

BOARD FOR CONTRACTORS BOARD MEETING

Draft MINUTES

The Board for Contractors met on Tuesday, **November 8, 2016** at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 15 members on this board, in which eight constitutes a quorum pursuant to §54.1-1102.

Vance T. Ayres
Herbert “Jack” Dyer, Jr., Chair
Jeffery Hux
Jeffrey Shawn Mitchell
James Oliver, Vice Chair
E. C. Pace, III
Michael D. Redifer
Troy Smith, Jr.
Jason Curtis “Jake” Trenary

Board members absent from the meeting: H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen.

Joshua Laws, Board council was present at the meeting.

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

Jay DeBoer, Director
Eric L. Olson, Executive Director
Anika Coleman, Regulatory Boards Administrator
Adrienne Mayo, Regulatory Boards Administrator
Sheila Watkins, Administrative Assistant/Compliance
Jacqueline Harris, Administrative Assistant/Compliance
Specialist
Wendy Duncan, Education Specialist

Board- Chairman **Dyer** called the meeting to order at 9:12 a.m. He declared a quorum of board members was in attendance.

Call
To Order

A motion was made by **Mr. Oliver** and seconded by **Mr. Redifer** to approve the agenda. The motion passed unanimously. Members voting “Yes” were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen** were absent.

Approval of
the Agenda

Mr. Oliver moved to approve the **September 27, 2016** minutes as written: **Mr. Redifer** seconded the motion which was unanimously approved by members: were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen** were absent.

Approval of
Minutes

Ann Rackas Pate, an approved education provider addressed the Board. She shared her concerns about the Contractor Regulations and the license process. She expressed her disapproval of DPOR dictating what examinations an applicant can sit for. There are several fields on the application that she would like to have more clarity on. Attorney Rackas-Pate also shared that the processing time for applications received is unacceptable. In her opinion the weight of the Regulations is causing more persons to operate unlicensed rather than attempt to go through the license acquiring process.

Public
Comment
Period

In the matter of Recovery Fund File Number 2016-02988, Carol and Michael Davis (Claimants) vs. Hendersons Elite Contracting, Inc., (Regulant); the board adopts the claim review, which contains the claim file, exhibits, the Recommendation and facts regarding the recovery fund claim in this matter. **Hendersons Elite Contracting, Inc., (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimants) did not** attend the Board meeting in person or by counsel or by any other qualified representative.

File Number
2016-02988
Carol and
Michael
Davis
(Claimant)
Vs.
Hendersons
Elite
Contracting,
Inc.
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Oliver** to remand this case back to staff for and Informal Fact Finding Conference.

The motion passed by a unanimous vote. Members voting “Yes” were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen** were absent.

In the matter of Recovery Fund File Number 2017-00319, Frances B Leighton, (Claimant) vs. Curtis Goins (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Curtis Goins (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimant) did not** attend the Board meeting in person or by counsel or by any other qualified representative.

File Number
2017-00319
Frances B
Leighton
(Claimant)
and Curtis
Goins
(Regulant)

This is a Prima Facie case.

Mr. Oliver recused himself from discussion and vote.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Hux** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$9,644.52.

The motion passed by a majority vote. Members voting “Yes” were: **Ayres, Dyer, Hux, Mitchell, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen** were absent.

In the matter of Prima Facie Recovery Fund File Number 2017-00350, Cynthia Yvonne Prosis, (Claimant) vs. All Remodeling, LLC (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **All Remodeling, LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimant) did not** attend the Board meeting in person or by counsel or by any other qualified representative.

File Number
2017-00350
Cynthia
Yvonne
Prosis
(Claimant)
V
All
Remodeling,
LLC
(Regulant)

This is a Prima Facie case.

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

The motion passed by a majority vote. Members voting “Yes” were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey**

Dowdy, Rudy Middleton, Gene Magruder, John O'Dell, Goutam Chowdhuri and David Giesen were absent.

In the matter of Recovery Fund File Number 2017-00632, James Witt, (Claimant) vs. Hilltop Construction Company, Inc. (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Hilltop Construction Company, Inc. (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimant) did not** attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number
2017-00632
James Witt
(Claimant)
V
Hilltop
Construction
Company,
Inc.
(Regulant)**

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Hux** and seconded by **Mr. Oliver** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board remands this case to staff to be heard at an Informal Fact Finding Conference.

The motion passed by a majority vote. Members voting "Yes" were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O'Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of Recovery Fund File Number 2017-00634, Timothy Williams, (Claimant) vs. KJB Companies, Inc. (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **KJB Companies, Inc., (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimants) did not** attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number
2017-00634
Timothy
Williams
(Claimant)
V
KJB
Companies,
Inc.
(Regulant)**

This is a Prima Facie case.

After discussion, and review of the case file, a motion was made by **Mr. Oliver** and seconded by **Mr. Mitchell** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$15,725. This would not include attorney's fees. During discuss, Attorney Laws addressed the Board on Fees and shared that after reviewing the fees and the law that the fees requested appeared to be reasonable and appropriate with sufficient detail being included and that it is

within the Board's arena to include/approve payment of them; not to exceed the Recovery Fund award amount of \$20,000.00.

Mr. Oliver withdrew his motion.

After further discussion **Mr. Hux** offered a motion seconded by **Mr. Oliver** to amend the recommendation to included attorney's fees. The Board orders that this claim be paid in the amount of \$20,000.00.

The motion passed by a majority vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dyer, Hux, Magruder, Mitchell, Middleton, O'Dell, Oliver, Pace, Trenary, Redifer, and Smith. Giesen and Dowdy were absent.**

In the matter of Recovery Fund File Number 2017-00650, Bradley and Koral Embry, (Claimant) vs. MHA Home Services LLC (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **MHA Home Services LLC, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **attorney for Bradley & Koral Embry, Ryan Reyes (Claimant) did** attend the Board meeting on their behalf. He shared that they agreed with the recommendation.

File Number
2017-00650
Bradley and
Koral
Embry
(Claimants)
V
MHA Home
Services
LLC
(Regulant)

This is a Prima Facie case.

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

The motion passed by a majority vote. Members voting "Yes" were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O'Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of License Application File Number 2017-00207, Factor Improvements Group, 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
2017-00207
Factor
Improvements
Group,
Inc.

Demi De La Vega for Factor Improvements Group, Inc. did appear at the Board meeting in person. She addressed the Board and shared her disagreement

with the recommendation.

Demi Sherelle De La Vega on behalf of Factor Improvements Group, Inc. did appear at the Informal Fact Finding Conference.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Hux** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the application at this time. The Board denies the application based upon the record, including the information obtained from the Central Criminal Records Exchange, in consideration of the criteria outlined in §54.1-204, and for the reasons outlined in the Summary.

The motion passed by unanimous vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dyer, Hux, Magruder, Mitchell, Middleton, O’Dell, Oliver, Pace, Trenary, Redifer, and Smith. Giesen and Dowdy were absent.**

In the matter of License Application File Number 2017-00652, Fells Masonry and Concrete 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.

File Number
2017-00652
Fells
Masonry
and
Concrete
Construction
LLC.

Wendell E Jackson, Jr., applicant’s designated employee and qualified individual Larry Fells, witness and President of **Fells Masonry and Concrete Construction LLC** did appear at the Informal Fact Finding Conference in person.

Wendell E Jackson, Jr., appeared at the Board meeting. He addressed the Board and shared his agreement with the recommendation.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Smith** to adopt the Informal Fact-Finding Conference Memorandum which contained the facts regarding the application, and adopts the Summary of the Informal Fact-Finding Conference and approve the application for a Class A Contractor License.

The motion passed unanimously. Members voting “Yes” were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of License Application File Number 2017-00653, Design Quality Build 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.

**File Number
2017-00653
Design
Quality
Build
Construction
, LLC**

Stephanie Klaiber, Witness and Responsible Manager and Ryan Fisher, Qualified Individual for Design Quality Build Construction, LLC participated in the Informal Fact Finding Conference.

Stephanie Klaiber and Ryan Fisher did appear at the Board meeting in person. They addressed the Board and shared their agreement with the recommendation.

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

After discussion, a motion was made by **Mr. Hux** and seconded by **Mr. Pace** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference, the Board will approve the application for a Class C Contractor license.

Members voting “Yes” were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of License Application File Number 2017-00103, YME Corporation 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
2017-00103
YME
Corporation**

Earl A Gary on behalf of YME, Applicant participated in the Informal Fact-Finding Conference.

YME Corporation did not appear at the Board meeting in person, by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Oliver** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the request to waive the examination requirement for the CBC classification.

The motion passed unanimously. Members voting “Yes” were: **Ayres, Dyer, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of License Application File Number 2017-00254, Structure Craft 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
2017-00254
Structure
Craft LLC

Matthew Jones, on behalf of Structure Craft, Applicant; David Jones Witness; both participated at the Informal Fact Finding Conference.

Structure Craft LLC did not appear at the Board meeting in person by counsel nor by any other qualified representative.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Redifer** to adopt the Informal Fact-Finding Conference Memorandum which contained the facts regarding the application and the Summary. The Board also adopts the Recommendation and approves the application for exam waiver.

The motion passed with a majority vote. Members voting “Yes” were: **Chowdhuri, Dyer, Dowdy, Hux, Mitchell, Middleton, O’Dell, Oliver, Pace, Trenary, and Smith. Ayres, Giesen and Magruder were absent.**

In the matter of License Application File Number 2017-00255, Bull Run Home Repair and Services 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
2017-00255
Bull Run
Home
Repair and
Services
LLC

Adilio Folgar Lopez for Lopez Electrical Service, Inc. did appear at the Board meeting.

Adilio Folgar Lopez for Lopez Electrical Service, Inc. did not attend the Board in person, by counsel nor by any other qualified individual.

