings including exhibits and the Recommendation. They are incorporated as part of the Order. The Board adopts the Recommendation. The Board finds substantial evidence that Shamrock Custom Homes LLC violated the following:

Count 1: 18 VAC 50-22-260.B.31

Count 2: 18 VAC 50-22-260.B.13

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

After discussion a motion was made by Mr. Middleton and seconded by Mr. Oliver to impose the following sanctions:

Count 1: \$400.00 And Remedial Education

Count 2: \$1,350.00 And License Revocation

Total: \$1,750.00

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-00181 Total Flooring LLC the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

File Number
2020-00181
Total Flooring LLC

Total Flooring LLC did not request an Informal Fact Findings conference.

Total Flooring LLC did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Ms. Bynum-Coleman to adopt the report of findings including exhibits and the Recommendation. They are incorporated as part of the Order. The Board adopts the Recommendation. The Board finds substantial evidence that Total Flooring LLC violated the following:

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

Count 2: 18 VAC 50-22-210

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

After discussion a motion was made by Mr. Middleton and seconded by Mr. Oliver to impose the following sanctions:

Count 1: \$400.00 And Remedial Education

Count 2: \$550.00 And License Revocation

Total: \$950.00

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-00229 Home Renew of Virginia LLC the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2020-00229
Home Renew of
Virginia LLC**

Home Renew of Virginia LLC did not request an Informal Fact Findings conference.

Home Renew of Virginia LLC did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation. They are incorporated as part of the Order. The Board adopts the Recommendation. The Board finds substantial evidence that Home Renew of Virginia LLC violated the following:

- Count 1: 18 VAC 50-22-260.B.9**
- Count 2: 18 VAC 50-22-260.B.33**
- Count 3: 18 VAC 50-22-260B.13**

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

After discussion a motion was made by Mr. Middleton and seconded by Mr. Oliver to impose the following sanctions:

- Count 1: \$400.00 And Remedial Education**
- Count 2: \$850.00 And Remedial Education**
- Count 3: \$1,350.00 And License Revocation**

Total: \$2,600.00

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-00266 Tovar Electrical Solutions LLC the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2020-00266
Tovar Electrical
Solutions LLC**

Tovar Electrical Solutions LLC did not request an Informal Fact Findings conference.

Tovar Electrical Solutions LLC did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation. They are incorporated as part of the Order. The Board adopts the Recommendation. The Board finds substantial evidence that Tovar Electrical Solutions LLC violated the following:

- Count 1: 18 VAC 50-22-260.B.9
- Count 2: 18 VAC 50-22-260.B.8
- Count 3: 18 VAC 50-22-260B.33
- Count 4: 18 VAC 50-22-260.B.27
- Count 5: 18 VAC 50-22-260.B.13

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: None Absent: O'Dell, Plummer.

After discussion a motion was made by Mr. Middleton and seconded by Mr. Oliver to impose the following sanctions:

- Count 1: \$400.00 And Remedial Education
- Count 2: \$400.00 And License Revocation
- Count 3: \$850.00 And Remedial Education
- Count 4: \$750.00 And License Revocation
- Count 5: \$1,350.00 And License Revocation

- Total: \$3,750.00

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: None Absent: O'Dell, Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-00390 Heckman Homes Inc., d/b/a David James Homes the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

File Number
2020-00390
Heckman Homes
Inc., d/b/a David
James Homes

Heckman Homes Inc., d/b/a David James Homes did not request an Informal Fact Findings conference.

Heckman Homes Inc., d/b/a David James Homes did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Hux to adopt the report of findings including exhibits and the Recommendation. They are incorporated as part of the Order. The Board adopts the Recommendation. The Board finds substantial evidence that Heckman Homes Inc., d/b/a David James Homes violated the following:

- Count 1: 18 VAC 50-22-260.B.13
- Count 2: 18 VAC 50-22-260.B
- Count 3: 18 VAC 50-22-260B.28

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: None Absent: O'Dell, Plummer.

Priors
#96 PFD-11/2020-00390 and #97 PFD-12/2020-00482 – Heckman Homes, Inc., t/a David James Homes

license number 2705-07110. On April 25, 2017, Heckman Homes, Inc., was found in violation of the Board for Contractors Regulations for using an unlicensed subcontractor. Consent Order 2016-02082 resulted in a fine of \$1500, \$150 costs, and assignment to remedial education. Compliance was obtained on July 27, 2017.

On April 25, 2017, Heckman Homes, Inc. was found in violation of the Board for Contractors Regulations for using an unlicensed subcontractor. Consent Order 2016-02013 resulted in a fine of \$1100, \$150 costs, and assignment to remedial education. Compliance was obtained on July 27, 2017.

On April 24, 2018, Heckman Homes, Inc. was found in violation of the Board for Contractors Regulations for using an unlicensed subcontractor and for failure to use a change order. Consent Order 2018-00508 resulted in fines of \$2350, \$150 costs, and assignment to remedial education. Compliance was obtained on July 26, 2018.

On October 30, 2018, Heckman Homes, Inc., was found in violation of the Board for Contractors Regulations for using an unlicensed subcontractor and for missing elements in a contract. Consent Order 2018-01877 resulted in fines of \$4300, \$150 costs, and assignment to remedial education. Compliance was obtained on January 31, 2019.

After discussion a motion was made by Mr. Middleton and seconded by Mr. Hux to impose the following sanctions:

Count 1: \$1,350.00 And License Revocation
Count 2: \$650.00 And Remedial Education
Count 3: \$1,750.00 And License Revocation

Total: \$3,750.00

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-00482 Heckman Homes Inc., d/b/a David James Homes the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

Heckman Homes Inc., d/b/a David James Homes did not request an Informal Fact Findings conference.

Heckman Homes Inc., d/b/a David James Homes did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation. They are incorporated as part of the Order. The Board adopts the Recommendation. The Board finds substantial evidence that Heckman Homes Inc., d/b/a David James Homes violated the following:

Count 1: 18 VAC 50-22-260.B.6

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

File Number
2020-00482
Heckman Homes
Inc., d/b/a David
James Homes

Priors

#96 PFD-11/2020-00390 and #97 PFD-12/2020-00482 – Heckman Homes, Inc., t/a David James Homes license number 2705-07110. On April 25, 2017, Heckman Homes, Inc., was found in violation of the Board for Contractors Regulations for using an unlicensed subcontractor. Consent Order 2016-02082 resulted in a fine of \$1500, \$150 costs, and assignment to remedial education. Compliance was obtained on July 27, 2017.

On April 25, 2017, Heckman Homes, Inc. was found in violation of the Board for Contractors Regulations for using an unlicensed subcontractor. Consent Order 2016-02013 resulted in a fine of \$1100, \$150 costs, and assignment to remedial education. Compliance was obtained on July 27, 2017.

On April 24, 2018, Heckman Homes, Inc. was found in violation of the Board for Contractors Regulations for using an unlicensed subcontractor and for failure to use a change order. Consent Order 2018-00508 resulted in fines of \$2350, \$150 costs, and assignment to remedial education. Compliance was obtained on July 26, 2018.

On October 30, 2018, Heckman Homes, Inc., was found in violation of the Board for Contractors Regulations for using an unlicensed subcontractor and for missing elements in a contract. Consent Order 2018-01877 resulted in fines of \$4300, \$150 costs, and assignment to remedial education. Compliance was obtained on January 31, 2019.

After discussion a motion was made by Mr. Middleton and seconded by Mr. Oliver to impose the following sanctions:

Count 1: \$800.00 And License Revocation

Total: \$800.00

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-00972 Home Renew of Virginia LLC the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2020-00972
Home Renew of
Virginia LLC**

Home Renew of Virginia LLC did not request an Informal Fact Findings conference.

Home Renew of Virginia LLC did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation. They are incorporated as part of the Order. The Board adopts the Recommendation. The Board finds substantial evidence that Home Renew of Virginia LLC violated the following:

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

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

Count 3: 18 VAC 50-22-260B.16

Count 4: 18 VAC 50-22-260.B.13

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton,

Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays: None Abstain: None**
Absent: O'Dell, Plummer.

After discussion a motion was made by Mr. Middleton and seconded by Mr. Oliver to impose the following sanctions:

Count 1: \$400.00 And Remedial Education
Count 2: \$1,450.00 And License Revocation
Count 3: \$1,850.00 And License Revocation
Count 4: \$1,350.00 And License Revocation

Total: \$5,050.00

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: None
Absent: O'Dell, Plummer.

Consent Orders

In the matter of Consent Order File Number 2020-00007 Area Access Inc., t/a Eastern Elevator Company the board reviewed the Consent Order as seen and agreed to by Area Access Inc., t/a Eastern Elevator Company.

Area Access Inc., t/a Eastern Elevator Company did not attend the Board meeting in person by counsel or by any other qualified individual.

Mr. Hobson sent in a requested to remove his signature from the Consent Order, and have the Complaint adjudicated at an Informal Fact Finding Conference.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to remand the file to the Adjudication Section for the purposes of convening an Informal Fact Finding Conference.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: None
Absent: O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01102 MS Park Construction Inc. the board reviewed the Consent Order as seen and agreed to by MS Park Construction Inc.

Presiding officer Mr. Johnson, was not present did not participate in the discussion and did not vote.

MS Park Construction Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

Consent Orders

File Number
2020-00007
Area Access Inc., t/a
Eastern Elevator
Company

File Number
2019-01102
MS Park
Construction Inc.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein MS Park Construction Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

MS Park Construction Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.6 \$800.00

MS Park Construction Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$950.00

Further, for violation of Count 1, MS Park Construction Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01117 Meade Construction LLC the board reviewed the Consent Order as seen and agreed to by Meade Construction LLC.

File Number
2019-01117
Meade Construction
LLC

Meade Construction LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Meade Construction LLC acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Meade Construction LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.6 \$800.00

Meade Construction LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$950.00

Further, for violation of Count 1 Meade Construction LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01130 Philbrick Inc. the board reviewed the Consent Order as seen and agreed to by Philbrick Inc.

File Number
2019-01130

Philbrick Inc.

Philbrick Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Philbrick Inc. acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Philbrick Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.33 \$850.00

Philbrick Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,000.00

Further, for violation of Count 1, Philbrick Inc. agrees to have a member of Responsible Management successfully complete a Board- approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01524 Hunter L Malcom, t/a Hunter Malcom Contracting the board reviewed the Consent Order as seen and agreed to by Hunter L Malcom, t/a Hunter Malcom Contracting.

**File Number
2019-01524
Hunter L Malcom,
t/a Hunter Malcom
Contracting**

Hunter L Malcom, t/a Hunter Malcom Contracting did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Hunter L Malcom, t/a Hunter Malcom Contracting, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Hunter L Malcom, t/a Hunter Malcom Contracting consents to the following violations of the Board's Regulations:

Count 1:	18 VAC 50-22-260.B.8	\$400.00
Count 2:	18 VAC 50-22-260.B.33	\$850.00
Count 3:	18 VAC 50-22-260.B.28	\$1,750.00

Hunter L Malcom, t/a Hunter Malcom Contracting agree to Board costs of **\$150.00**.

Total fines and costs of \$3,150.00

In addition, for violation of Count 3, Hunter L Malcom agrees to revocation of his license. The Board shall waive imposition of the \$1,750.00 monetary penalty and license revocation for Count 3 provided Hunter L Malcom satisfies the judgment and provides the Board with proof of the satisfaction

within nine (9) months of the effective date of this Order. If Hunter Malcom fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

Further, for violation of Counts 1, 2, and 3, Hunter L Malcom agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01579 Becraft Plastering Incorporated the board reviewed the Consent Order as seen and agreed to by Becraft Plastering Incorporated.