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

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

Pace` to adopt the Informal Fact-Finding Conference Memorandum which contained the facts regarding the application, and adopts the Summary and amends the Recommendation. The Informal Fact-Finding Conference Referral Memorandum and Summary are incorporated as a part of the Order. The Board denies the application for a Class A Contractor License based upon the record, and for the reasons outlined in the Summary. However, the Board approves Bull Run Home Repair and Services LLC to receive a Class C contractor license with a conditional agreement.

The motion passed by a majority vote. Members voting “Yes” were: **Ayres, Dyer, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of License Application File Number 2017-00375, Hurd Mechanical Services, 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
2017-00375
Hurd
Mechanical
Services,
LLC**

Ryan Hurd, Responsible Management and Qualified Individual for the Applicant; did attend the Informal Fact Finding Conference.

Ryan Hurd for Hurd Mechanical Services, LLC did appear at the Board meeting. He addressed the Board and shared his agreement.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to adopt the Informal Fact-Finding Conference Memorandum which contained the facts regarding the application and the Summary. The Board adopts the Recommendation and approves the Mechanical application for licensure.

The motion passed with a unanimous vote. Members voting “Yes” were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of License Application File Number 2017-00406, Energy Windows 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
2017-00406
Energy
Windows
LLC**

David Udstuen, Responsible Management and Qualified Individual along with

Yer Udstuen attended the Informal Fact Finding Conference.

David Udstuen, Responsible Management and Qualified Individual along with Yer Udstuen did appear at the Board meeting. He addressed the Board and shared his agreement with the recommendation.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Redifer** to adopt the Informal Fact-Finding Conference Memorandum which contained the facts regarding the application and the Summary. The Board also adopts the Recommendation and approves the application for a Class C Contractor license.

The motion passed with a majority vote. Members voting “Yes” were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of Licensing File Number 2017-00423, Barry Jay Smith, 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
2017-00423
Barry Jay
Smith**

Barry Jay Smith, Applicant and his Attorney Ryan C. Young attended the Informal Fact Finding Conference.

Barry Jay Smith, did not appear at the Board meeting. He was not represented by counsel or by any other qualified individual.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Trenary** to adopt the Informal Fact-Finding Conference Memorandum which contained the facts regarding the application and the Summary. The Board also adopts the Recommendation and approves the application for Master HVA-Reinstatement.

The motion passed by unanimous vote. Members voting “Yes” were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of Licensing File Number 2017-00425, Justin Vann Stone, 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
2017-00425
Justin Vann
Stone**

Justin Stone, Applicant and Paula Michelle Stone, Witness; attended the Informal Fact Finding Conference.

Justin Stone, **did** appear at the Board meeting. He addressed the Board. Mr. Stone shared his agreement with the Recommendation.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Trenary** to adopt the Informal Fact-Finding Conference Memorandum which contained the facts regarding the application and the Summary. The Board also adopts the Recommendation and approves the application for Journeyman Electrical Tradesman.

The motion passed by unanimous vote. Members voting “Yes” were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of Licensing File Number 2017-00442, Larry Kirk Powers t/a Beacon Builders, 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
2017-00442
Larry Kirk
Powers t/a
Beacon
Builders**

Larry Kirk Powers, Applicant attended the Informal Fact Finding Conference.

Larry Kirk Powers, **did** appear at the Board meeting. He addressed the Board and shared his agreement with the Recommendation.

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

After discussion, a motion was made by **Mr. Mitchell** and seconded by **Mr. Oliver** to adopt the Informal Fact-Finding Conference Memorandum which contained the facts regarding the application and the Summary. After discussion Mr. Mitchell withdrew his motion.

After further discussion Mr. Trenary offered a motion to amend the

Recommendation and to offer Mr. Powers a conditional license contingent upon him providing the Board with an audited financial statement prepared by a CPA within 90 days of the Board's order and if the statement meets requirements the license will be issued. This request is due to bankruptcy that included some contractor debts. Mr. Mitchell seconded the motion. Mr. Powers was given the opportunity to address the Board again. He stated that he agreed with the Boards request.

After Mr. Powers spoke, Mr. Mitchell restated his motion that was seconded by Mr. Trenary to issue a conditional license to Mr. Powers after the requested audited financial statement has been submitted and approved as sufficient within 90 days.

The motion passed by unanimous vote. Members voting "Yes" were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O'Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of Licensing File Number 2017-00495, Capital Insurance Restorations 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
2017-00495
Capital
Insurance
Restorations
LLC**

Robert Bilmanis, Jr., Applicant on behalf of Capital; attended the Informal Fact Finding Conference.

Robert Bilmanis, Jr. on behalf of Capital Insurance Restorations LLC, did appear at the Board meeting. He addressed the Board and shared his agreement with the Recommendation.

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

After discussion, a motion was made by **Mr. Hux** and seconded by **Mr. Redifer** to adopt the Informal Fact-Finding Conference Memorandum which contained the facts regarding the application and the Summary. The Board also adopts the Recommendation and approves the application for Class A Contractor license.

The motion passed by majority vote. Members voting "Yes" were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O'Dell, Goutam Chowdhuri and David Giesen were absent. Trenary** voted no.

In the matter of Licensing File Number 2017-00497, Kevin Wayne Scott, the

File Number

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.

2017-00497
Kevin
Wayne Scott

Kevin Wayne Scott, Applicant attended the Informal Fact Finding Conference.

Kevin Wayne Scott, did not appear at the Board meeting. He was not represented by counsel or by any other qualified individual.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Hux** to adopt the Informal Fact-Finding Conference Memorandum which contained the facts regarding the application and the Summary. The Board also adopts the Recommendation and approves the application for Journeyman Electrical license.

The motion passed by unanimous vote. Members voting "Yes" were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O'Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of Licensing File Number 2017-00498, James Eric Vetra, 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
2017-00498
James Eric
Vetra

James Eric Vetra, Applicant and Richard Vetra Witness; attended the Informal Fact Finding Conference.

James Eric Vetra, did not appear at the Board meeting. He was not represented by counsel or by any other qualified individual.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to adopt the Informal Fact-Finding Conference Memorandum which contained the facts regarding the application and the Summary. The Board also adopts the Recommendation and approves the application for Master Plumber Tradesman license.

The motion passed by unanimous vote. Members voting "Yes" were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O'Dell, Goutam**

Chowdhuri and David Giesen were absent.

In the matter of Disciplinary File Number 2014-03284, Raymond Johnson t/a R H Johnson Heating & Air Conditioning, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

**File Number
2014-03284
Raymond
Johnson t/a
R H Johnson
Heating &
Air
Conditioning**

Raymond Johnson appeared at the Informal Fact Finding Conference.

Raymond Johnson t/a R H Johnson Heating & Air Conditioning, did not appear at the Board meeting in person. They were not represented by counsel, or by any other qualified individual.

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

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

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

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

Count 3: 18 VAC 50-22-260.B.6 two violations

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

The motion passed unanimously. Members voting “Yes” were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to impose the following monetary penalties:

Count 1		\$400.00
Count 2:		\$400.00
Count 3: Three violations	@850.00 each	\$1,750.00
Count 4:		\$2,500.00
Total		\$5,000.00

A total monetary penalty of **\$5,000.00**. For violations of Counts 1 through 4, the Board voted to require a member of Responsible Management successfully

complete a Board-approved remedial education class within 90 days of the effective date of the order.

The motion passed by unanimous vote. Members voting "Yes" were: **Ayres, Dyer, Hux, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O'Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of Disciplinary File Number 2016-00002, JoAnn Jones t/a Superior Driveways, the Board members reviewed the record, which consisted of the investigative file, transcript and exhibits from the Informal Fact-Finding Conference, and the Summary.

**File Number
2016-00002
JoAnn Jones
t/a Superior
Driveways**

JoAnn Jones t/a Superior Driveways, did not appear at the Informal Fact Finding Conference. John Schoeneweis, III, Audrey Schoeneweis and John Schoeneweis IV, appeared at the Informal Fact Finding Conference.

JoAnn Jones t/a Superior Driveways, did not appear at the Board meeting in person by counsel nor by any other qualified individual.

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

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Trenary** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopt the Summary. The Board finds substantial evidence that Joann Jones violated the following.

Count 1: 18 VAC 50-22-260.B.4 effective December 1, 2012

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.33

The motion passed unanimously. Members voting "Yes" were: **Ayres, Dyer, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O'Dell, Goutam Chowdhuri and David Giesen were absent.**

Mr. Olson shared that a prior exists: File 2015-02200; the Board adopted a Consent Order in this case. Respondent admitted to violating Board Regulation 18 VAC 50-22-260.B.28 and 18 VAC 50-22-260.B.2. Respondent agreed to monetary penalties and Board costs totaling \$2,550.00, and license revocation. Imposition of monetary penalties and license revocation were waived if Respondent satisfied the judgment within 90 days of the Board's order

becoming effective. Respondent further agreed to complete remedial education. Board records reflect successful completion of terms.

It was noted by the Board that this case was originally submitted to the Board as a prima facie case – scheduled to be decided at the Board’s August 2016 meeting. The Respondent requested an IFF Conference. The Conference was scheduled and the Respondent was mailed notification, but it was not claimed by the Respondent.

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

Count 1:		\$1,250.00
Count 2:		\$450.00
Count 3:		\$450.00
Count 4:		\$2,500.00
Count 5:		\$1,250.00
Total		\$5,900.00

In addition, for violations of Counts 2 and 3, the Board voted to require Joann Jones have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. For violations of Counts 1, 4, and 5, the Board imposes license revocation.

The motion passed by unanimous vote. Members voting “Yes” were: **Ayres, Dyer, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of Disciplinary File Number 2016-00310, JoAnn Jones t/a Superior Driveways, the Board members reviewed the record, which consisted of the investigative file, transcript and exhibits from the Informal Fact-Finding Conference, and the Summary.

**File Number
2016-00310
JoAnn Jones
t/a Superior
Driveways**

JoAnn Jones t/a Superior Driveways, did not appear at the Informal Fact Finding Conference. Michael Albers and Adrienne Albers, appeared at the Informal Fact Finding Conference.

JoAnn Jones t/a Superior Driveways, did not appear at the Board meeting in person by counsel nor by any other qualified individual.

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

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Trenary** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopt the Summary. The Board finds substantial evidence that Joann Jones violated the following.

Count 1: 18 VAC 50-22-260.B.14 effective December 1, 2012

Count 2: 18 VAC 50-22-260.B.27

The motion passed unanimously. Members voting “Yes” were: **Ayres, Dyer, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

Mr. Olson shared that a prior exists: File 2015-02200; the Board adopted a Consent Order in this case. Respondent admitted to violating Board Regulation 18 VAC 50-22-260.B.28 and 18 VAC 50-22-260.B.2. Respondent agreed to monetary penalties and Board costs totaling \$2,550.00, and license revocation. Imposition of monetary penalties and license revocation were waived if Respondent satisfied the judgment within 90 days of the Board’s order becoming effective. Respondent further agreed to complete remedial education. Board records reflect successful completion of terms.

It was noted by the Board that this case was originally submitted to the Board as a prima facie case – scheduled to be decided at the Board’s August 2016 meeting. The Respondent requested an IFF Conference. The Conference was scheduled and the Respondent was mailed notification, but it was not claimed by the Respondent. The mail was returned to Board staff as unclaimed.

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

Count 1:		\$2,500.00
Count 2:		\$2,500.00
Total		\$5,000.00

In addition, for violations of Counts 1 and 2, the Board voted to impose license revocation.

The motion passed by unanimous vote. Members voting “Yes” were: **Ayres, Dyer, Mitchell, Oliver, Pace, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of Disciplinary File Number 2014-01818, HP Homes, Inc., the Board members reviewed the record, which consisted of the disciplinary file,

**File Number
2014-01818**

transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative. **HP Homes, Inc.**

Freddy Pena and Attorney Talegaonkar for HP Homes, Inc. along with James Palacios, attended the Informal Fact Finding Conference.

Attorney Neil Talegaonkar for, HP Homes, Inc. did appear at the Board meeting. He addressed the Board and shared his client's agreement with the recommendation.

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

After discussion a motion was made by **Mr. Mitchell** 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 in part. The Board finds substantial evidence that **HP Homes, Inc.**, violated the following:

Count 1 18 VAC 50-22-260.B 2 Eff: Sep 1, 2001

The motion passed unanimously. Members voting "yes" were: **Ayres, Dyer, Mitchell, Oliver, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O'Dell, Goutam Chowdhuri and David Giesen were absent.**

After discussion **Mr. Mitchell** offered a motion seconded by **Mr. Hux** to impose the following monetary penalties: The Report of Findings and Summary are incorporated as part of the Order. A fine of \$1,500.00 and license revocation for violation of Count 1. During discussion, Mr. Mitchell withdrew the motion.

Attorney Talegaonkar addressed to Board again on behalf of his client sharing disagreement with the amended recommendation to revoke the license. He requested the Board's consideration to stay the revocation.

After discussion **Mr. Oliver** offered a motion seconded by **Mr. Dyer** to reject the recommendation of the IFF presiding officer to stay license revocation and place the licensee on probation, to be consistent with the Board's precedent in past cases involving similar conduct; to pay **\$1,500.00** for violation of Count 1 and to revoke the license for violation of Count 1.

The motion passed by unanimous vote. Members voting "yes" were: **Ayres, Dyer, Mitchell, Oliver, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O'Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of Disciplinary File Number 2015-03188, JES 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
2015-03188
JES
Construction
, LLC**

Scott Davis and **Charles Davis**, on behalf of **JES**, Respondent; **Peter Grosbach**, Complainant attended the Informal Fact Finding Conference.

Scott Davis for JES Construction, LLC, did appear at the Board meeting. He addressed the Board and shared their agreement with the Recommendation.

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

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. 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 in part. The Board finds substantial evidence that **JES Construction, LLC**, violated the following:

Count 1 18 VAC 50-22-260.B.33 Eff: Dec 1, 2012 (Two Violations)

The motion passed unanimously. Members voting “yes” were: **Ayres, Dyer, Mitchell, Oliver, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

Mr. Olson shared with the Board that priors exists:

File 2009-00639; the Board entered a Final Opinion and Order in this case. Respondent was found to have violated Board Regulation 18 VAC 50-22-260.B.15; and 18 VAC 50-22-260.B.6. The Board imposed monetary penalties totaling \$900.00 and required the Respondent complete remedial education. According to Board records, Respondent complied with the terms of the order.

File 2011-03201; the Board adopted a Consent Order in this case. Respondent admitted to violating Board Regulation 18 VAC 50-22-260.B.24. Respondent agreed to pay board costs totaling \$150.00 and agreed to complete remedial education. Board records indicate compliance has been obtained.

File 2014-03361; the Board adopted a Consent Order in this case. Respondent admitted to violating Board Regulation 18 VAC 50-22-260.B.33; and 18 VAC 50-22-260.B.5. According to Board records compliance was obtained paying \$3,650.00 and completing Remedial Education.

File 2015-00716; the Board adopted a Consent Order in this case. Respondent

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admitted to violation of the following Board Regulations: 18 VAC 50-22-260.B.9; 18 VAC 50-22-260.B.33; and 18 VAC 50-22-260.B.15. Respondent agreed to monetary penalties and Board Costs totaling \$2,150.00 and agreed to complete remedial education. According to Board records compliance was obtained.

File 2015-01270; the Board adopted a Consent Order. Respondent admitted to violating Board Regulations: 18 VAC 50-22-260.B.9; 18 VAC 50-22-260.B.33; and 18 VAC 50-22-260.B.26. Respondent agreed to monetary penalties and board costs totaling \$2,350.00 and agreed to complete remedial education. According to Board records all are complete.

File 2015-01333; the Board adopted a Consent Order and the Respondent admitted to violating Board Regulations: 18 VAC 50-22-260.B.10; 18 VAC 50-22-260.B.31; and 18 VAC 50-22-260.B.33. Respondent agreed to monetary penalties and board costs totaling \$2,800.00 According to Board records all terms have been met.

File 2015-03007; the Board adopted a Consent Order. Respondent admitted to violating Board Regulation 18 VAC 50-22-260.B.33. Respondent agreed to monetary penalties and board costs totaling \$1,150.00. Board records indicate compliance obtained.

After discussion **Mr. Redifer** offered a motion seconded by **Mr. Mitchell** to change the recommendation. It was withdrawn.

After further discussion **Mr. Oliver** offered a motion seconded by **Mr. Dyer** to impose the following monetary penalties: **Oliver** shared that he feels this is gross negligence in not adhering to the Board's Regulations and that the Recommendation should be amended to include license revocation with a fine of \$2,500 for each count; there are a total of 2 violations in Count 1 equaling \$5,000.00. There was further discussion and **Mr. Davis** was allowed to address the Board. He shared that the company has undergone a major revamping in the office clientele. They have hired people in each office to ensure that all permits are pulled and inspections are scheduled. On behalf of the company he requests the Board's indulgence and asks that the Board not revoke the license.

After additional Board discussion **Mr. Oliver** offered a motion to impose a total of \$5,000.00 in fines and a 2 year probationary period for the violations in Count 1. During probation, if **JES Construction LLC** is found in violation of Board Regulation 18 VAC 50-22-260.B.33, then **JES Construction LLC's** license shall be automatically revoked. **Mr. Hux** seconded the motion. The Report of Findings and amended Summary are incorporated as part of the Order.

Count 1:	\$2,500.00 each two violations
Total	\$5,000.00

In addition, for violation of Count 1, the Board requires **JES Construction LLC** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the Order.

The Board voted to increase the monetary penalties, impose a remedial education requirement, and place the licensee on probation for the violations in Count 1 after reviewing prior disciplinary actions taken against the licensee. The Board determined that these increased sanctions were appropriate to protect the public welfare.

As to Counts 2 and 3, the Board closes this aspect of the file with a finding of no violation.

The motion passed by unanimous vote. Members voting “yes” were: **Ayres, Dyer, Mitchell, Oliver, Trenary, Redifer, and Smith. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of Disciplinary File Number 2014-01237, Youssef C. Salaheddine, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

**File Number
2014-01237
Youssef C.
Salaheddine**

Youssef C. Salaheddine did not attend the Informal Fact Finding conference in person by counsel nor by any other qualified individual.

Youssef C. Salaheddine did not appear at the Board meeting in person by counsel nor by any other qualified individual.

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

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. 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 **Salaheddine** violated the following:

Count 1 18 VAC 50-30-190.2 Eff: Nov 15, 2007
Count 2 18 VAC 50-30-190.B.31

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 Board imposes the following monetary penalties: The Report of Findings and Summary are incorporated as part of the Order.

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

In addition, for violation of Counts 1 and 2, the Board votes to revoke the license.

The motion passed by unanimous vote. Members voting “yes” were: **Ayres, Dyer, Mitchell, Oliver, Pace, Trenary, and Redifer. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of Disciplinary File Number 2014-01240, Joe’s HVAC & Plumbing, 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
2014-01240
Joe’s HVAC
& Plumbing,
Inc.**

Joe’s HVAC & Plumbing, Inc. did not attend the July 12, 2016 Informal Fact Finding meeting. **Joe’s** contacted staff and requested the IFF be rescheduled for another date; it was rescheduled for September 13, 2016. **Neither Joe’s** nor anyone on its behalf attended the meeting.