File Number
2019-01579
Becraft Plastering
Incorporated

Becraft Plastering Incorporated did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Becraft Plastering Incorporated, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Becraft Plastering Incorporated consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8	\$400 .00
Count 2: 18 VAC 50-22-260.B.6	\$800 .00
Count 3: 18 VAC 50-22-260.B.29	\$650 .00

Becraft Plastering Incorporated to Board costs of **\$150.00**.

Total fines and costs of \$2,000.00

Further, for violation of Counts 1-3, Becraft Plastering Incorporated agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01607 G Manu & Associates LLC the board reviewed the Consent Order as seen and agreed to by G Manu & Associates LLC.

File Number
2019-01607
G Manu &
Associates LLC

G Manu & Associates LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein G Manu & Associates LLC acknowledges an understanding of the charges and

admits to the violation(s) of the Counts as outlined in the Report of Findings.

G Manu & Associates LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-230.B.	\$650 .00
Count 2: 18 VAC 50-22-260.B.9	\$400 .00
Count 3: 18 VAC 50-22-260.B.8	\$400 .00
Count 4: 18 VAC 50-22-260.B.16	\$1,850 .00
Count 5: 18 VAC 50-22-260.B.17	\$1,350 .00

G Manu & Associates LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$4,800.00

In addition, for violation of Count 4, G Manu & Associates LLC agrees to revocation of its license.

Further, for violation of Counts 1-5, G Manu & Associates LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01691/Hoppys Handyman Services LLC the board reviewed the Consent Order as seen and agreed to by Hoppys Handyman Services LLC.

File Number
2019-01691
Hoppys Handyman
Services LLC

Hoppys Handyman Services LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Hoppys Handyman Services LLC acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Hoppys Handyman Services LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.15	\$1,450 .00
Count 2: 18 VAC 50-22-260.B.6	\$800 .00

Hoppys Handyman Services LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$2,400.00

Further, for violation of Counts 1 and 2, Hoppys Handyman Services LLC agrees to successfully complete remedial education within ninety (90) days of the effective date of this Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01795 Lou and Arch Inc. the board reviewed the Consent Order as seen and agreed to by Lou and Arch Inc.

**File Number
2019-01795
Lou and Arch Inc.**

Lou and Arch Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Lou and Arch Inc. acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Lou and Arch Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9	\$400 .00
Count 2: 18 VAC 50-22-260.B.31	\$400 .00
Count 3: 18 VAC 50-22-260.B.29	\$700 .00

Lou and Arch Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,650.00

In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 1 provided Lou and Arch Inc. provides a copy of its current contract within ninety (90) days of the effective date of this Consent Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260.B.9. If Lou and Arch Inc. fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Further, for violation of Counts 1, 2 and 3, Lou and Arch Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01798 Green Spot Construction LLC, the board reviewed the Consent Order as seen and agreed to by Green Spot Construction LLC.

**File Number
2019-01798
Green Spot
Construction LLC**

Green Spot Construction LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Green Spot Construction LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Green Spot Construction LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700 .00
Count 2: 18 VAC 50-22-260.B.33 \$850 .00

Green Spot Construction LLC agree to Board costs of **\$150.00**.

Total fines and costs of \$1,700.00

Further, for violation of Counts 1 and 2, Green Spot Construction LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01855 The Herbert Senn Company Inc. the board reviewed the Consent Order as seen and agreed to by The Herbert Senn Company Inc.

File Number
2019-01855
The Herbert Senn
Company Inc.

The Herbert Senn Company Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein The Herbert Senn Company Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Priors

#111 C-13/2019-01855 – The Herbert Senn Company, Inc., license number 2701-014011. On April 8, 2008. The Herbert Senn Company was found in violation of the Board for Contractors Regulations for failing to use a written contract. Consent Order 2008-00124 resulted in a fine of \$350, \$150 costs, and assignment to remedial education. Compliance was obtained on July 10, 2008.

The Herbert Senn Company Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8 \$600.00
Count 2: 18 VAC 50-22-260.B.9 \$400.00
Count 3: 18 VAC 50-22-260.B.31 \$400.00

The Herbert Senn Company Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,550.00

Further, for violation of Counts 1-3, The Herbert Senn Company Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01859 J and M Contracting LLC the board reviewed the Consent Order as seen and agreed to by J and M Contracting LLC.

File Number
2019-01859
J and M
Contracting LLC

J and M Contracting LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein J and M Contracting LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Priors

#112 C-14/2019-01859 – J and M Contracting LLC, license number 2705-151273. On March 13, 2018, J and M Contracting was found in violation of the Board for Contractors Regulations for missing elements in a contract and for using an unlicensed subcontractor. Consent Order 2018-00441 resulted in fines of \$1050, \$150 costs, and assignment to remedial education. Compliance was obtained on June 14, 2018.

On October 29, 2019, J and M Contracting was found in violation of the Board for Contractors Regulations for missing elements in a contract and for using an unlicensed subcontractor. Consent Order 2019-01156 resulted in fines of \$1100, \$150 costs, and assignment to remedial education. Compliance was obtained on January 20, 2020.

J and M Contracting LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8	\$400.00
Count 2: 18 VAC 50-22-260.B.9	\$500.00
Count 3: 18 VAC 50-22-260.B.27	\$750.00
Count 4: 18 VAC 50-22-260.B.33	\$1,000.00
Count 5: 18 VAC 50-22-260.B.15	\$1,450.00

J and M Contracting LLC agrees to Board costs of \$150.00.

Total fines and costs of \$4,250.00

In addition, for violation of Count 2, J and M Contracting LLC agrees to provide a copy of its current contract within thirty (30) days of the effective date of this Consent Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260.B.9.

Further, for violation of Counts 1-5, J and M Contracting LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01871 Xterior Plus Inc. the board reviewed the

Consent Order as seen and agreed to by Xterior Plus Inc.

File Number
2019-01871
Xterior Plus Inc.

Xterior Plus Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Xterior Plus Inc. acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Xterior Plus Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9 \$400.00

Count 2: 18 VAC 50-22-260.B.33 \$650.00

Xterior Plus Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,200.00

In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 1 provided Xterior Plus Inc. provides a copy of its current contract within ninety (90) days of the effective date of this Consent Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260.B.9. If Xterior Plus Inc. fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Further, for violation of Counts 1 and 2, Xterior Plus Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01944 Michael Wade Hughes, t/a Mike's Roofing, the board reviewed the Consent Order as seen and agreed to by Michael Wade Hughes, t/a Mike's Roofing.

File Number
2019-01944
Michael Wade
Hughes, t/a Mike's
Roofing

Michael Wade Hughes, t/a Mike's Roofing did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Michael Wade Hughes, t/a Mike's Roofing, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Michael Wade Hughes, t/a Mike's Roofing consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9 \$400.00

Count 2: 18 VAC 50-22-260.B.27 \$700.00
Count 3: 18 VAC 50-22-260.B.33 \$800.00

Michael Wade Hughes, t/a Mike's Roofing agrees to Board costs of **\$150.00**.

Total fines and costs of \$2,050.00

In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 1 provided Michael Wade Hughes provides a copy of his current contract within ninety (90) days of the effective date of this Consent Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260.B.9. If Michael Wade Hughes fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Further, for violation of Counts 1, 2 and 3, Michael Wade Hughes agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01990 Rickey Ramey, t/a Ramey's the board reviewed the Consent Order as seen and agreed to by Rickey Ramey, t/a Ramey's.

File Number
2019-01990
Rickey Ramey, t/a
Ramey's

Rickey Ramey, t/a Ramey's did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Rickey Ramey, t/a Ramey's, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Rickey Ramey, t/a Ramey's consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8 \$400.00
Count 2: 18 VAC 50-22-260.B.27 \$750.00
Count 3: 18 VAC 50-22-260.B.6 \$800.00
Count 4: 18 VAC 50-22-260.B.5 \$1,300.00

Rickey Ramey, t/a Ramey's agrees to Board costs of **\$150.00**.

Total fines and costs of \$3,400.00

Further, for violation of Counts 1-4, Rickey Ramey, t/a Ramey's agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None

Absent: O'Dell, Plummer.

In the matter of Consent Order File Number 2019-01998 Drainage & Erosion Solutions LLC the board reviewed the Consent Order as seen and agreed to by Drainage & Erosion Solutions LLC.

File Number
2019-01998
Drainage & Erosion
Solutions LLC

Drainage & Erosion Solutions LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Drainage & Erosion Solutions LLC. acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Priors

#116 C-18/2019-01998 – Drainage & Erosion Solutions LLC, license number 2705-092015. On March 5, 2019, Drainage & Erosion Solutions LLC was found in violation of the Board for Contractors Regulations for assisting another to violate Chapter 11 of Title 54.1 of the Code of Virginia. Consent Order 2018-03231 resulted in a fine of \$800, \$150 costs, and assignment to remedial education. Compliance was obtained on June 6, 2019.

Drainage & Erosion Solutions LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-210 \$550.00

Drainage & Erosion Solutions LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$700.00

Further, for violation of Counts 1, Drainage & Erosion Solutions LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

It is noted that a member of Responsible Management for Drainage & Erosion Solutions LLC was required to complete Remedial Education pursuant to the terms of the Consent Order entered into on March 5, 2019.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02075 Pearson's Home Repair & Concrete LLC the board reviewed the Consent Order as seen and agreed to by Pearson's Home Repair & Concrete LLC.

File Number
2019-02075
Pearson's Home
Repair & Concrete
LLC

Pearson's Home Repair & Concrete LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent

Order offer wherein Pearson's Home Repair & Concrete LLC. acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Pearson's Home Repair & Concrete LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9	\$400.00
Count 2: 18 VAC 50-22-260.B.27	\$750.00
Count 3: 18 VAC 50-22-260.B.31	\$400.00
Count 4: 18 VAC 50-22-260.B.28	\$1,750.00

Pearson's Home Repair & Concrete LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$3,450.00

On July 2, 2019, Pearson's Home Repair & Concrete LLC provided a contract template that is in compliance with the Board's regulations. Therefore, the Board waives imposition of the \$400.00 monetary penalty for violation of Count 1.

In addition, for violation of Count 4, Pearson's Home Repair & Concrete LLC agrees to revocation of its license. The Board shall waive imposition of the \$1,750.00 monetary penalty and license revocation for Count 4 provided Pearson's Home Repair & Concrete LLC satisfies the judgment and provides the Board with proof of the satisfaction within ninety (90) days of the effective date of this Order. If Pearson's Home Repair & Concrete LLC fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

Further, for violation of Counts 1, 2, 3 and 4, Pearson's Home Repair & Concrete LLC agrees to have a member of Responsible Management successfully complete a Board approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02085 Steadfast Construction Inc., the board reviewed the Consent Order as seen and agreed to by Steadfast Construction Inc.

Steadfast Construction Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Steadfast Construction Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Priors
#118 C-20/2019-02085 – Steadfast Construction, Inc., license number 2705-058852. On March 28, 2006, Steadfast Construction, Inc., was found in violation of the Board for Contractors Regulations for failing to use a change order. Consent Order 2005-05059 resulted in a fine of \$250, \$150 costs, and assignment to remedial education. Compliance was obtained on April 30, 2006.

File Number
2019-02085
Steadfast
Construction Inc.

Steadfast Construction Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-210 \$550.00

Steadfast Construction Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$700.00

In addition, for violation of Count 1, Steadfast Construction Inc. agrees to revocation of its license. Imposition of license revocation is hereby waived if Steadfast Construction Inc. submits documentation to the Board from the Virginia State Corporation Commission confirming the current status of Steadfast Construction Inc., within six (6) months of the effective date of this Consent Order.

Further, for violation of Count 1, Steadfast Construction Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02143 ABC Contracting Corp, t/a ABC Contracting & Consulting Services the board reviewed the Consent Order as seen and agreed to ABC Contracting Corp, t/a ABC Contracting & Consulting Services.

ABC Contracting Corp, t/a ABC Contracting & Consulting Services did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein ABC Contracting Corp, t/a ABC Contracting & Consulting Services, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

ABC Contracting Corp, t/a ABC Contracting & Consulting Services consents to the following violations of the Board's Regulations:

Count 1:	18 VAC 50-22-260.B.6	\$800.00
Count 2:	18 VAC 50-22-260.B.27	\$750.00

ABC Contracting Corp, t/a ABC Contracting & Consulting Services agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,700.00

The Board agrees to waive the \$750.00 monetary penalty for Count 2 as ABC Contracting Corp obtained the Residential Building Contractor classification ("RBC") and is in compliance with the Board's regulation.

File Number
2019-02143
ABC Contracting
Corp, t/a ABC
Contracting &
Consulting Services

Further, for violation of Counts 1 and 2, ABC Contracting Corp agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02178 2nd Island LLC, t/a Landscape Plus the board reviewed the Consent Order as seen and agreed to by 2nd Island LLC, t/a Landscape Plus.

File Number
2019-02178
2nd Island LLC, t/a
Landscape Plus

2nd Island LLC, t/a Landscape Plus did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein 2nd Island LLC, t/a Landscape Plus, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

2nd Island LLC, t/a Landscape Plus consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.19 \$800.00

2nd Island LLC, t/a Landscape Plus agrees to Board costs of **\$150.00**.

Total fines and costs of \$950.00

Further, for violation of Count 1, 2nd Island LLC, t/a Landscape Plus agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell; Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02267 AMP Construction LLC the board reviewed the Consent Order as seen and agreed to by AMP Construction LLC.

File Number
2019-02267
AMP Construction
LLC

AMP Construction LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein AMP Construction LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

AMP Construction LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9	\$400.00
Count 2: 18 VAC 50-22-260.B.31	\$400.00
Count 3: 18 VAC 50-22-260.B.27	\$750.00
Count 4: 18 VAC 50-22-260.B.29	\$700.00
Count 5: 18 VAC 50-22-260.B.33	\$850.00

AMP Construction LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$3,250.00

Further, for violation of Counts 1-5, AMP Construction LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02282 Bay Crawlspace Solutions LLC, t/a Bay Crawlspace and Foundation Repair the board reviewed the Consent Order as seen and agreed to by Bay Crawlspace Solutions LLC, t/a Bay Crawlspace and Foundation Repair.

File Number
2019-02282
Bay Crawlspace
Solutions LLC, t/a
Bay Crawlspace and
Foundation Repair

Bay Crawlspace Solutions LLC, t/a Bay Crawlspace and Foundation Repair did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Bay Crawlspace Solutions LLC, t/a Bay Crawlspace and Foundation Repair, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Bay Crawlspace Solutions LLC, t/a Bay Crawlspace and Foundation Repair consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.33	\$850.00
Count 2: 18 VAC 50-22-260.B.6	\$800.00
Count 3: 18 VAC 50-22-260.B.29	\$700.00

Bay Crawlspace Solutions LLC, t/a Bay Crawlspace and Foundation Repair agrees to Board costs of **\$150.00**.

Total fines and costs of \$2,500.00

Further, for violation of Counts 1-3, Bay Crawlspace Solutions LLC, t/a Bay Crawlspace and Foundation Repair agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None

Absent: O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02299 Pinnacle Development Group LLC, t/a PDG Contracting Services the board reviewed the Consent Order as seen and agreed to by Pinnacle Development Group LLC, t/a PDG Contracting Services.

File Number
2019-02299
Pinnacle
Development Group
LLC, t/a PDG
Contracting
Services

Pinnacle Development Group LLC, t/a PDG Contracting Services did not attend the Board meeting in person by counsel or by any other qualified individual.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

Pinnacle Development Group LLC, t/a PDG Contracting Services consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00
Count 2: 18 VAC 50-22-260.B.33 \$850.00

Pinnacle Development Group LLC, t/a PDG Contracting Services agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,700.00

Further, for violation of Count 1 and 2, Pinnacle Development Group LLC, t/a PDG Contracting Services agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02319 Kee Construction Services Inc. the board reviewed the Consent Order as seen and agreed to by Kee Construction Services Inc.

File Number
2019-02319
Kee Construction
Services Inc.

Kee Construction Services Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Kee Construction Services Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Kee Construction Services Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9 \$400.00
Count 2: 18 VAC 50-22-260.B.33 \$850.00

Kee Construction Services Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,400.00

In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 1 provided Kee Construction Services Inc. provides a copy of its current contract within ninety (90) days of the effective date of this Consent Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260.B.9. If Kee Construction Services Inc. fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Further, for violation of Counts 1 and 2, Kee Construction Services Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02435 Brandon Vergara the board reviewed the Consent Order as seen and agreed to by Brandon Vergara.

File Number
2019-02435
Brandon Vergara

Brandon Vergara did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Brandon Vergara, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Brandon Vergara consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.27 \$750.00

Brandon Vergara agrees to Board costs of **\$150.00**.

Total fines and costs of \$900.00

For Count 1, the monetary penalty and costs are to be paid within one hundred eighty (180) days of the effective date of this Consent Order.

Further, for violation of Count 1, Brandon Vergara agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02498 R. Fralin Construction Inc. the board reviewed the Consent Order as seen and agreed to by R. Fralin Construction Inc.

File Number
2019-02498

**R. Fralin
Construction Inc.**

R. Fralin Construction Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein R. Fralin Construction Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

R. Fralin Construction Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-210 \$550.00
Count 2: 18 VAC 50-22-260.B.9 \$400.00

R. Fralin Construction Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,100.00

The Board waives imposition of the \$550.00 monetary penalty for Count 1 based on R. Fralin Construction Inc. reporting its current business to the Board on December 6, 2019.

In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 2, provided R. Fralin Construction Inc. provides a copy of its current contract within ninety (90) days of the effective date of this Consent Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260.B.9. If R. Fralin Construction Inc. fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Further, for violation of Counts 1 and 2, R. Fralin Construction Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02509 Brave Quest Corp, t/a Elog Homes the board reviewed the Consent Order as seen and agreed to by Brave Quest Corp, t/a Elog Homes.

**File Number
2019-02509
Brave Quest Corp,
t/a Elog Homes**

Brave Quest Corp, t/a Elog Homes did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Brave Quest Corp, t/a Elog Homes, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Brave Quest Corp, t/a Elog Homes consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00
Count 2: 18 VAC 50-22-260.B.29 \$700.00

Brave Quest Corp. t/a Elog Homes agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,550.00

Further, for violation of Counts 1 and 2, Brave Quest Corp. t/a Elog Homes agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02513 Beckworth LLC the board reviewed the Consent Order as seen and agreed to by Beckworth LLC.

File Number
2019-02513
Beckworth LLC

Beckworth LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Beckworth LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Beckworth LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9 \$400.00

Beckworth LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$550.00

In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 1 provided Beckworth LLC provides a copy of its current contract to the Board within ninety (90) days of the effective date of this Consent Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260.B.9. If Beckworth LLC fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Further, for violation of Count 1, Beckworth LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02552 Kirby Kerns Contractor Inc. the board reviewed the Consent Order as seen and agreed to by Kirby Kerns Contractor Inc.

File Number
2019-02552
Kirby Kerns
Contractor Inc.

Kirby Kerns Contractor Inc. did not attend the Board meeting in person by counsel or by any other

qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Kirby Kerns Contractor Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Kirby Kerns Contractor Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.33 \$850.00

Kirby Kerns Contractor Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,000.00

Further, for violation of Count 1, Kirby Kerns Contractor Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02570 Classic Air Care LLC, t/a Classic Air's One Hour Heating & Air Conditioning the board reviewed the Consent Order as seen and agreed to by Classic Air Care LLC, t/a Classic Air's One Hour Heating & Air Conditioning.

Classic Air Care LLC, t/a Classic Air's One Hour Heating & Air Conditioning did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Classic Air Care LLC, t/a Classic Air's One Hour Heating & Air Conditioning, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Priors

#131 C-33/2019-02570 – Classic Air Care LLC t/a Classic Air's One Hour Heating & Air Conditioning. On March 13, 2018, Classic Air Care, LLC, was found in violation of the Board for Contractors Regulations for missing elements in a contract and failure to obtain a permit or inspection. Consent Order 2018-00336 resulted in fines of \$1250 (\$400 waived if proper contract submitted), \$150 costs, and assignment to remedial education. Compliance was obtained on June 14, 2018.

Classic Air Care LLC, t/a Classic Air's One Hour Heating & Air Conditioning consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8 \$400.00

Classic Air Care LLC, t/a Classic Air's One Hour Heating & Air Conditioning agrees to Board costs of **\$150.00**.

File Number
2019-02570
Classic Air Care
LLC, t/a Classic
Air's One Hour
Heating & Air
Conditioning

Total fines and costs of \$550.00

Further, for violation of Count 1, Classic Air Care LLC, t/a Classic Air's One Hour Heating & Air Conditioning agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02596 ACB Construction Inc. the board reviewed the Consent Order as seen and agreed to by ACB Construction Inc.

File Number
2019-02596
ACB Construction
Inc.

ACB Construction Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein ACB Construction Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

ACB Construction Inc. consents to the following violations of the Board's Regulations:

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

ACB Construction Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$950.00

In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 1 provided ACB Construction Inc. provides a copy of its current contract within ninety (90) days of the effective date of this Consent Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260.B.9. If ACB Construction Inc. fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Further, for violation of Counts 1 and 2, ACB Construction Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02611 Pat M Gorman, t/a Pat M Gorman Roofing the board reviewed the Consent Order as seen and agreed to by Pat M Gorman, t/a Pat M Gorman Roofing.

File Number
2019-02611
Pat M Gorman, t/a
Pat M Gorman

Pat M Gorman, t/a Pat M Gorman Roofing did not attend the Board meeting in person by counsel or by any other qualified individual.

Roofing

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Pat M Gorman, t/a Pat M Gorman Roofing, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Priors

#133 C-35/2019-02611 – Pat Gorman t/a Pat M Gorman Roofing, license number 2705-094319. On April 24, 2018, Pat Gorman was found in violation of the Board for Contractors Regulations for failure to use a written contract. Consent Order 2018-01211 resulted in a fine of \$400, \$150 costs, and assignment to remedial education. As of June 11, 2020, compliance had not been obtained.

Pat M Gorman, t/a Pat M Gorman Roofing consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.13 \$1,350.00

Pat M Gorman, t/a Pat M Gorman Roofing agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,350.00

In addition, for violation of Count 1, Pat M Gorman agrees to revocation of his license.

Further, for violation of Count 1, Pat M Gorman, t/a Pat M Gorman Roofing agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02683 Jeffrey Tester, t/a Jeff Tester Construction the board reviewed the Consent Order as seen and agreed to by Jeffrey Tester, t/a Jeff Tester Construction.

File Number
2019-02683
Jeffrey Tester, t/a
Jeff Tester
Construction

Jeffrey Tester, t/a Jeff Tester Construction did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Jeffrey Tester, t/a Jeff Tester Construction, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Jeffrey Tester, t/a Jeff Tester Construction consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-210 \$550.00

Jeffrey Tester, t/a Jeff Tester Construction agrees to Board costs of **\$150.00**.

Total fines and costs of \$700.00

In addition, for violation of Count 1, Jeffrey Tester agrees to surrender his license number 2701039745 within thirty (30) days of the effective date of this Consent Order.

Also, for violation of Count 1, Jeffrey Tester agrees to obtain a new contractors license for the currently unlicensed entity, JTC Construction Inc., within thirty (30) days of the effective date of this Consent Order.

Further, the Board shall waive imposition of the \$550.00 monetary penalty for Count 1 provided Jeffrey Tester applies for a new license for the new business entity and surrenders his current license within thirty (30) days of the effective date of this Order. If Jeffrey Tester fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

Additionally, for violation of Count 1, Jeffrey Tester agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02729 A to Z Home Remodeling LLC the board reviewed the Consent Order as seen and agreed to by A to Z Home Remodeling LLC.