Joe’s HVAC & Plumbing, Inc., did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

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

After Board member 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 in part. The Board finds substantial evidence that **Joe’s HVAC & Plumbing Inc.,** violated the following:

Count 1 18 VAC 50-22-260.B.2 Eff: Feb 1, 2006

The motion passed unanimously. Members voting “yes” were: **Ayres, Dyer, Mitchell, Oliver, Pace, Trenary, and Redifer. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O’Dell, Goutam Chowdhuri and David Giesen were absent.**

After discussion **Mr. Mitchell** offered a motion seconded by **Mr. Oliver** to

impose the following monetary penalties: To adopt the recommendation of the presiding Officer. The Report of Findings and Summary are incorporated as part of the Order.

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

In addition, for violation of Count 1, the Board voted to revoke **Joe's HVAC & Plumbing Inc.** license.

The motion passed by unanimous vote. Members voting "yes" were: **Ayres, Dyer, Mitchell, Oliver, Pace, Trenary, and Redifer. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O'Dell, Goutam Chowdhuri and David Giesen were absent.**

In the matter of Disciplinary File Number 2016-00151, BJ's 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
2016-00151
BJ's Custom
Homes, LLC**

Behzad Jarrahi and Javid Jarrahi attended the IFF on behalf of **BJ's Custom Homes, LLC.**

BJ's Custom Homes, LLC did not appear at the Board meeting in person, by counsel nor by any other qualified individual

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

After discussion a motion was made by **Mr. Mitchell** 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 Board finds substantial evidence that **BJ's Custom Homes, LLC,** violated the following:

Count 1 18 VAC 50-22-260.B 28 Eff: Dec 1, 2012

The motion passed unanimously. Members voting "yes" were: **Ayres, Dyer, Mitchell, Oliver, Pace, Trenary, and Redifer. H. Bailey Dowdy, Rudy Middleton, Gene Magruder, John O'Dell, Goutam Chowdhuri and David Giesen were absent.**

After discussion **Mr. Trenary** offered a motion seconded by **Mr. Mitchell** to impose the following monetary penalties: The Report of Findings and Summary are incorporated as part of the Order.

Count 1: \$1,000.00
Total \$1,000.00

In addition, for violation of Count 1, the Board imposes license revocation. However the Board stays the imposition of license revocation, and places BJ's Custom Homes LLC on probation subject to the following condition:

BJ's Custom Homes LLC shall provide evidence acceptable to the Board within six months of the effective date of this order that it has satisfied the outstanding judgment. If BJ's Custom Homes LLC fails to comply with this term of probation, then the license revocation specified above shall be imposed.

The Board voted to require BJ's Custom Homes LLC have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the Order.

The motion passed by unanimous vote. Members voting "yes" were: **Ayres, Dyer, Mitchell, Oliver, Pace, Trenary, and Redifer. Dowdy, Middleton, Magruder, O'Dell, Chowdhuri and Giesen were absent.**

In the matter of Disciplinary prima facie File Number 2016-00116, David R Thomas the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2016-00116
David R
Thomas**

David R Thomas did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Oliver** to adopt the Report of Findings including exhibits, and to adopt the Recommendation. They are incorporated as part of the Order. The Board finds substantial evidence that **David R Thomas** violated the following:

Count 1:	Dec.1, 2014	18 VAC 50-22-260.B.10
Count 2:		18 VAC 50-22-260.B.31
Count 3:		18 VAC 50-22-260.B.15
Count 4:		18 VAC 50-22-260.B.33
Count 5:	Feb. 1, 2006	18 VAC 50-22-260.B.28

The motion passed unanimously. Members voting "yes" were: **Ayres, Dyer, Mitchell, Oliver, Pace, Smith, Trenary, and Redifer. Dowdy, Middleton, Magruder, O'Dell, Chowdhuri and Giesen were absent.**

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

Count 1:		\$ 350.00
Count 2:		\$ 400.00
Count 3:		\$ 750.00
Count 4:		\$ 1,450.00
Count 5:		\$ 1,750.00
Total		\$ 4,700.00

A total monetary penalty of \$4,700.00 was imposed. For violations of Counts 4, and 5, license revocation is imposed.

The motion passed unanimously. Members voting “yes” were: **Ayres, Dyer, Mitchell, Oliver, Pace, Smith, Trenary, and Redifer. Dowdy, Middleton, Magruder, O’Dell, Chowdhuri and Giesen were absent.**

In the matter of Disciplinary prima facie File Number 2016-00428, GL Construction Inc., the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2016-00428
GL
Construction
Inc.**

GL Construction Inc. 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 including exhibits, and the Recommendation. They are incorporated as part of the Order. The Board finds substantial evidence that **GL Construction Inc.** violated the following:

Count 1:	Dec 1, 2012	18 VAC 50-22-260. B.8
Count 2:		18 VAC 50-22-230.B
Count 3:		18 VAC 50-22-210

The motion passed unanimously. Members voting “yes” were: **Ayres, Dyer, Mitchell, Oliver, Pace, Smith, Trenary, and Redifer. Dowdy, Middleton, Magruder, O’Dell, Chowdhuri and Giesen were absent.**

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

Count 1:		\$ 350.00
Count 2:		\$ 600.00
Count 3:		\$ 450.00
Total		\$1,400.00

A total monetary penalty of \$1,400.00 was imposed. In addition, for violation of Counts 2 and 3, the Board imposes license revocation.

The motion passed unanimously. Members voting “yes” were: **Ayres, Dyer, Mitchell, Oliver, Pace, Smith, Trenary, and Redifer. Dowdy, Middleton, Magruder, O’Dell, Chowdhuri and Giesen were absent.**

In the matter of Prima Facie Disciplinary File Number 2016-01270, Bradley Perkins, Inc. t/a Elite Construction, the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2016-01270
Bradley
Perkins, Inc.
t/a Elite
Construction**

Bradley Perkins, Inc. t/a Elite Construction, did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by **Mr. Redifer** and seconded by **Mr. Oliver** to adopt the report of findings including exhibits and the Report of finding. They are incorporated as part of the Order. The Board finds substantial evidence that **Bradley Perkins, Inc.** violated the following:

Count 1:	Dec 1, 2014	18 VAC 50-22-260. B.5
Count 2:		18 VAC 50-22-260.B.6
Count 3:		18 VAC 50-22-260.B.31
Count 4:	Sep. 1, 2001	18 VAC 50-22-220.B
Count 5:	Dec. 1, 2012	18 VAC 50-22-230.B

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

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

Count 1:		\$1,800.00
Count 2:		\$1,200.00
Count 3:		\$400.00
Count 4:		\$450.00
Count 5:		\$600.00
Total		\$4,450.00

A total monetary penalty of \$4,450.00 was imposed. In addition, for violation of Counts 1 through 5, the Board imposes license revocation.

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

Ayres, Dyer, Mitchell, Oliver, Pace, Smith, Trenary, and Redifer. Dowdy, Middleton, Magruder, O'Dell, Chowdhuri and Giesen were absent.

In the matter of Prima Facie Disciplinary File Number 2016-01575 Suburban Contractors Inc., the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2016-01575
Suburban
Contractors,
Inc.**

A motion was made by **Mr. Redifer** and seconded by **Mr. Oliver** to adopt the report of findings including exhibits and the Report of finding. They are incorporated as part of the Order. The Board finds substantial evidence that **Suburban Contractors Inc.** violated the following:

Count 1:	Dec 1, 2014	18 VAC 50-22-260. B.18
Count 2:	Dec. 1, 2012	18 VAC 50-22-260.B.28
Count 3:		18 VAC 50-22-210

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

Count 1:	Dec 1, 2014	\$2,000.00
Count 2:		\$1,800.00
Count 3:		\$500.00
Total		\$4,300.00

For violation of Counts 1, 2, and 3, **license** revocation is imposed.

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

In the matter of Prima Facie Disciplinary File Number 2016-02044 Crystal River Home Design, LLC, the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2016-02044
Crystal
River Home
Design, LLC**

Crystal River Home Design LLC did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by **Mr. Oliver** and seconded by **Mr. Redifer** to adopt the report of findings including exhibits and the Recommendation. The Board finds substantial evidence that **Crystal River Home Design, LLC** violated the following of the Board’s Regulations: effective December 1, 2012; (**Count 1**) 18 VAC 50-22-210.

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

After discussion a motion was made by **Mr. Trenary** and seconded by **Mr. Redifer** to impose the following monetary penalties:

Count 1: \$0.00.
Total \$0.00

For violation of Count 1, the Board imposes license revocation. The Report of Findings and Recommendation are incorporated as part of the Order.

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

In the matter of Prima Facie Disciplinary File Number 2016-02107 Earthworks Development Corporation, this case was pulled from the agenda at the request of the Respondent’s attorney.

File Number
2016-02107
Earthworks
Development
Corporation

No vote necessary.

In the matter of Prima Facie Disciplinary File Number 2016-02632 Mickey Simpson Builder LTD, the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

File Number
2016-02632
Mickey
Simpson
Builder LTD

Mickey Simpson Builder LTD did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by **Mr. Redifer** and seconded by **Mr. Oliver** to adopt the report of findings including exhibits and the Recommendation. The Board finds substantial evidence that **Mickey Simpson Builder Ltd** violated the following of the Board’s Regulations: effective December 1, 2012; **(Count 1)** 18 VAC 50-22-210.

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

Mr. Olson shared with the Board that a prior exist: File 2005-03506 the Board adopted a Consent Order. Respondent admitted to violating Board Regulation 18 VAC 50-22-260.B.31. Respondent agreed to pay monetary penalties and

board costs totaling \$250.00 and complete remedial education. According to records Respondent has complied.