File Number
2019-02729
A to Z Home
Remodeling LLC

A to Z Home Remodeling LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein A to Z Home Remodeling LLC acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

A to Z Home Remodeling LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-210	\$550.00
Count 2: 18 VAC 50-22-260.B.6	\$800.00
Count 3: 18 VAC 50-22-260.B.9	\$400.00
Count 4: 18 VAC 50-22-260.B.29	\$1,950.00
(Three violations at \$650.00 each)	
Count 5: 18 VAC 50-22-260.B.31	\$400.00

A to Z Home Remodeling LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$4,250.00

In addition, for Count 1, A to Z Home Remodeling LLC agrees to revocation of its license.

Further, the Board shall waive imposition of the \$550.00 monetary penalty and license revocation for

Count 1 on condition that A to Z Home Remodeling LLC provides the Board with proof that it is in good standing with the Virginia State Corporation Commission within thirty (30) days of the effective date of this Order. If A to Z Home Remodeling LLC fails to comply with this condition, then the full monetary penalty and license revocation will be automatically imposed.

Also, for violation of Counts 1, 2, 3, 4 and 5, A to Z Home Remodeling LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02730 LAR Construction LLC the board reviewed the Consent Order as seen and agreed to by LAR Construction LLC.

File Number
2019-02730
LAR Construction
LLC

LAR Construction LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein LAR Construction LLC acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

LAR Construction LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29	\$700.00
Count 2: 18 VAC 50-22-260.B.33	\$850.00

LAR Construction LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,700.00

Further, for violation of Counts 1 and 2, LAR Construction LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02741 James R Huffman, t/a James R Huffman Contractor the board reviewed the Consent Order as seen and agreed to by James R Huffman, t/a James R Huffinan Contractor.

File Number
2019-02741
James R Huffman,
t/a James R
Huffman
Contractor

James R Huffman, t/a James R Huffman Contractor did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein James R Huffman, t/a James R Huffman Contractor, acknowledges an understanding

of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

James R Huffman, t/a James R Huffman Contractor consents to the following violations of the Board's Regulations:

- Count 1: 18 VAC 50-22-260.B.9 \$400.00
- Count 2: 18 VAC 50-22-260.B.10 \$350.00
- Count 3: 18 VAC 50-22-260.B.27 \$750.00
- Count 4: 18 VAC 50-22-260.B.33 \$850.00

James R Huffman, t/a James R Huffman Contractor agrees to Board costs of **\$150.00**.

Total fines and costs of \$2,500.00

In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 1 provided James R Huffman provides a copy of his current contract within ninety (90) days of the effective date of this Consent Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260.B.9. If James R Huffman fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Further, for violation of Counts 1 through 4, James R Huffman agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02773 Long Fence and Home L L P, t/a Long Roofing the board reviewed the Consent Order as seen and agreed to by Long Fence and Home L L P, t/a Long Roofing.

Long Fence and Home L L P, t/a Long Roofing did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Long Fence and Home L L P, t/a Long Roofing, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Long Fence and Home L L P, t/a Long Roofing consents to the following violations of the Board's Regulations:

- Count 1: 18 VAC 50-22-260.B.9 \$400.00
- Count 2: 18 VAC 50-22-260.B.5 \$750.00

Long Fence and Home L L P, t/a Long Roofing agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,300.00

File Number
2019-02773
Long Fence and
Home L L P, t/a
Long Roofing

In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 1 provided Long Fence and Home L L L P provides a copy of its current contract to the Board within ninety (90) days of the effective date of this Consent Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260.B.9. If Long Fence and Home L L L P fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Further, for violation of Counts 1 and 2, Long Fence and Home L L L P agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02823 Scott Owens Services Inc. the board reviewed the Consent Order as seen and agreed to by Scott Owens Services Inc.

File Number
2019-02823
Scott Owens
Services Inc.

Scott Owens Services Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Scott Owens Services Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Scott Owens Services Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B \$450.00

Scott Owens Services Inc. agrees to Board costs of **\$150.00.**

Total fines and costs of \$600.00

In addition, for violation of Count 1, Scott Owens Services Inc. agrees to revocation of its license.

The Board shall waive imposition of license revocation for Count 1 provided Scott Owens Services Inc. reports a change in the designated employee within thirty (30) days of the effective date of this Order. If Scott Owens Services Inc. fails to comply with this condition, then license revocation will be automatically imposed.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02847 Optima Kitchen & Bath Design and Remodeling LLC, t/a Optima Contracting LLC the board reviewed the Consent Order as seen and agreed to by Optima Kitchen & Bath Design and Remodeling LLC, t/a Optima Contracting LLC.

File Number
2019-02847
Optima Kitchen &
Bath Design and

Optima Kitchen & Bath Design and Remodeling LLC, t/a Optima Contracting LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

**Remodeling LLC,
t/a Optima
Contracting LLC**

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Optima Kitchen & Bath Design and Remodeling LLC, t/a Optima Contracting LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Optima Kitchen & Bath Design and Remodeling LLC, t/a Optima Contracting LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.27 \$700.00
Count 2: 18 VAC 50-22-260.B.30 \$1,200.00
Count 3: 18 VAC 50-22-260.B.33 \$850.00

Optima Kitchen & Bath Design and Remodeling LLC, t/a Optima Contracting LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$2,900.00

Further, for violation of Counts 1-3, Optima Kitchen & Bath Design and Remodeling LLC, t/a Optima Contracting LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02867 W A Lynch Roofing Company Incorporated the board reviewed the Consent Order as seen and agreed to by W A Lynch Roofing Company Incorporated.

**File Number
2019-02867
W A Lynch Roofing
Company
Incorporated**

W A Lynch Roofing Company Incorporated did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein W A Lynch Roofing Company Incorporated, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

W A Lynch Roofing Company Incorporated consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8 \$400.00

W A Lynch Roofing Company Incorporated agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,000.00

In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 1 provided W A

Lynch Roofing Company Incorporated provides a copy of its current contract to the Board within ninety (90) days of the effective date of this Consent Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260.B.9. If W A Lynch Roofing Company Incorporated fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Further, for violation of Count 1, W A Lynch Roofing Company Incorporated agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02876 Sky Construction Inc. the board reviewed the Consent Order as seen and agreed to by Sky Construction Inc.

File Number
2019-02876
Sky Construction
Inc.

Sky Construction Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Sky Construction Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Sky Construction Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.15 \$1,450.00

Sky Construction Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,600.00

Further, for violation of Count 1, Sky Construction Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02916 Brian Scott Turner the board reviewed the Consent Order as seen and agreed to by Brian Scott Turner.

File Number
2019-02916
Brian Scott Turner

Brian Scott Turner did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Brian Scott Turner, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Brian Scott Turner consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-30-190.9 \$650.00

Brian Scott Turner agrees to Board costs of **\$150.00**.

Total fines and costs of \$800.00

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02951 Jonathan Edward Berryman, t/a Byrdwell Builders the board reviewed the Consent Order as seen and agreed to by Jonathan Edward Berryman, t/a Byrdwell Builders.

File Number
2019-02951
Jonathan Edward
Berryman, t/a
Byrdwell Builders

Jonathan Edward Berryman, t/a Byrdwell Builders did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Jonathan Edward Berryman, t/a Byrdwell Builders, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Priors
#144 C-46/2019-02951 – Jonathan Edward Berryman t/a Byrdwell Builders. On April 30, 2019, Jonathan Edward Berryman was found in violation of the Board for Contractors Regulations for conviction of an RM, DE, or QI, failure to report a conviction, and failure to satisfy a judgment. Consent Order 2019-00592 resulted in revocation of the license, fines of \$2400 (waiving the revocation and \$1700 of the fine if the judgment is satisfied), \$150 costs, and assignment to remedial education. Compliance was obtained on August 1, 2019.

Jonathan Edward Berryman, t/a Byrdwell Builders consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.22 \$0.00

Jonathan Edward Berryman, t/a Byrdwell Builders agrees to Board costs of **\$150.00**.

Total fines and costs of \$150.00

It is noted that a member of Responsible Management for Jonathan Edward Berryman was required to complete Remedial Education pursuant to the terms of the Consent Order that was entered by the Board on March 6, 2019, file number 2019-00592.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-03009 Resurface Incorporated the board reviewed the Consent Order as seen and agreed to by Resurface Incorporated.

File Number
2019-03009
Resurface
Incorporated

Resurface Incorporated did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Resurface Incorporated, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Priors
#146 C-48/2019-03009 – Resurface Incorporated, license number 2705-114805. On July 11, 2016, Resurface Incorporated was found in violation of the Board for Contractors Regulations for failure to use a written contract. Consent Order 2016-00748 resulted in a fine of \$350, \$150 costs, and assignment to remedial education. Compliance was obtained on October 12, 2016.

Resurface Incorporated consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8 \$800.00
Count 2: 18 VAC 50-22-260.B.9 \$400.00

Resurface Incorporated agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,350.00

Further, for violation of Count 1 and 2, Resurface Incorporated agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-03051 Virginia Craft Homes Inc. the board reviewed the Consent Order as seen and agreed to by Virginia Craft Homes Inc.

File Number
2019-03051
Virginia Craft
Homes Inc.

Virginia Craft Homes Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Virginia Craft Homes Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Virginia Craft Homes Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

Virginia Craft Homes Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$850.00

Further, for violation of Count 1, Virginia Craft Homes Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-03052 Shurm Construction Inc. the board reviewed the Consent Order as seen and agreed to by Shurm Construction Inc.

Shurm Construction Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

File Number
2019-03052
Shurm Construction
Inc.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Shurm Construction Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Shurm Construction Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

Shurm Construction Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$850.00

Further, for violation of Count 1, Shurm Construction Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-03053 Cornerstone Builders & Developers LLC the board reviewed the Consent Order as seen and agreed to by Cornerstone Builders & Developers LLC.

Cornerstone Builders & Developers LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

File Number
2019-03053
Cornerstone
Builders &
Developers LLC

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Cornerstone Builders & Developers LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Cornerstone Builders & Developers LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

Count 2: 18 VAC 50-22-260.B.29 \$700.00

Cornerstone Builders & Developers LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,550.00

Further, for violation of Counts 1 and 2, Cornerstone Builders & Developers LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-03056 RCS Group LLC the board reviewed the Consent Order as seen and agreed to by RCS Group LLC.

RCS Group LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein RCS Group LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

RCS Group LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

RCS Group LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$850.00

Further, for violation of Count 1, RCS Group LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-03076 Bon Air Homes LLC the board reviewed the Consent Order as seen and agreed to by Bon Air Homes LLC.

Bon Air Homes LLC did not attend the Board meeting in person by counsel or by any other qualified

File Number
2019-03056
RCS Group LLC

File Number
2019-03076
Bon Air Homes

individual.

LLC

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Bon Air Homes LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Bon Air Homes LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

Bon Air Homes LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$850.00

Further, for violation of Count 1, Bon Air Homes LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-03077 Bon Air Exteriors Inc. the board reviewed the Consent Order as seen and agreed to by Bon Air Exteriors Inc.

Bon Air Exteriors Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

File Number
2019-03077
Bon Air Exteriors
Inc.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Bon Air Exteriors Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Bon Air Exteriors Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

Bon Air Exteriors Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$850.00

Further, for violation of Count 1, Bon Air Exteriors Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-03129 Butch's Home Improvements LLC the board reviewed the Consent Order as seen and agreed to by Butch's Home Improvements LLC.

File Number
2019-03129
Butch's Home
Improvements LLC

Butch's Home Improvements LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Butch's Home Improvements LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Butch's Home Improvements LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8 \$400.00

Butch's Home Improvements LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$550.00

Further, for violation of Count 1, Butch's Home Improvements LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-03140 The Terminix International Company Limited Partnership, t/a Terminix International the board reviewed the Consent Order as seen and agreed to by The Terminix International Company Limited Partnership, t/a Terminix International.

File Number
2019-03140
The Terminix
International
Company Limited
Partnership,
t/a Terminix
International

The Terminix International Company Limited Partnership, t/a Terminix International did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein The Terminix International Company Limited Partnership, t/a Terminix International, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

The Terminix International Company Limited Partnership, t/a Terminix International consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9 \$400.00
(Three violations)

Count 2: 18 VAC 50-22-260.B.15 \$5,000.00
(Two violations at \$2,500.00 each)

The Terminix International Company Limited Partnership, t/a Terminix International agrees to Board costs of **\$150.00**.

Total fines and costs of \$5,550.00

Further, for violation of Counts 1 and 2, The Terminix International Company Limited Partnership, t/a Terminix International agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2020-00154 Walter Garr Yarboro, t/a HVAC Performance Testing and Service the board reviewed the Consent Order as seen and agreed to by Walter Garr Yarboro, t/a HVAC Performance Testing and Service.

File Number
2020-00154
Walter Garr
Yarboro, t/a HVAC
Performance
Testing and Service

Walter Garr Yarboro, t/a HVAC Performance Testing and Service did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Walter Garr Yarboro, t/a HVAC Performance Testing and Service, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Walter Garr Yarboro, t/a HVAC Performance Testing and Service consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8	\$400.00
Count 2: 18 VAC 50-22-260.B.33	\$850.00
Count 3: 18 VAC 50-22-260.B.13	\$1,350.00

Walter Garr Yarboro, t/a HVAC Performance Testing and Service agrees to Board costs of **\$150.00**.

Total fines and costs of \$2,750.00

In addition, for violation of Count 3, Walter Garr Yarboro agrees to revocation of his license.

Further, for violation of Counts 1-3, Walter Garr Yarboro, t/a HVAC Performance Testing and Service agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2020-00292 John E Mannone, t/a East Coast Roofing the board reviewed the Consent Order as seen and agreed to by John E Mannone, t/a East Coast Roofing.

**File Number
2020-00292
John E Mannone,
t/a East Coast
Roofing**

John E Mannone, t/a East Coast Roofing did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein John E Mannone, t/a East Coast Roofing, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

John E Mannone, t/a East Coast Roofing consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.18 \$800.00

John E Mannone, t/a East Coast Roofing agrees to Board costs of **\$150.00**.

Total fines and costs of \$950.00

In addition, John E Mannone agrees to revocation of his license.

Further, for violation of Count 1, John E Mannone, t/a East Coast Roofing agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2020-00545 Interbuilt LLC the board reviewed the Consent Order as seen and agreed to by Interbuilt LLC.

**File Number
2020-00545
Interbuilt LLC**

Interbuilt LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Interbuilt LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Interbuilt LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

Interbuilt LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$850.00

Further, for violation of Count 1, Interbuilt LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective

date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2020-00591 Powerhouse Remodeling LLC the board reviewed the Consent Order as seen and agreed to by Powerhouse Remodeling LLC.

File Number
2020-00591
Powerhouse
Remodeling LLC

Powerhouse Remodeling LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Powerhouse Remodeling LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Powerhouse Remodeling LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.27 \$750.00
Count 2: 18 VAC 50-22-260.B.13 \$1,350.00

Powerhouse Remodeling LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$2,250.00

In addition, Powerhouse Remodeling LLC agrees to revocation of its license.

Further, for violation of Counts 1 and 2, Powerhouse Remodeling LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2020-00730 Beitzell Construction Inc., t/a Beitzell Fence Co the board reviewed the Consent Order as seen and agreed to by Beitzell Construction Inc., t/a Beitzell Fence Co.

File Number
2020-00730
Beitzell
Construction Inc.,
t/a Beitzell Fence Co

Beitzell Construction Inc., t/a Beitzell Fence Co did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Beitzell Construction Inc., t/a Beitzell Fence Co, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Priors
#160 C-62/2020-00730 – Beitzell Construction Inc., license number 2705-061599. On November 1,

2011, Beitzell Construction, Inc., was found in violation of the Board for Contractors Regulations for missing elements in a contract and misconduct. Consent Order 2011-03166 resulted in fines of \$1100, \$150 costs, and assignment to remedial education. Compliance was obtained on February 2, 2012.

Beitzell Construction Inc., t/a Beitzell Fence Co consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.12 \$1,250.00

Beitzell Construction Inc., t/a Beitzell Fence Co agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,400.00

Further, for violation of Count 1, Beitzell Construction Inc., t/a Beitzell Fence Co agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None. **Abstain:** None. **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2020-00731 Mark I Medvene, t/a PalMar Construction the board reviewed the Consent Order as seen and agreed to by Mark I Medvene, t/a PalMar Construction.

File Number
2020-00731
Mark I Medvene, t/a
PalMar
Construction

Mark I Medvene, t/a PalMar Construction did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Mark I Medvene, t/a PalMar Construction, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Mark I Medvene, t/a PalMar Construction consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.18 \$800.00

Mark I Medvene, t/a PalMar Construction agrees to Board costs of **\$150.00**.

Total fines and costs of \$950.00

Further, for violation of Count 1, Mark I Medvene, t/a PalMar Construction agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None. **Abstain:** None. **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2020-00732 Touchstone Custom Homes LLC the board reviewed the Consent Order as seen and agreed to by Touchstone Custom Homes LLC.

File Number
2020-00732
Touchstone Custom
Homes LLC

Touchstone Custom Homes LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Touchstone Custom Homes LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Touchstone Custom Homes LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

Touchstone Custom Homes LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$850.00

Further, for violation of Count 1, Touchstone Custom Homes LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2020-00766 Leonard Roofing LLC the board reviewed the Consent Order as seen and agreed to by Leonard Roofing LLC.

File Number
2020-00766
Leonard Roofing
LLC

Leonard Roofing LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Leonard Roofing LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Priors

#163 C-65/2020-00766 – Leonard Roofing LLC, license number 2705-047977. On December 20, 2016, Leonard Roofing LLC was found in violation of the Board for Contractors Regulations for using an unlicensed subcontractor. Consent Order 2017-00542 resulted in a fine of \$700, \$150 costs, and assignment to remedial education. Compliance was obtained on March 23, 2017.

Leonard Roofing LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$1,000.00

Leonard Roofing LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,150.00

Further, for violation of Count 1, Leonard Roofing LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2020-00904 LaFave's Construction Company Inc. the board reviewed the Consent Order as seen and agreed to by LaFave's Construction Company Inc.

File Number
2020-00904
LaFave's
Construction
Company Inc.

LaFave's Construction Company Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein LaFave's Construction Company Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

LaFave's Construction Company Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

LaFave's Construction Company Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$850.00

Further, for violation of Count 1, LaFave's Construction Company Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2020-00905 Hubert Construction LLC the board reviewed the Consent Order as seen and agreed to by Hubert Construction LLC.

File Number
2020-00905
Hubert
Construction LLC

Hubert Construction LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Hubert Construction LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Hubert Construction LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

Hubert Construction LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$850.00

Further, for violation of Count 1, Hubert Construction LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2020-00982 Wild Building Construction Inc. the board reviewed the Consent Order as seen and agreed to by Wild Building Construction Inc..

File Number
2020-00982
Wild Building
Construction Inc.

Wild Building Construction Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Wild Building Construction Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Wild Building Construction Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

Wild Building Construction Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$850.00

Further, for violation of Count 1, Wild Building Construction Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2020-00986 TST Tactical Defense Solutions Inc., t/a TST Roofing; Mid-Atlantic Glass & Panel; TST Development; TST Defense; Tidewater Development Services Corporation, the board reviewed the Consent Order as seen and agreed to by TST Tactical Defense Solutions Inc., t/a TST Roofing; Mid-Atlantic Glass & Panel; TST Development; TST Defense; Tidewater Development Services Corporation.

File Number
2020-00986
TST Tactical
Defense Solutions
Inc., t/a TST
Roofing; Mid-
Atlantic Glass &
Panel; TST

TST Tactical Defense Solutions Inc., t/a TST Roofing; Mid-Atlantic Glass & Panel; TST Development; TST Defense; Tidewater Development Services Corporation did not attend the Board meeting in person

by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein TST Tactical Defense Solutions Inc., t/a TST Roofing; Mid-Atlantic Glass & Panel; TST Development; TST Defense; Tidewater Development Services Corporation, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

**Development; TST
Defense; Tidewater
Development
Services
Corporation**

TST Tactical Defense Solutions Inc., t/a TST Roofing; Mid-Atlantic Glass & Panel; TST Development; TST Defense; Tidewater Development Services Corporation consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

TST Tactical Defense Solutions Inc., t/a TST Roofing; Mid-Atlantic Glass & Panel; TST Development; TST Defense; Tidewater Development Services Corporation agrees to Board costs of **\$150.00**.

Total fines and costs of \$850.00

Further, for violation of Count 1, TST Tactical Defense Solutions Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2020-01013 Michael W Frye, t/a Frye Masonry the board reviewed the Consent Order as seen and agreed to by Michael W Frye, t/a Frye Masonry.

**File Number
2020-01013
Michael W Frye, t/a
Frye Masonry**

Michael W Frye, t/a Frye Masonry did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Michael W Frye, t/a Frye Masonry, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Michael W Frye, t/a Frye Masonry consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-210 \$550.00

Michael W Frye, t/a Frye Masonry agrees to Board costs of **\$150.00**.

Total fines and costs of \$700.00

In addition, for violation of Count 1, Michael W Frye agrees to revocation of his license.

Further, for violation of Count 1, Michael W Frye, t/a Frye Masonry agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety

(90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2020-00660 Strata Solar LLC the board reviewed the Consent Order as seen and agreed to by Strata Solar LLC.

File Number
2020-00660
Strata Solar LLC

Strata Solar LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Strata Solar LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Strata Solar LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

Strata Solar LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$850.00

Further, for violation of Count 1, Strata Solar LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Oliver, Redifer, Ayres, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** King **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2018-02713 Bryce Enterprise LLC the board reviewed the Consent Order as seen and agreed to by Bryce Enterprise LLC.

File Number
2018-02713
Bryce Enterprise
LLC

Bryce Enterprise LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Bryce Enterprise LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Bryce Enterprise LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.31 \$400.00

Count 2: 18 VAC 50-22-260.B.29 \$450.00

Count 3: 18 VAC 50-22-260.B.33 \$650.00

Bryce Enterprise LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,650.00

Further, for violation of Counts 1-3, Bryce Enterprise LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02346 Matthews Sanitation Services-LLC the board reviewed the Consent Order as seen and agreed to by Matthews Sanitation Services LLC.

File Number
2019-02346
Matthews Sanitation
Services LLC

Matthews Sanitation Services LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Matthews Sanitation Services LLC. acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Matthews Sanitation Services LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8 \$400.00
Count 2: 18 VAC 50-22-260.B.9 \$400.00

Matthews Sanitation Services LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$950.00

Further, for violation of Count 1, Matthews Sanitation Services LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02588 David Charles Frawley, t/a DNR Construction the board reviewed the Consent Order as seen and agreed to by David Charles Frawley, t/a DNR Construction.

File Number
2019-02588
David Charles
Frawley, t/a DNR
Construction

David Charles Frawley, t/a DNR Construction did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein David Charles Frawley, t/a DNR Construction, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

David Charles Frawley, t/a DNR Construction consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.33 \$850.00
Count 2: 18 VAC 50-22-260.B.27 \$750.00

David Charles Frawley, t/a DNR Construction agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,750.00

Further, for violation of Counts 1 and 2, David Charles Frawley, t/a DNR Construction agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02699 USHome Design Build LLC the board reviewed the Consent Order as seen and agreed to by USHome Design Build LLC.