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

Count 1: \$0.00.
Total \$0.00

For violation of Count 1, the Board imposes license revocation.

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

In the matter of Prima Facie Disciplinary File Number 2016-02277 Ken Simon Properties, LLC, this file was pulled from the agenda at Staff’s request.

File Number
2016-02659
Ken Simon
Properties,
LLC

No vote was necessary.

In the matter of Prima Facie Disciplinary File Number 2017-00083 Coyle Contracting LLC, The Board considered: the record, which consisted of the Notice, the Report of Findings including exhibits, and the Recommendation.

File Number
2017-00083
Coyle
Contracting
LLC

Coyle 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. Redifer** and seconded by **Mr. Oliver** to adopt the report of findings including exhibits and the Recommendation. The Board finds substantial evidence that **Coyle Contracting LLC** violated the following of the Board’s Regulations: effective December 1, 2012; **(Count 1)** 18 VAC 50-22-210.

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

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Oliver** to impose the following monetary penalties:

Count 1: \$500.00
Total \$500.00

For violation of Count 1, the Board imposes license revocation.

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

In the matter of Prima Facie Disciplinary File Number 2017-00231 William L Selby, Sr. t/a Bill’s General Maintenance.

File Number
2017-00231
William L
Selby, Sr. t/a
Bill’s
General
Maintenance

William Selby, Sr. and David Smith did appear at the Board meeting in person. Mr. Selby requested the case be remanded.

A motion was made by **Mr. Oliver** and seconded by **Mr. Trenary**, to remand this case to an Informal Fact Finding Conference to give the Respondents a chance to be heard.

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

In the matter of Consent Order File Number 2014-03705, Joehuong Trong Tran, t/a J T Contract, the board reviewed the Consent Order as seen and agreed to by **Joehuong Trong Tran.**

File Number
2014-03705
Joehuong
Trong Tran,
t/a J T
Contract

A motion was made by **Mr. Ayres** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Joehuong Trong Tran** acknowledges an understanding of the charges and neither admits nor denies the following terms: violations of the Board’s Regulations as outlined in the Report of Findings. **Joehuong Trong Tran** consents to the following term (s). **(Count 1)** 18 VAC 50-22-260. B.2 with a monetary penalty of \$750.00. **Joehuong Trong Tran** also agrees to Board Costs in the amount of \$150.00. **Joehuong Trong Tran** agrees to pay a total of \$900.00.

In addition, for violation of Count 1, **Joehuong Trong Tran t/a J T Contract** agrees to license revocation.

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

In the matter of Consent Order File Number 2015-00933, Joehuong Trong Tran, the board reviewed the Consent Order as seen and agreed to by **Joehuong Trong Tran.** **Joehuong Trong Tran** did not attend the Board

File Number
2015-00933
Joehuong

meeting in person, nor by counsel or any qualified representative.

Trong Tran

A motion was made by **Mr. Ayres** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Joehuong Trong Tran** acknowledges an understanding of the charges and admits to the violations of the Counts as outlined in the Report of Findings. **Joehuong Trong Tran** consents to the following term (s). (**Count 1**) 18 VAC 50-30-190. 2 with a monetary penalty of \$350.00. **Joehuong Trong Tran** also agrees to Board Costs in the amount of \$150.00. **Joehuong Trong Tran** agrees to pay a total of \$500.00.

In addition, for violation of Count 1, **Joehuong Trong Tran** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

For violation of Count 1, Tran agrees to three month probation of his license as of the effective date of the Order. During this three month probation, Tran agrees to comply with the regulations of the Board for Contractors.

If Tran violates any terms of the probation, his license will be suspended for 30 days.

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

In the matter of Consent Order File Number 2015-01189 Mills Heating & Air Conditioning Inc. the board reviewed the Consent Order as seen and agreed to by **Josh Mills.** **Mills Heating & Air Conditioning Inc.** did not attend the Board meeting in person by counsel nor by any qualified representative.

File Number
2015-01189
Mills
Heating &
Air
Conditioning
Inc.

A motion was made by **Mr. Ayres** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein Alfa Group LLC acknowledges an understanding of the charges and admits to the violations of the Counts as outlined in the Report of Findings. **Mills Heating & Air Conditioning Inc.** consents to the following term(s). (**Count 1**) 18 BAC 50-22-260.B.33 with a monetary penalty of \$750.00 and Board Costs in the amount of \$150.00. **Mills Heating & Air Conditioning Inc.** agrees to pay a total of \$900.00.

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

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Dyer, Mitchell, Oliver, Pace, Smith, Trenary, and Redifer.** **Dowdy,**

Middleton, Magruder, O'Dell, Chowdhuri and Giesen were absent.

In the matter of Consent Order File Number 2016-00287, Patrick J. Wright t/a Wright's Construction, the board reviewed the Consent Order as seen and agreed to by **Patrick J Wright. Patrick J Wright t/a Wright's Construction**, did not attend the Board meeting in person, nor by counsel or any qualified representative.

**File Number
2016-00287
Patrick J.
Wright t/a
Wright's
Construction**

A motion was made by **Mr. Oliver** and seconded by **Mr. Ayres** to ratify the proposed Consent Order offer wherein **Patrick J Wright**, acknowledges an understanding of the charges and admits to the violation (s) of the Counts as outlined in the Report of Findings. **Patrick J Wright** consents to the following terms. **(Count 1)** 18 VAC 50-22-230. A with a monetary penalty of \$300.00; **(Count 2)** 18 VAC 50-22-260.B.31 with a monetary penalty of \$400.00; and **(Count 3)** 18 VAC 50-22-260.B.27 with a monetary penalty of \$500.00; **(Count 4)** 18 VAC 50-22-26.B.5 with a monetary penalty of \$1,500.00; and **(Count 5)** 18 VAC 50-22-260.B.15 with a monetary penalty of \$1,500.00. **Patrick J Wright** agrees to Board costs of \$150.00. **Patrick J Wright**, agrees to pay a total of **\$4,350.00**.

For violation of Counts 4 and 5, **Patrick J Wright**, agrees to revocation of his license.

Further, the Board shall waive license revocation for Count 4 provided Patrick J Wright either brings the metal roof into compliance with the Uniform Statewide Building Code and provides the Board with satisfactory proof of compliance within ninety days of the effective date of the Consent Order OR reaches a financial settlement with Complainant (Thomas Terry) and provides the Board with satisfactory proof of financial settlement within ninety days of the effective date of the Consent Order. If Patrick J Wright fails to comply with the terms then the license will automatically be revoked.

In addition, the Board shall waive license revocation for Count 5 provided Patrick J Wright either completes the wooden treads within the cellar door access, installs an access through under the structure between existing and new construction, paints the new metal roof, and installs crawlspace vents where indicated in the Custom Structures plans and provides the Board with satisfactory proof of compliance within ninety days of the effective date of the Consent Order OR reaches a financial settlement with the Complainant (Thomas Terry) and provides the Board with satisfactory proof of financial settlement within ninety days of the effective date of the Order. If Patrick J Wright fails to comply with the terms his license revocation will be automatically imposed.

Also, for violation of Counts 1 through 5, Patrick J Wright agrees to have a

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

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

In the matter of Consent Order File Number 2016-01443, Emerson Builders, Inc., the board reviewed the Consent Order as seen and agreed to by George P Emerson, Jr. for **Emerson Builders, Inc.** did not attend the Board meeting in person, nor by counsel or any qualified representative.

**File Number
 2016-01443
 Emerson
 Builders,
 Inc.**

A motion was made by **Mr. Oliver** and seconded by **Mr. Ayres** to ratify the proposed Consent Order offer wherein **Emerson Builders, Inc.** acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings. **Emerson Builders, Inc.** consents to the following violations of the Board’s Regulations :

Count 1:		18 VAC 50-22-260 B.30
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After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Hux** to impose the following sanctions:

Count 1:		\$1,250.00
Board Costs		\$150.00
Total		\$1,350.00

In addition, for violation of Count 1, **Emerson Builders Inc.** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

In the matter of Consent Order File Number 2016-01521, Mark A Wiggins, t/a Wiggins Home Improvement the board reviewed the Consent Order as seen and agreed to by **Mark Wiggins** did not attend the Board meeting in person by counsel or by any other qualified individual.

**File Number
 2016-01521
 Mark A
 Wiggins, t/a
 Wiggins
 Home
 Improvement**

A motion was made by **Mr. Ayres** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Mark A Wiggins, t/a Wiggins Home Improvement,** acknowledges an understanding of the charges and admits to the

violation(s) of the Counts as outlined in the Report of Findings. **Mark A Wiggins, t/a Wiggins Home Improvement** consents to the following violations of the Board's Regulations: **(Count 1)** 18 VAC 50-22-260.B.8 with a monetary penalty of \$350.00. **Mark A Wiggins, t/a Wiggins Home Improvement** agrees to Board costs of \$150.00 and a total of \$500.00

For violation of Count 1, **Mark A Wiggins, t/a Wiggins Home Improvement** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

In the matter of Consent Order File Number 2016-01679, Gentry Well Drilling LLC the board reviewed the Consent Order as seen and agreed to by **Dennis James Gentry, Jr. for Gentry Well Drilling LLC.** **Gentry Well Drilling LLC** did not attend the Board meeting in person by counsel or by any other qualified individual.

File Number
2016-01679
Gentry Well
Drilling LLC

A motion was made by **Mr. Ayres** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Gentry Well Drilling LLC**, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings. **Gentry Well Drilling LLC** consents to the following violations of the Board's Regulations: **(Count 1)** 18 VAC 50-22-260.B.8 with a monetary penalty of \$350.00; **(Count 2)** 18 VAC 22-260.B.6 with a monetary penalty of \$750.00. **Gentry Well Drilling LLC** agrees to Board costs of \$150.00 and a total of \$1,250.00.

For violation of Counts 1, and 2, **Gentry Well Drilling LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

In addition, the Board shall waive imposition of the \$750.00 monetary penalty for Count 2 provided **Gentry Well Drilling LLC** provides the Well Water Completion Report for Complainant's well to the Virginia Department of Health and provides the Board with proof of approval of the well by the Virginia Department of Health within ninety days of the effective date of the Order. If **Gentry Well Drilling LLC** fails to comply with this condition, then the full monetary penalty will be automatically imposed.

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

In the matter of Consent Order File Number 2016-01854, Style Craft Homes Inc., the board reviewed the Consent Order as seen and agreed to by **Richard Kuhn. Style Craft Homes Inc.,** did not attend the Board meeting in person, nor by counsel or any qualified representative.

**File Number
 2016-01854
 Style Craft
 Homes Inc.**

A motion was made by **Mr. Oliver** and seconded by **Mr. Ayres** to ratify the proposed Consent Order offer wherein **Style Craft Homes Inc.** acknowledges an understanding of the charges and admits to the following violations of the Counts as outlined in the Report of Findings. **Style Craft Homes Inc.** consents to the following term (s):

Count 1:		18 VAC 50-22-260 B.29
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Listed below are the sanctions:

Count 1:		\$550.00
Board Costs		\$150.00
Total		\$700.00

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

In addition, for violation Counts 1 through 6, Grandin Electric LLC agrees to have a member of responsible management successfully complete the Board's Remedial Education class within ninety days of the effective date of the Order.

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

In the matter of Consent Order File Number 2016-02117, Andrew Walker Quina, t/a Pro Built Construction, the board reviewed the Consent Order as seen and agreed to by **Andrew Walker Quina. Andrew Walker Quina, t/a Pro Built Construction,** did not attend the Board meeting in person, by counsel nor by any other qualified representative.

**File Number
 2016-02117
 Andrew
 Walker
 Quina, t/a
 Pro Built
 Construction**

A motion was made by **Mr. Oliver** and seconded by **Mr. Ayres** to ratify the proposed Consent Order offer wherein **Andrew Walker Quina** acknowledges an understanding of the charges and admits to the following violations of the counts as outlined in the Report of Findings, **Andrew Walker Quina** consents to the following term (s): **(Count 1) 18 VAC 50-22-260. B.9** and agrees to a monetary penalty of **\$400.00.** They also agree to Board Costs in the amount of \$150.00. **Andrew Walker Quina** agrees to pay **\$550.00.**

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

In addition, the Board shall waive imposition of the \$400.00 monetary penalty for violation of Count 1, provided Andrew Walker Quina provides a copy of his current contract within ninety days of the effective date of the Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260.B.9. If Andrew Walker Quina fails to comply with this condition, then the full monetary penalty will be automatically imposed.

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

In the matter of Consent Order File Number 2016-02156 C Oliver Construction and Renovation Corp, the board reviewed the Consent Order as seen and agreed to by Clarence Oliver. **C Oliver Construction and Renovation Corp**, did not attend the Board meeting in person by counsel nor by any other qualified representative.

**File Number
2016-02156
C Oliver
Construction
and
Renovation
Corp**

A motion was made by **Mr. Oliver** and seconded by **Mr. Ayres** to ratify the proposed Consent Order offer wherein **C Oliver Construction and Renovation Corp**, acknowledges an understanding of the charges admits to the following violations of the Counts as outlined in the Report of Findings. **C Oliver Construction and Renovation Corp**, consents to the following term(s): **(Count 1) 18 VAC 50-22-260.B.8** and agrees to a monetary penalty of **\$350.00**. **C Oliver Construction and Renovation Corp**, also agrees to Board Costs in the amount of **\$150.00**. **C Oliver Construction and Renovation Corp**, agrees to pay **\$500.00**.

In addition for violation of Count 1, **C Oliver Construction and Renovation Corp**, agrees to have a member of Responsible Management successfully complete a Board approved Remedial Education class.

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

In the matter of Consent Order File Number 2016-02163, Angle3 Design/Build Construction LLC the board reviewed the Consent Order as seen and agreed to by **Carol C Whitehurst Gaspar. Angle3 Design/Build Construction LLC**, did not attend the Board meeting in person, by counsel nor

**File Number
2016-02163
Angle3
Design/Build**

by any other qualified representative.

**Construction
LLC**

A motion was made by **Mr. Oliver** and seconded by **Mr. Ayres** to ratify the proposed Consent Order offer wherein **Angle3 Design/Build Construction LLC** acknowledges an understanding of the charges and admits to the following violations of the counts as outlined in the Report of Findings, **Angle3 Design/Build Construction LLC** consents to the following term (s): **(Count 1) 18 VAC 50-22-210** and agrees to a monetary penalty of **\$450.00**; and **(Count 2) 18 VAC 50-22-260.B.2** and agrees to a monetary penalty of **\$1,000.00**. They also agree to Board Costs in the amount of \$150.00. **Angle3 Design/Build Construction LLC** agrees to pay **\$1,600.00**.

Further, for violation of Counts 1 and 2, **Angle3 Design/Build Construction LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

In addition, for violation of Count 1, **Angle3 Design/Build Construction LLC** agrees to revocation of its license.

The Board shall waive license revocation for Count 1 on condition that **Angle3 Design/Build Construction LLC** provides the Board with proof that it is in good standing with the Virginia State Corporation Commission within ninety days of the effective date of the Order. If **Angle3 Design/Build Construction LLC** fails to comply with this condition, then license revocation will be automatically imposed.

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

In the matter of Consent Order File Number 2016-02200, Henry S Gonzalez, t/a Designer Painters, the board reviewed the Consent Order as seen and agreed to by **Henry S Gonzalez, t/a Designer Painters**. **Henry S Gonzalez, t/a Designer Painters**, did not attend the Board meeting in person, by counsel nor by any other qualified representative.

**File Number
2016-02200
Henry S
Gonzalez, t/a
Designer
Painters**

A motion was made by **Mr. Oliver** and seconded by **Mr. Ayres** to ratify the proposed Consent Order offer wherein **Henry S Gonzalez, t/a Designer Painters** acknowledges an understanding of the charges and admits to the following violations of the counts as outlined in the Report of Findings, **Henry S Gonzalez, t/a Designer Painters** consents to the following term (s): **(Count 1) 18 VAC 50-22-260. B.18** and agrees to a monetary penalty of **\$800.00**; **Count 2: 18 VAC 50-22-260.B.27** and agrees to a monetary penalty of **\$650.00**. They also agree to Board Costs in the amount of \$150.00. **Henry S Gonzalez, t/a Designer Painters** agrees to pay **\$1,600.00**.

Also, for violation of Counts 1, and 2, **Henry S Gonzalez, t/a Designer Painters** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

In the matter of Consent Order File Number 2016-02207, Only Floors LLC, the board reviewed the Consent Order as seen and agreed to by **Only Floors LLC**, did not attend the Board meeting in person, by counsel nor by any other qualified representative.

File Number
2016-02207
Only Floors
LLC

A motion was made by **Mr. Oliver** and seconded by **Mr. Ayres** to ratify the proposed Consent Order offer wherein **Brandon Flores** acknowledges an understanding of the charges and admits to the following violations of the counts as outlined in the Report of Findings, **Sam Cook Construction LLC** consents to the following term (s): **(Count 1) 18 VAC 50-22-260. B.27** and agrees to a monetary penalty of **\$650.00**. They also agree to Board Costs in the amount of \$150.00. **Only Floors LLC** agrees to pay **\$800.00**.

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

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

In the matter of Consent Order File Number 2016-02326, Bremac, Inc., the board reviewed the Consent Order as seen and agreed to by **Franklin P Bresee. Bremac, Inc.**, did not attend the Board meeting in person by counsel or by any other qualified representative.

File Number
2016-02326
Bremac, Inc.

A motion was made by **Mr. Oliver** and seconded by **Mr. Ayres** to ratify the proposed Consent Order offer wherein **Bremac, Inc.**, admits to the following violation of the Board’s Regulations **(Count 1) 18 VAC 50-22-260. B.8;** **(Count 2) 18 VAC 50-22-260.B.33** and agrees to a monetary penalty of **\$750.00**. They also agree to Board Costs in the amount of **\$150.00**. **Bremac, Inc.**, agrees to pay **\$1,250.00**.

In addition, for violation of Counts 1, and 2, **Bremac, Inc.**, agrees to have a member of Responsible Management successfully complete a Board-approved

remedial education class.

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

In the matter of Consent Order File Number 2016-02361 Christopher Davis t/a C D Construction & Home Improvements Inc., the board reviewed the Consent Order as seen and agreed to by **Christopher A Davis.** **Christopher Davis t/a C D Construction & Home Improvements Inc.,** did not attend the Board meeting in person, nor by counsel or any qualified representative.

File Number
2016-02361
Christopher
Davis t/a C
D
Construction
& Home
Improvements
ts

A motion was made by **Mr. Hux** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Christopher Davis t/a C D Construction & Home Improvements Inc.,** acknowledges an understanding of the charges and admits to the following violations of the Counts as outlined in the Report of Findings. **Christopher Davis t/a C D Construction & Home Improvements Inc.,** consents to the following term(s): admits to the following violations of the Board’s Regulations (**Count 1**) **18 VAC 50-22-230.A** and agrees to a monetary penalty of **\$350.00** and (**Count 2**) **18 VAC 50-22-260.B.9** and agrees to a monetary penalty of **\$400.00.** **Christopher Davis t/a C D Construction & Home Improvements Inc.,** also agrees to Board costs in the amount of **\$150.00.** **Christopher Davis t/a C D Construction & Home Improvements Inc.,** agrees to pay a total of **\$900.00.**

Further, for violation of Counts 1 and 2, **Christopher A Davis,** agrees that a member of Responsible Management for **Christopher Davis t/a C D Construction & Home Improvements Inc.,** will successfully complete a Board-approved remedial education class within ninety days of the effective date of the Order.