File Number
2019-02699
USHome Design
Build LLC

USHome Design Build LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein USHome Design Build LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

USHome Design Build LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9 \$400.00
Count 2: 18 VAC 50-22-260.B.27 \$750.00

USHome Design Build LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$1,300.00

Further, for violation of Counts 1 and 2, USHome Design Build LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2019-02940 Holland's General Contractors Inc. the board reviewed the Consent Order as seen and agreed to by Holland's General Contractors Inc.

**File Number
2019-02940
Holland's General
Contractors Inc.**

Holland's General Contractors Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Holland's General Contractors Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Holland's General Contractors Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8 \$400.00

Holland's General Contractors Inc. agrees to Board costs of **\$150.00**.

Total fines and costs of \$550.00

Further, for violation of Count 1, Holland's General Contractors Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

In the matter of Consent Order File Number 2020-01266 Alex HVAC Service LLC the board reviewed the Consent Order as seen and agreed to by Alex HVAC Service LLC.

**File Number
2020-01266
Alex HVAC Service
LLC**

Alex HVAC Service LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver and seconded by Mr. Middleton to ratify the proposed Consent Order offer wherein Alex HVAC Service LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Alex HVAC Service LLC consents to the following violations of the Board's Regulations:

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.27 \$1,500.00

Alex HVAC Service LLC agrees to Board costs of **\$150.00**.

Total fines and costs of \$2,450.00

Further, for violation of Counts 1-3, Alex HVAC Service LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

7. NEW BUSINESS

a) Regulatory Review – SDS Breakout – Eric Olson

Contractors that perform work on sewage disposal systems, both conventional and alternative, are currently required to also hold a license issued by the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals (WWWOSSP). The individual license that must be held by the Qualified Individual in order for a contractor to hold the sewage disposal system (SDS) specialty is actually issued by WWWOSSP.

Recently, the licensing of those individuals licensed to install systems was divided into two categories, conventional and alternative. Currently, the SDS specialty allows a company to install both types of systems and no deference is made to the Qualified individual with regards to what type of license he holds from WWWOSSP.

Having two different types of individual licenses for Qualified Individuals, and two different types of systems that can be installed for consumers, has made the current specialty obsolete and confusing. After meeting with the Executive Director of WWWOSSP, we agreed that it would be beneficial to both programs to approach the Board for Contractors and request that the current SDS specialty be broken up into two categories: SOS- Alternative (SSA) and SDS Conventional (SSC.) Requirements for the specialties will be the same as currently in place except that the Qualified Individual of the SSA specialty will be required to hold an alternative installers licenses from WWWOSSP and the Qualified Individual of the SSC specialty will be required to hold a conventional installers license.

Unlike the amendment that separated BLD into two separate classifications, this proposed amendment to the regulations would only allow contractors with a Qualified Individual holding the appropriate license to hold the equivalent specialty. Adequate notice will be given to all current licensees to ensure sufficient time is given to them for their qualified Individual to become appropriately licensed if they wish to have both specialties.

It is requested that the Board for Contractors adopt this request and instruct staff to commence the regulatory review process to make the necessary amendments to the current regulations.

A motion was made by Mr. Oliver and seconded by Ms. King to allow staff to commence the regulatory review process to make the necessary amendments.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

NEW BUSINESS

**Regulatory Review
SDS Breakout**

b) Regulatory Review – Remove inspection from sprinkler

**Regulatory Review
Remove inspection
from sprinkler**

Effective April 1, 2020, the Board for Contractors promulgated regulations that started the regulation of Fire Sprinkler Inspectors. The current statutes provide that effective July 1, 2021 all inspections of fire sprinkler system be done by an individual holding the Certified Automatic Fire Sprinkler Inspectors. Currently 18 V/AC 50-22-30 of the Board for Contractors Regulations, in the definition for the fire sprinkler contractor specialty identifies "inspection" as an accepted scope of practice. This is contrary to the amendments to Chapter 11 of Title 54.1 of the Code of Virginia. Staff recommends that the Board start the regulatory review process to change the definition as follows:

"Fire sprinkler contracting" (Abbr. SPR) means the service that provides for the installation, repair, alteration, addition, testing, maintenance, inspection, improvement, or removal of sprinkler systems using water as a means of fire suppression when annexed to real property. This specially does not provide for the installation, repair, or maintenance of other types of fire suppression systems. The PLB classification allows for the installation of systems permitted to be designed in accordance with the plumbing provisions of the USBC. This specially may engage in the installation of backflow prevention devices in the fire sprinkler supply main and incidental to the sprinkler system installation when the installer has received formal vocational training approved by the board that included instruction in the installation of backflow prevention devices.

This action would result in a NOIRA being filed with proposed regulations brought to the Board subsequent to the approval of the NOIRA documents.

After discussing the request the Board determined that, based on the current language in the statutes, no change could be made to the regulatory definition of a fire-sprinkler contractor. One section of Chapter 11 provides that only a certified fire sprinkler inspector may inspect fire sprinklers and in another section of Chapter 11 it includes inspection in the definition of what the company can do with the specialty on its license. The only way to fix the issue would be to approach the General Assembly and to get the current statute amended in such a way to allow a contractor to do inspections.

A motion was made by Mr. Oliver and seconded by Mr. Redifer to take no action at this time.

**Responsible
Management/
Remedial Education**

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

c) Non RM's taking Remedial Education

Over the past year, several respondents have expressed concern regarding the requirement of the Board for Contractors of having a member of Responsible Management attend remedial education that was assigned as part of a disciplinary order. While the vast majority of those disciplined by the Board are located in Virginia and are relatively small companies, there have been some that are headquartered out-of-state and are of a size where the members of Responsible Management are not necessarily involved in the day-to-day operation of the company or in specific projects/contracts.

Staff has been approached by these licensees to send an individual such as a regional manager or a site-specific construction manager in lieu of sending a corporate officer. It is important to note that some licensees send multiple individuals to the class in an effort to expose other

management staff to the subject matter covered during the training. Allowing non-RM s to fulfill the remedial education requirement is also a powerful tool when negotiating a Consent Order or other disciplinary procedure.

Neither the regulations nor the statutes require that it be a member of Responsible Management attend remedial education and, on a handful of occasions the Board has granted the request of a respondent to allow a non-RM to attend the class in the place of an RM when specifically requested and reviewed/approved by the Board . It is recommended that the Board consider this change to current procedure carefully, sending it to the Board for Contractors Committee for further discussion but allowing the requests to continue to be heard by the Board on a case-by -case basis until a final disposition is made.

A motion was made by Mr. Oliver and seconded by Ms. Bynum-Coleman to amend the Orders to allow non RM's to take Remedial Education on a case by case basis.

After discussion, Mr. Oliver withdrew his motion.

A motion was made by Mr. Dyer and seconded by Redifer to leave as is on a case by case, and to send to the Board for Contractors Committee for further review.

d) Regulatory Review - Employee Misclassification

The General Assembly passed, and the Governor signed into law, HB 1646, which adds a requirement to § 54.1-1102B of the Code of Virginia, where the Board shall require a contractor to appropriately classify individuals as either employees or independent contractors.

Currently, when the Board receives a complaint where a licensed contractor has hired an unlicensed or misclassified employee, the contractor is charged with a violation of 18 VAC 50 -22 -260 B 29 for contracting with an unlicensed or improperly licensed contractor. There is no separate prohibited act for misclassification. This amendment to the Code of Virginia will require that the Board add a separate prohibited act for the misclassification of employees.

Staff recommends the following amendment to the regulations and requests that the Board vote to commence the regulatory review process to add it to the regulations:

18 VAC 50 -22 -260 B

37. Failure of a contractor to appropriately classify all workers as employees or independent contractors as provided by law.

A motion was made by Mr. Oliver and seconded by Redifer to commence the regulatory review process to add a separate prohibited act for the misclassification of employees to the regulations.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

e) Education update for WWP

**Regulatory Review
Employee
Misclassification**

**Education update
for WWP**

Staff has received requests from the Virginia Water Well Association VWWA, education providers for water well system providers, and several water well system providers have requested that the Board for Contractors consider a modification to the current requirements that education hours be reported in their entirety and not as individual courses are completed.

Currently, a significant number of water well system providers do not complete their eight hours of training in a single session, but will take it over the course of several sessions and can take those cases from multiple approved providers. This requires organizations, such as the VWWA, to keep a separate record of member's education hours and then report them to the Board once the regulant has reached the eight-hour mark. This is an inconvenience to the organizations and can often require that they verify hours from other providers.

This issue was to be discussed with Board staff at the April meeting of the VWWA, which was canceled due to the COVID-19 virus. Staff continues, however, to receive requests from individuals and organizations to have the Board revisit this requirement.

The current EAGLES licensing system would not be capable of splitting up the education hours without a costly and time consuming modification. Consideration is being given to replace the current EAGLES system and it would certainly be reasonable to require that the new system provide for the splitting of continuing education hours.

A motion was made by Mr. Redifer and seconded by Oliver to not modify the current procedure and to continue to require that all education hours be reported in their entirety.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

**RBC/CBC Exam for
HIC/CIC candidates**

f) RBC/CBC Exam for HIC/CIC candidates

In 1998 the Board for Contractor added the residential building examination to the eligibility requirements for the Designated Employee of applicants applying for the BLD classification. In 2012, the Board for Contractors added Qualified Individual examination requirements for all classifications and specialties that did not have a companion individual license or a recognized national/state certification. In 2016 the BLD classification was split into two different classifications (RBC & CBC) which necessitated the development of a commercial building examination. Additionally, since 2016, the Board for Contractors has increased the scrutiny of experience submitted by Qualified Individuals, which has resulted in applicants who have taken the BLD, RBC, or CBC exams and do not meet the experience requirements that would allow the applicant to hold the classification on its license.

Since 2016 there have been more than a hundred applicants for licenses with the HIC or CIC classification that have listed Qualified Individual who successfully completed the BLD, RBC, or CBC exams. While these individuals have completed the examination, they do not meet the experience requirements for RBC or CBC, and must apply for the HIC or CIC specialties. Currently, even though these individuals have already passed an exam for new construction, residential or commercial projects, they must successfully complete the exam for HIC or CIC in order to qualify for the specialty.

**Backflow
Prevention
vocational training
requirements**

A motion was made by Mr. Redifer and seconded by Mr. Oliver to allow individuals that have passed

the RBC or CBC examination to have meet the testing requirements for the HIC and CIC specialties respectively.

g) Backflow Prevention vocational training requirements

The Board for Contractors Individual License, and Certification Regulations in 18 VAC 50-30-40 D, provides that an applicant for certification as a Backflow Prevention Device Worker must have a minimum of 40 hours of vocational training and four years of experience in water distribution systems or, 16 hours of vocational training with seven or more years of experience in water distribution systems. Licensing staff has received several complaints from individuals indicating that it is difficult to find a 40 hour class and that most boards and jurisdictions only require a 32 hours of vocational education.

Our research has found the following:

TREEO - has both a 40 hour and 32 hour course
ASSE (5000 certification) has both a 40 hour and 32 hour course
Pennsylvania - requires 32 hours of vocational training
Maryland - requires 32 hours of vocational training
WSSC - requires 32 hours of vocational training
North Carolina - requires 10 hours of vocational training
Indiana - requires 35 hours of vocational training
Colorado - requires 40 hours of vocational training
California/ Nevada - 36 hours of vocational training
Georgia - 32 hours of vocational training

While the certification agencies that border Virginia appear, with the exception of North Carolina, to have moved to a 32 hour vocational training requirement, there is no training requirement that seems to be pervasive throughout the United States. There is currently a provider in Virginia that offers regular 40 hour courses, but those appear to fill up quickly. Staff recommends that the Board direct the Board for Contractors Committee to review the current vocational training requirements for Backflow Prevention Device Workers and report recommendations to the Board at the October meeting.

A motion was made by Mr. Hux and seconded by Mr. Oliver to have the Board for Contractors Committee review the current vocational training requirements for Backflow Prevention Device Workers.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

h) Gas Fitter update

Gas Fitter update

Over the course of the last several months, staff has received numerous inquiries and concerns from individuals interested in obtaining, a tradesman license with the gas-fitting specialty. The primary concern is that it is not possible to obtain 240 hours of gas-fitter vocational training without duplicating courses. A check with the Department of Labor and Industry, as well as a review of the

current Dictionary of Occupational Title (DOT) codes found that there is not an approved apprenticeship for gasfitters. The only DOT codes available for gas-fitter were for utility gas-fitters (primarily install and service gas utility lines/ equipment) and for a gas-fitter helper, which appears to *be* linked to the gas appliance worker.

A cursory review of apprenticeship programs and licensing in other jurisdictions indicates that the gas fitter training track is usually linked to the plumbing or HVAC track, although a separate gas-fitting examination may be required. In some cases, the gas-fitting specialty is actually an endorsement to a plumbing or HVAC license. While staff does not believe that a major shift of the licensing scheme be done, it would be advisable to review the current vocational training requirements and, if necessary, adjust them in order not to create an unnecessary barrier to those individuals wanting to obtain licensure.

Staff recommends that the Board direct the Committee to review the current requirements set forth in the Individual License and Certification Regulations and report to the Board at the October meeting. In the interim it is requested that the Board direct staff to accept individuals in apprenticeship programs with the following DOT codes as having met the vocational training requirements for the GFC specialty: 862.381.030, 862.681.010, 862.281.022, 862.261.010, 637.261.014, and 637.261.026. These individuals will continue to be required to meet the experience requirements set forth in the regulations, but would be deemed to have met the vocational training requirements.

A motion was made by Mr. Oliver and seconded by Ms. King to have the Board for Contractors Committee review the current requirements set forth in the Individual License and Certification Regulations for gas fitters, and to allow staff to accept individuals in apprenticeship programs with the following DOT codes as having met the vocational training requirements for the GFC specialty: 862.381.030, 862.681.010, 862.281.022, 862.261.010, 637.261.014, and 637.261.026.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

i) Formation of legislative work group for Boiler Operators

During the 2020 Session of the General Assembly S13 3 46 was introduced which would add Onsite Superintendent Boiler Operators to those individuals regulated by the Board for Contractors. While the legislation was being discussed and debated in the Senate Committee on General Laws and Technology, it became apparent that there were some provisions of the proposed legislation that may pose to be problematic and needed to be reviewed by the affected parties. DPOR agreed to host a work group of representatives from the Board for Contractors, the Department of Labor and Industry (Boiler Safety Program), and interested stakeholders .

Staff recommends that the Board agree to house the work group and assign a minimum of three board members (including the plumbing and HVAC representatives). The group should meet a minimum of three times and present recommendations to the Board at the October meeting.

A motion was made by Mr. Oliver and seconded by Redifer to house a work group for Onsite

**Formation of
legislative work
group for Boiler
Operators**

Superintendent Boiler Operators and assign a minimum of three board members (including the plumbing and HVAC representatives). The group should meet a minimum of three times.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

j) Legislative/Regulatory update

Executive Director, Mary Broz-Vaughan had nothing to report at this time.

**Legislative/
Regulatory update**

k) Education Provider Applications

Applications for proposed education providers and courses were reviewed by the Board recommendations are as follows:

**Education Provider
Applicants**

Ms. Mayo shared that staff recommends approval for:

**2 Day Waterworks
LLC**

2 Day Waterworks LLC – 1 classroom Vocational Certified Backflow Device Prevention Worker course

A motion was made by Mr. Mitchell and seconded by Ms. Bynum-Coleman for approval. Mr. Oliver was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin, and Magruder. **Nays:** None **Abstain:** Oliver. **Absent:** O'Dell, Plummer.

Ms. Mayo shared that staff recommends approval for:

**Central Virginia
Electrical
Contractors**

Central Virginia Electrical Contractors – 4 classroom vocational ELE courses

A motion was made by Mr. Mitchell and seconded by Ms. Bynum-Coleman for approval. Mr. Oliver was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver. **Absent:** O'Dell, Plummer.

Ms. Mayo shared that staff recommends approval for:

Co-Train

Co-Train – 1 classroom vocational ELE course

A motion was made by Mr. Mitchell and seconded by Ms. Bynum-Coleman for approval.
Mr. Oliver was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver. **Absent:** O'Dell, Plummer.

Ms. Mayo shared that staff recommends approval for:

HVAC Codes & Controls Schools

HVAC Codes & Controls Schools – 1 classroom vocational ELE course and 1 classroom vocational HVAC course

A motion was made by Mr. Mitchell and seconded by Ms. Bynum-Coleman for approval.
Mr. Oliver was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver. **Absent:** O'Dell, Plummer.

Ms. Mayo shared that staff recommends approval for:

NAESA International – 1 classroom Continuing Education Certified Elevator Mechanic Course
RETRO-ACTIVE APPROVAL TO 02/06/2020 REQUESTED

NAESA International

A motion was made by Mr. Mitchell and seconded by Ms. Bynum-Coleman for approval.
Mr. Oliver was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver. **Absent:** O'Dell, Plummer.

Ms. Mayo shared that staff recommends approval for:

NAESA International – 1 classroom Continuing Education Certified Elevator Mechanic course

NAESA International

A motion was made by Mr. Mitchell and seconded by Ms. Bynum-Coleman for approval.
Mr. Oliver was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver. **Absent:**

O'Dell, Plummer.

Ms. Mayo shared that staff recommends approval for:

National Elevator Industry Educational Program – 2 classroom Certified Elevator Mechanic Continuing Education Courses

**National Elevator
Industry
Educational
Program**

A motion was made by Mr. Mitchell and seconded by Ms. Bynum-Coleman for approval.
Mr. Oliver was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 11-0-2. **Ayes:** Dyer, Redifer, Ayres, King, Middleton, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Groh, Oliver **Absent:** O'Dell, Plummer.

Ms. Mayo shared that staff recommends approval for:

NFPA – 2 classroom ELE Continuing Education Courses and 3 online ELE Continuing Education Courses – NEW PROVIDER

NFPA

A motion was made by Mr. Mitchell and seconded by Ms. Bynum-Coleman for approval.
Mr. Oliver was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver, **Absent:** O'Dell, Plummer.

Ms. Mayo shared that staff recommends approval for:

TPC Training – 7 Electrical Vocational Classroom courses, 2 Plumbing Vocational classroom course and 1 HVAC

TPC Training

A motion was made by Mr. Mitchell and seconded by Ms. Bynum-Coleman for approval.
Mr. Oliver was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver, **Absent:** O'Dell, Plummer.

Ms. Mayo shared that staff recommends approval for:

Viridiant – 1 classroom HVAC Continuing Education course – NEW PROVIDER

Viridiant

A motion was made by Mr. Mitchell and seconded by Ms. Bynum-Coleman for approval.
Mr. Oliver was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver, **Absent:** O'Dell, Plummer.

Ms. Mayo shared that staff recommends approval for:

WVAWWDA

WVAWWDA – 5 classroom vocational courses Certified Water Well Systems Provider - NEW PROVIDER

A motion was made by Mr. Mitchell and seconded by Ms. Bynum-Coleman for approval.
Mr. Oliver was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver, **Absent:** O'Dell, Plummer.

Ms. Mayo shared that staff recommends approval for:

Bella Elevator LLC

Bella Elevator LLC – three classroom Continuing Education Courses and 3 Vocational Education courses for Certified Accessibility Mechanics – NEW PROVIDER

A motion was made by Mr. Mitchell and seconded by Ms. Bynum-Coleman for approval.
Mr. Oliver was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver, **Absent:** O'Dell, Plummer.

Ms. Mayo shared that staff recommends approval for:

NAESA International

NAESA International - 1 classroom Continuing Education Certified Elevator Mechanic Course (April 2020)

A motion was made by Mr. Mitchell and seconded by Ms. Bynum-Coleman for approval.
Mr. Oliver was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver, **Absent:** O'Dell, Plummer.

Ms. Mayo shared that staff recommends approval for:

David A Elphee dba Marshall Training

David A Elphee dba Marshall Training - one online HVAC Continuing Education class – NEW PROVIDER

A motion was made by Mr. Mitchell and seconded by Ms. Bynum-Coleman for approval.

Mr. Oliver was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver, **Absent:** O'Dell, Plummer.

Ms. Mayo shared that staff recommends approval for:

NAESA International - 1 webinar Continuing Education Certified Elevator Mechanic Course (retro-active approval requested)

**NAESA
International**

A motion was made by Mr. Mitchell and seconded by Ms. Bynum-Coleman for approval.
Mr. Oliver was not present in the meeting at this time and did not vote.

The motion was approved with a vote of 12-0-1. Ayes: Dyer, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** Oliver, **Absent:** O'Dell, Plummer.

D) Education Audit

Education Audit

Willie Cline

Willie Cline

Bill Ferguson provided a report for the continuing education course he audited.

On December 19, 2019, Mr. Ferguson audited a tradesman-electrician continuing education course an approved provider, Willie Cline. This was an unannounced audit of the course titled Change to the 2014 NEC Update. The instructor listed was Willie Cline. The course's location and date were in agreement with the course information on the education provider's website. After briefing the Board of the audit details, a recommendation was made to the Board to maintain the approval of the provider.

John Tyler Community College

John Tyler Community College

Bill Ferguson provided a report for the continuing education course he audited.

On February 15, 2020, Mr. Ferguson audited a Contractors Pre-License Course by an approved provider, Community College Workforce Alliance (CCWA). This was an unannounced audit of the course titled Basic Contractor Business Licensing Course. The instructor listed was Ellsworth Weaver. The course's location and date were in agreement with the course information on the education provider's website. After briefing the Board of the audit details, a recommendation was made to the Board to maintain the approval of the provider.

Southside Virginia Community College

Southside Virginia Community College

Bill Ferguson provided a report for the continuing education course he audited.

On February 19, 2020, Mr. Ferguson audited a tradesman HVAC continuing education course given by Southside Virginia Community College. This was an unannounced audit of the course titled Tradesman: HVAC License Renewal. The instructor listed on education provider's website was Joseph Wood. The course's location and date were in agreement with the course information on the education provider's website.

Board staff entered the facility at 5:15 p.m. and did not find any person in the building. Staff went to the main academic building and asked college personnel if there was information available about the class. College personnel was not able to provide any additional information. Staff returned to the building where the class was scheduled to be conducted and did not locate anyone in the building.

Board staff called the contact numbers for Southside Virginia Community College listed on the Board for Contractors Education Provider Listing Application. Ms. Vaughan, contact person for the Daniel Campus, told staff the Tradesman: HVAC License Renewal class had been canceled. Board staff left the college campus at 5:40 p.m.

The Board for Contractors has not received a course attendance roster for a class held on February 19, 2020. Board staff will conduct an audit of the education provider's continuing education course at a future date.

Southside Virginia Community College

Bill Ferguson provided a report for the continuing education course he audited.

On February 19, 2020, Mr. Ferguson audited a tradesman Gas Fitters continuing education course given by Southside Virginia Community College. This was an unannounced audit of the course titled Tradesman: Gas Fitters License Renewal. The instructor listed on education provider's website was Joseph Wood. The course's location and date were in agreement with the course information on the education provider's website.

Board staff entered the facility at 5:15 p.m. and did not find any person in the building. Staff went to the main academic building and asked college personnel if there was information available about the class. College personnel was not able to provide any additional information. Staff returned to the building where the class was scheduled to be conducted and did not locate anyone in the building.