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

In the matter of Consent Order File Number 2016-02439 Greco Corporation, t/a Greco Masonry, the board reviewed the Consent Order as seen and agreed to by **Greg Sproles.** **Greco Corporation, t/a Greco Masonry,** did not attend the Board meeting in person, or by counsel or any qualified representative.

File Number
2016-02439
Greco
Corporation,
t/a Greco
Masonry

A motion was made by **Mr. Ayres** and seconded by **Mr. Oliver** to ratify the

proposed Consent Order offer wherein **Greco Corporation, t/a Greco Masonry**, admits to the following violations of the Board's Regulations: **(Count 1) 18 VAC 50-22-260.B.29** and agrees to a monetary penalty of **\$700.00**. **Greco Corporation, t/a Greco Masonry**, also agree to Board costs in the amount of **\$150.00**. **Greco Corporation, t/a Greco Masonry**, agrees to pay a total of **\$850.00**.

In addition, for violation of Count 1, **Greco Corporation, t/a Greco Masonry** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order.

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

In the matter of Consent Order File Number 2016-02462 Brian D Wells, t/a Brian's Painting & Power Washing Co. the board reviewed the Consent Order as seen and agreed to by **Brian D Wells**. **Brian D Wells, t/a Brian's Painting & Power Washing Co** did not attend the Board meeting in person, nor by counsel or any qualified representative.

File Number
2016-02462
Brian D
Wells, t/a
Brian's
Painting &
Power
Washing Co

Mr. Middleton was not present and did not vote on this matter.

A motion was made by **Mr. Oliver** and seconded by **Mr. Ayres** to ratify the proposed Consent Order offer wherein **Brian D Wells** acknowledges an understanding of the charges and admits to the following violations of the Counts as outlined in the Report of Findings. **Brian D Wells, t/a Brian's Painting & Power Washing Co (Count 1) 18 VAC 50-22-260.B.8** and agrees to a monetary penalty of **\$350.00**; **(Count 2) 18 VAC 50-22-260.B.9** and agrees to a monetary penalty of **\$400.00** ; **(Count 3) 18 VAC 50-22-260.B.27** and agrees to a monetary penalty of **\$650.00** ; **(Count 4) 18 VAC 50-22-260.B.27** and agrees to a monetary penalty of **\$650.00** . **Brian D Wells, t/a Brian's Painting & Power Washing Co** also agrees to Board costs in the amount of **\$150.00**. **Brian D Wells, t/a Brian's Painting & Power Washing Co** agrees to pay a total of **\$2,200.00**.

For violation of Count 1 through 4, **Brian D Wells, t/a Brian's Painting & Power Washing Co** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order.

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

In the matter of Consent Order File Number 2016-02492 Cort D Gibson, the board reviewed the Consent Order as seen and agreed to by **Cort D Gibson.** **Cort D Gibson** did not attend the Board meeting in person, nor by counsel or any qualified representative.

File Number
2016-02492
Cort D
Gibson

A motion was made by **Mr. Ayres** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Cort D Gibson** admits to the following violations of the Board's Regulations (**Count 1**) **18 VAC 50-22-260.B.9** and agrees to a monetary penalty of **\$400.00;** (**Count 2**) **18 VAC 50-22-260.B.15** and agrees to a monetary penalty of **\$1,450.00;** (**Count 3:** **18 VAC 50-22-260.B.31** and agrees to a monetary penalty of **\$400.00;** (**Count 4**) **18 VAC 50-22-260.B.6** and agrees to a monetary penalty of **\$750.00.** **Cort D Gibson** also agrees to Board costs in the amount of **\$150.00.** **Cort D Gibson** agrees to pay a total of **\$3,150.00.**

Further, for violation of Counts 1 through 4, **Cort D Gibson** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order.

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

In the matter of Consent Order File Number 2016-02567 Jeffrey Wayne Studdard t/a Jeffs Home Improvements, the board reviewed the Consent Order as seen and agreed to by **Jeff Studdard.** **Jeffrey Wayne Studdard t/a Jeffs Home Improvements** did not attend the Board meeting in person, nor by counsel or any qualified representative.

File Number
2016-02567
Jeffrey
Wayne
Studdard t/a
Jeffs Home
Improvements

A motion was made by **Mr. Ayres** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Jeffrey Wayne Studdard t/a Jeffs Home Improvements** admits to the following violations of the Board's Regulations (**Count 1**) **18 VAC 50-22-260.B.8** and agrees to a monetary penalty of **\$350.00;** (**Count 2**) **18 VAC 50-22-260.B.27** and agrees to a monetary penalty of **\$650.00.** **Jeffrey Wayne Studdard t/a Jeffs Home Improvements** also agrees to Board costs in the amount of **\$150.00.** **Jeffrey Wayne Studdard t/a Jeffs Home Improvements** agrees to pay **\$1,150.00.**

Further for violation of Counts 1 and 2, **Jeffrey Wayne Studdard t/a Jeffs Home Improvements** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order.

Further, for violation of Counts 1 and 2, **Jeffrey Wayne Studdard t/a Jeffs Home Improvements** agrees to have a member of Responsible Management

successfully complete a Board-approved remedial education class.

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

In the matter of Consent Order File Number 2016-02581, Floyd Groah & Anthony Groah & Timothy Groah, t/a Danny Groah Building Contractor, the board reviewed the Consent Order as seen and agreed to by **Danny Groah.** **Floyd Groah & Anthony Groah & Timothy Groah, t/a Danny Groah Building Contractor** did not attend the Board meeting in person, nor by counsel or any qualified representative.

File Number
2016-02581
Floyd Groah
& Anthony
Groah &
Timothy
Groah, t/a
Danny
Groah
Building
Contractor

A motion was made by **Mr. Ayres** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Floyd Groah & Anthony Groah & Timothy Groah, t/a Danny Groah Building Contractor,** admits to the following violations of the Board’s Regulations (**Count 1**) **18 VAC 50-22-260.B.9** and agrees to a monetary penalty of **\$400.00** and (**Count 2**) **18 VAC 50-22-260.B.15** and agrees to a monetary penalty of **\$1,450.00.** **Floyd Groah & Anthony Groah & Timothy Groah, t/a Danny Groah Building Contractor** also agrees to Board costs in the amount of **\$150.00.** **Floyd Groah & Anthony Groah & Timothy Groah, t/a Danny Groah Building Contractor** agrees to pay a total of **\$2,000.00** and agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of entry of the Order.

In addition, for violation of Counts 1 and 2, **Floyd Groah & Anthony Groah & Timothy Groah, t/a Danny Groah Building Contractor** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

The Board shall waive imposition of the \$300.00 monetary penalty for Count 1 provided **Floyd Groah & Anthony Groah & Timothy Groah, t/a Danny Groah Building Contractor** provided a copy of its current contract within thirty days of the effective date of this Order. If **Floyd Groah & Anthony Groah & Timothy Groah, t/a Danny Groah Building Contractor** fails to comply with this condition, then the full monetary penalty will be automatically imposed.

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

In the matter of Consent Order File Number 2016-02586 Marcos

File Number

Hernandez Gonzalez t/a Marcos Hernandez Roofing, the board reviewed the Consent Order as seen and agreed to by **Marcos Hernandez**. **Marcos Hernandez Gonzalez t/a Marcos Hernandez Roofing** did not attend the Board meeting in person, nor by counsel or any qualified representative.

2016-02586

Marcos Hernandez Gonzalez t/a Marcos Hernandez Roofing

A motion was made by **Mr. Oliver** and seconded by **Mr. Ayres** to ratify the proposed Consent Order offer wherein **Marcos Hernandez Gonzalez t/a Marcos Hernandez Roofing**, admits to the following violations of the Board's Regulations (**Count 1**) **18 VAC 50-22-260.B.9** and agrees to a monetary penalty of **\$400.00**. **Marcos Hernandez Gonzalez t/a Marcos Hernandez Roofing**, also agrees to Board costs in the amount of **\$150.00**. **Marcos Hernandez Gonzalez t/a Marcos Hernandez Roofing**, agrees to pay **\$550.00**.

Further, for violation of Count 1, **Marcos Hernandez Gonzalez t/a Marcos Hernandez Roofing**, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class for violation of Counts 1, and 2.

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

In the matter of Consent Order File Number 2016-02671 Serapio Valenzuela, the board reviewed the Consent Order as seen and agreed to by **Serapio Valenzuela**. **Serapio Valenzuela** did not attend the Board meeting in person, nor by counsel or any qualified representative.

File Number
2016-02671
Serapio
Valenzuela

A motion was made by **Mr. Ayres** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Serapio Valenzuela** admits to the following violations of the Board's Regulations (**Count 1**) **18 VAC 50-22-260.B.9** and agrees to a monetary penalty of **\$400.00**; (**Count2**) **18 VAC 50-22-260.B.27** and agrees to a monetary penalty of **\$650.00**; (**Count3**: **18 VAC 50-22-260.B.27** and agrees to a monetary penalty of **\$650.00**; (**Count 4**) **18 VAC 50-22-260.B.33** and agrees to a monetary penalty of **\$800.00**; (**Count 5**) **18 VAC 50-22-260.B.4** and agrees to a monetary penalty of **\$450.00**; (**Count 6**) **18 VAC 50-2-230.A** and agrees to a monetary penalty of **\$350.00**. **Serapio Valenzuela** also agrees to Board costs in the amount of **\$150.00**. **Serapio Valenzuela** agrees to pay **\$3,450.00** and agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class for violation of Counts 1 through 6 within 90 days of the Order.