Board staff called the contact numbers for Southside Virginia Community College listed on the Board for Contractors Education Provider Listing Application. Ms. Vaughan, contact person for the Daniel Campus, told staff the Tradesman: Gas Fitters License Renewal class had been canceled. Board staff left the college campus at 5:40 p.m.

The Board for Contractors has not received a course attendance roster for a class held on February 19, 2020. Board staff will conduct an audit of the education provider's continuing education course at a future date.

m) Remedial Education and Education Provider Conference Reports

Board Administrator Marjorie King informed the Board there was no Education Provider conference information to report at this time.

Ms. King asked that the Board allow staff to suspend the Education Provider Conferences until further notice do to COVID-19.

A motion was made by Mr. Redifer, and seconded by Mr. Hux to allow staff to cancel the Education Provider Conferences until further notice do to COVID-19.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

n) 2018-10648 Apex Custom Homes – Additional Extension Request

CAMPBELL FLANNERY

**Southside Virginia
Community College**

**Remedial Education
and Education
Provider
Conference Reports**

**2018-10648 Apex
Custom Homes –
Additional
Extension Request**

**APROPBSSIONAJ.CoRPORA110N
A1TORNEYSATLA.W**

Eric L. Olson, Executive Director June 9, 2020

Re: Apex Custom Homes, Case No. CL 194530 (Cir. Ct. Loudoun) (2018-10648)

Dear Mr. Olson:

We are in receipt of your letter dated June 3, 2020. Thank you for granting Apex Custom Homes, LLC, a further stay of the revocation of its General Contractor's License by the Board for Contractors. Pursuant to that letter, I request that the Board for Contractors consider staying such revocation for the pendency of the appeal in the above-captioned case. I understand that the Board has granted such stays in previous appeals of a similar procedural posture. Accordingly, I ask that the Board consider this request at its upcoming meeting to be held on June 23, 2020.

A motion was made by Mr. Oliver and seconded by Mr. Redifer to deny the request for indefinite stay (pending action by the court) and leave the current stay in place. Apex can request an additional extension, if required, at a later date.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

o) Waiver of Examination of Eligible Licenses

Re: WAIVER OF EXAMINATION OF ELIGIBLE LICENSES

Pursuant to statutory authority vested in each state or jurisdiction, the District of Columbia Board of Industrial Trades and the Virginia Board for Contractors do hereby enter into the following agreement:

- 1) The District of Columbia Board of Industrial Trades agrees to waive the master and journeyman written examination and issue a DC Electrician Journeyman or DC Master Electrician license to any qualified applicant who is a non-resident of District of Columbia, provided:
 - a) The applicant holds an active Electrician Journeyman or Master Electrician license issued by the Virginia Board of Contractors; and
 - b) The applicant did not obtain a Virginia License through any agreement between the Virginia Board of Contractors and any other state; and
 - c) The applicant has completed all administrative requirements and paid all required fees as determined by the District of Columbia Board of Industrial Trades for the issuance of an Electrician Journeyman or Master Electrician license.
- 2) The Virginia Board of Contractors agrees to waive the written examination and issue a District of Columbia Electrician Journeyman or Master Electrician license to any applicant who is a non-

**Waiver of
Examination of
Eligible Licenses**

resident of Virginia, provided:

- a. The applicant holds an active Electrician Journeyman or Master Electrician license issued by the District of Columbia; and
 - b. The applicant did not obtain a District of Columbia license through any agreement between the District of Columbia and any other state; and
 - c. The applicant has completed all administrative requirements and paid all required fees as determined by the Virginia Board of Contractors for the issuance of an Electrician Journeyman or Master Electrician.
- 3) The provisions of the reciprocal licensing agreement shall become effective , and shall remain in effect until such time as either the District of Columbia Board of Industrial Trades or the Virginia Board of Contractors advises the other state agency through written notice of its intent to terminate the agreement. Such written notice must be filed with the other state agency at least ninety (90) days prior to the respective state agency intends to terminate this agreement.

A motion was made by Mr. Oliver and seconded by Mr. Redifer to have the Board for Contractors Committee review the Exam Waiver at its next Committee meeting and report back to the Board.

The motion was approved with a vote of 13-0-0. Ayes: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. **Nays:** None **Abstain:** None **Absent:** O'Dell, Plummer.

p) Election of Officers

Election of Officers

The chair was shifted to the Secretary of the Board for Contractors (Mary Broz-Vaughan) who immediately transferred the chair to staff. Mr. Olson chaired the meeting so the Board could conduct election of officers.

The floor was open for the nomination for the office of Board Chairman: **Mr. Oliver** nominated **Mr. Hux** as Chairman.

Mr. Olson asked if there were any additional nominations for the office of Board Chairman? (Three times). There being none **Mr. Redifer** offered a motion to close the floor for nominations. It was seconded by **Mr. Middleton**.

Mr. Oliver offered a motion to approve the nomination of Mr. Hux as Chairman. **Mr. Redifer** seconded the nomination.

Mr. Olson called for a vote.

The Board voted unanimously to appoint **Mr. Hux** as Chairman of the Board for Contractors. Members

voting "yes" were: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: None Absent: O'Dell, Plummer.

Mr. Olson opened the floor for the nomination for the office of Board Vice-Chair. Mr. Oliver nominated Ms. King for the office of Board Vice-Chair.

Mr. Olson asked if there were any additional nominations for the office of Board Vice-Chairman? (Three times). There being none Mr. Middleton offered a motion to close the floor for nominations. It was seconded by Mr. Redifer.

Mr. Oliver offered a motion to approve the nomination of Ms. King as Vice-Chairman. Mr. Redifer seconded the nomination.

Mr. Olson called for a vote.

The Board voted unanimously to appoint Ms. King as Chairman of the Board for Contractors. Members voting "yes" were: Dyer, Oliver, Redifer, Ayres, King, Middleton, Groh, Hux, Johnson, Mitchell, Bynum-Coleman, Tomlin and Magruder. Nays: None Abstain: None Absent: O'Dell, Plummer.

Mr. Dyer resumed as the chair.

8. Other Board Business

**Other Board
Business**

9. Completion of Paper work

Eric Olson, requested the Board members to complete their Conflict of Interest Statements and Travel Reimbursement Forms.

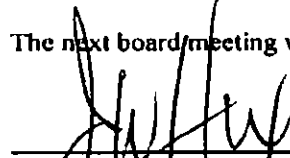
**Completion of
Paper work**

10. Adjournment

Chairman, Dyer thanked the Board and Staff and adjourned the meeting at 3:11 P.M.

Adjournment

The next board meeting will be August 4, 2020



Jeffery Hux, Chairman



Mary Broz-Vaughan, Director

Copy teste:

Custodian of the Record

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

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

1. Name James Oliver
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Contractors
(Name of Board)
4. Meeting/IFF Date: 06/23/2020
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction:

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

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

or

I did not participate in the transaction.

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

James Oliver
Signature

6/23/2020
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name Jeffrey W Hux
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Contractors
(Name of Board)
4. Meeting/IFF Date: 06/23/2020

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

NONE
(Agenda Item)

Nature of Personal Interest Affected by Transaction:

NONE

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

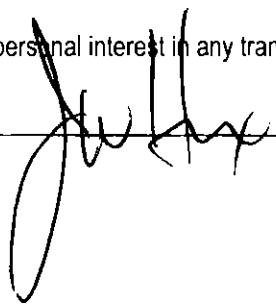
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

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

Signature



Date

6-27-2020

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name Donald Groh
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Contractors
(Name of Board)
4. Meeting/IFF Date: 06/23/2020

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

2018-01933, 2019-01789, 2019-02109, 2019-03190, Education - NEIEP
(Agenda Item)

Nature of Personal Interest Affected by Transaction:

2018-01933, 2019-01789, 2019-02109, 2019-03190 - Attended IFF
Education - NEIEP employed by Provider

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

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

or

I did not participate in the transaction.

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


Signature

6/23/2020
Date

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

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

1. Name Sheila Bynum-Coleman
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Contractors
(Name of Board)
4. Meeting/IFF Date: 06/23/2020
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction:

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

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

or

I did not participate in the transaction.

6. I ~~do~~ have a personal interest in any transactions taken at this meeting.

Sheila Bynum-Coleman
Signature

6/23/2020
Date

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

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

1. Name E.G. "Rudy" Middleton
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Contractors
(Name of Board)
4. Meeting/IFF Date: 06/23/2020
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction:

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

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

or

I did not participate in the transaction.

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

E. G. Middleton
Signature

6.23.20
Date

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

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

1. Name Shawn Mitchell
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Contractors
(Name of Board)
4. Meeting/IFF Date: 06/23/2020
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction:

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

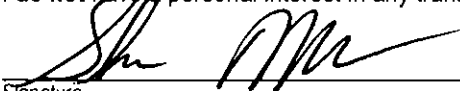
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

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

Signature



Date

6-23-2020

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

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

1. Name Deborah Tomlin
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Contractors
(Name of Board)
4. Meeting/IFF Date: 06/23/2020

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

none
(Agenda Item)

Nature of Personal Interest Affected by Transaction:

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

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

or

I did not participate in the transaction.

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

Deborah Tomlin
Signature

6-23-2020
Date

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

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

1. Name Gene Magruder
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Contractors
(Name of Board)
4. Meeting/IFF Date: 06/23/2020

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction:

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

- I am able to participate in this transaction fairly, objectively, and in the public interest.
or
 I did not participate in the transaction.

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

Gene E. Magruder 6/23/20
Signature Date

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

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

1. Name Wiley "Bif" Johnson
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Contractors
(Name of Board)
4. Meeting/IFF Date: 06/23/2020
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction:

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

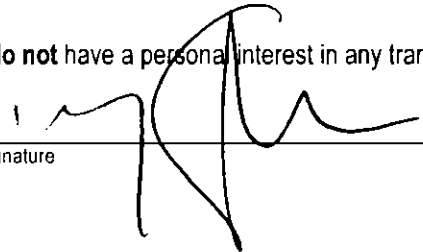
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

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

Signature



Date

6/23/20

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

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

1. Name Michael Redifer
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Contractors
(Name of Board)
4. Meeting/IFF Date: 06/23/2020
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction:

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

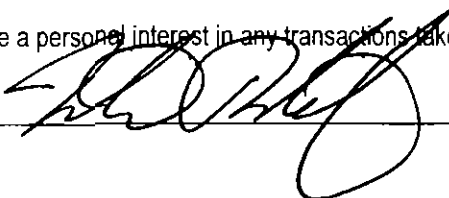
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

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

Signature



Date

6-23-20

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

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

1. Name Vance Ayres
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Contractors
(Name of Board)

4. Meeting/IFF Date: 06/23/2020

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction:

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

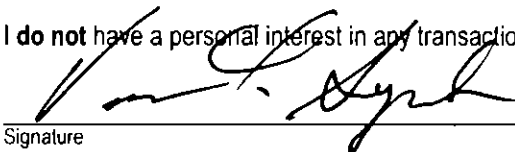
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

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

Signature



Date

6/23/20

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

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

1. Name Caitlin King
(Name of Board Member)

2. Title Board Member

3. Agency: DPOR/Board for Contractors
(Name of Board)

4. Meeting/IFF Date: 06/23/2020

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

L21.48 and ~~Other~~ C71.169
(Agenda Item)

Nature of Personal Interest Affected by Transaction:

Business Relationship

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

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

or

I did not participate in the transaction.

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

Signature

Date

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

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

1. Name Herburt "Jack" Dyer
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Contractors
(Name of Board)

4. Meeting/IFF Date: 06/23/2020

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction:

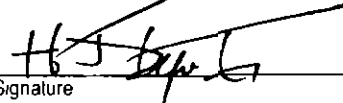
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

or

I did not participate in the transaction.

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


Signature

6/23/20
Date