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

In the matter of Consent Order File Number 2016-02692 Andrew Charles Hopkins the board reviewed the Consent Order as seen and agreed to by **Andrew Charles Hopkins**. **Andrew Charles Hopkins** did not attend the Board meeting in person, nor by counsel or any qualified representative.

File Number
2016-02692
David
Charles
Patierno

A motion was made by **Mr. Ayres** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Andrew Charles Hopkins** admits to the following violations of the Board's Regulations (**Count 1**) **18 VAC 50-22-230.A** and agrees to a monetary penalty of **\$350.00**; (**Count 2**) **18 VAC 50-22-260.B.8** and agrees to a monetary penalty of **\$200.00**; (**Count 3**) **18 VAC 50-22-260.B.27** and agrees to a monetary penalty of **\$1,350.00**. **Andrew Charles Hopkins** also agrees to Board costs in the amount of **\$150.00** and agrees to pay a total of **\$1,350.00** and agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class for violation of Counts 1 through 3 within 90 days of the Order.

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

In the matter of Consent Order File Number 2016-02853 Tune and Toler, Inc. the board reviewed the Consent Order as seen and agreed to by **Terivey Francisco**. **Tune and Toler, Inc.** did not attend the Board meeting in person, or by counsel or any qualified representative.

File Number
2016-02853
Tune and
Toler, Inc.

A motion was made by **Mr. Oliver** and seconded by **Mr. Ayres** to ratify the proposed Consent Order offer wherein **Tune and Toler, Inc.** admits to the following violations of the Board's Regulations (**Count 1**) **18 VAC 50-22-260.B.29** and agrees to a monetary penalty of **\$550.00**. **Tune and Toler, Inc.** also agrees to Board costs in the amount of **\$150.00**. **Tune and Toler, Inc.** agrees to pay **\$700.00**.

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

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

In the matter of Consent Order File Number 2016-03164 Barillas Contracting LLC the board reviewed the Consent Order as seen and agreed to by **Genaro Barillas**. **Barillas Contracting LLC** did not attend the Board

File Number
2016-03164
Barillas

meeting in person, nor by counsel or any qualified representative.

**Contracting
LLC**

A motion was made by **Mr. Smith** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Barillas Contracting LLC** admits to the following violations of the Board's Regulations (**Count 1**) **18 VAC 50-22-260.B.29** and agrees to a monetary penalty of **\$700.00**. **Barillas Contracting LLC** also agrees to Board costs in the amount of **\$150.00**. **Barillas Contracting LLC** agrees to pay **\$850.00**.

Further for violation of Count 1, **Barillas Contracting LLC**, agrees to have a member of Responsible Management to successfully complete a Board-approved Remedial Education within 90 days of the Order.

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

In the matter of Consent Order File Number 2016-03171 Stafford Systems Inc. the board reviewed the Consent Order as seen and agreed to by **Howard S. Berger**. **Stafford Systems Inc.** did not attend the Board meeting in person, nor by counsel or any qualified representative.

**File Number
2016-03171
Stafford
Systems Inc.**

A motion was made by **Mr. Oliver** and seconded by **Mr. Ayres** to ratify the proposed Consent Order offer wherein **Gary L Mayhew** admits to the following violations of the Board's Regulations (**Count 1**) **18 VAC 50-22-260.B.29** and agrees to a monetary penalty of **\$700.00**. **Stafford Systems Inc.** also agrees to Board costs in the amount of **\$150.00** and to pay a total of **\$850.00**.

In addition, for violation of Count 1, **Stafford Systems Inc.** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within three months of the effective date of the order.

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

In the matter of Consent Order File Number 2017-00125 RCD – Atlanta Inc. the board reviewed the Consent Order as seen and agreed to by **Richard D. Smith**. **RCD – Atlanta Inc.** did not attend the Board meeting in person, nor by counsel or any qualified representative.

**File Number
2017-00125
RCD –
Atlanta Inc.**

A motion was made by **Mr. Hux** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **RCD – Atlanta Inc.** admits to the

following violations of the Board's Regulations (**Count 1**) **18 VAC 50-22-260.B.29 two violations** and agrees to a monetary penalty of **\$1,400.00; \$750.00 for each violation. RCD – Atlanta Inc.** also agrees to Board costs in the amount of **\$150.00 and** to pay a total of **\$1,550.00.**

In addition, for violation of Count 1, **RCD – Atlanta 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 the Order.

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

Mr. Dyer, Board chair, recessed the Board for a 10 minute break at 10:43 am and reconvened the Board for business at 11:05 am.

Break and Reconvene

Education Report

7. C. Education Report

Wendy Duncan the Board's Education Specialist presented Staff's recommendation of approval for: **Associated Builders and Contractors of Virginia** provider for **Vocational Education HVAC Classroom Courses.**

Following discussion and review **Mr. Oliver** offered a motion seconded by **Mr. Ayres** to approve **as recommended.**

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

Wendy Duncan the Board's Education Specialist presented Staff's recommendation of approval for: **Lewellyn Technology LLC** –provider for **Continuing Education - Electrical Classroom, new provider.**

Following discussion and review **Mr. Mitchell** offered a motion seconded by **Mr. Trenary** to approve **as recommended.**

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

Wendy Duncan the Board's Education Specialist presented Staff's

recommendation of approval for: **Michael L Savage LLC Fka Savage & Associates LLC** provider for **Continuing Education - Classroom- Electrical.**

Following discussion and review **Mr. Hux** offered a motion seconded by **Mr. Ayres** to approve **as recommended.**

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

Wendy Duncan the Board’s Education Specialist presented Staff’s recommendation of approval for: **Town Of Wytheville** provider for **Continuing Education Education Courses Classroom – HVAC, ELE, GFC, and PLB.** Company wants to use the 2015 code for Plumbing and staff seeks guidance from the Board.

Following discussion and review **Mr. Redifer** offered a motion seconded by **Mr. Hux** to disapprove the application at this time. It is outside of the approval windows. Needs to be with 6-9 months of approval of the code. DHCD should have the 2015 code for plumbing in place by late 2017 or the Spring of 2018.

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

Audit Report

Anika Coleman, Regulatory Board Administrator gave the Board an audit report. She conducted a site audit for Professional Code Training LLC in Bedford, VA for Continuing Education - HVAC. This occurred on October 14, 2016. Harold Hienkle was the instructor. All required elements were adhered to. The only recommendation is: to request that Providers require to verify the identification of those individuals’ attending classes; a government issued photo ID. It is the suggestion of staff that it should be more than just a copy of a license or self-declaration of identification.

Anika Coleman, Regulatory Board Administrator gave the Board an audit report. She conducted a site audit for Professional Code Training LLC in Bedford, VA for Continuing Education - Electrical. This occurred on October 14, 2016. Harold Hienkle was the instructor. All required elements were adhered to. The recommendation is: Professional Code Training LLC should make provisions for the facility to be unlocked at least 30-45 minutes prior to the start of the class. The registration process needs to be more organized and should begin and end prior to the start of the class. Providers should be required to verify the identification of those individuals’ attending classes; a government

issued photo ID. It is the suggestion of staff that it should be more than just a copy of a license or self-declaration of identification.

Regulatory Review

Eric Olson shared that the Amendments to improve Application Integrity for Contractor Regulations is in the proposed stage and that is complete with the comment period ending 8/26/2016. He shared the comment with the Board from Don't Build Until, LLC.

“Requirement for credit report

The proposed requirement for a firm to submit a credit report prior to obtaining a contractor license will be overly burdensome to small, startup businesses. A large out-of-state company, coming into Virginia, with an established track record will have no problem.

But what about someone starting out with a pickup truck and a tool belt?

Perhaps they, personally, have a great FICO score, but the startup business entity is unknown. Without a track record, what are they supposed to do? How much does it cost to buy a good credit listing?

The pendulum has swung too much the other way – whereas the cross my heart application was taken advantage of, now the process to obtain a contractor license has become so difficult, that it may encourage unlicensed activity – just the opposite of what is intended.”

Mr. Olson shared with the Board the proposed Public Comment Response: After reviewing it. The members discussed it and Mr. Redifer offered a motion seconded by Mr. Pace to send the Response: To Ms. Rackas-Pate: While the Board admits that some contractors may find it somewhat difficult to obtain a favorable credit rating when first starting out, there is no data available to provide what, if any, impact this will have on applicants for licensure. The risk of having an adverse effect on a small number of applicants is outweighed by the benefits of ensuring that contractors, especially Class A and Class B Contractors, have adequate resources to reduce the risk of exposing consumers to financial loss.

The motion was unanimously approved. Members voting “yes” were: **Ayres, Dyer, Mitchell, Oliver, Pace, Smith, Trenary, and Redifer.** **Dowdy, Middleton, Magruder, O'Dell, Chowdhuri and Giesen were absent.**

Mr. Olson shared that Handout 2: Amendments to Improve Application Integrity and the process. After Governor's approval, they are posted on town hall for thirty days. At the end of that process the Regulations then become final. Mr. Pace offered a motion seconded by Mr. Oliver to approve and vote to adopt as final.

The motion was unanimously approved. Members voting “yes” were: **Ayres, Dyer, Mitchell, Oliver, Pace, Smith, Trenary, and Redifer. Dowdy, Middleton, Magruder, O’Dell, Chowdhuri and Giesen were absent.**

Mr. Olson asked the Board to review handout four and render a decision on the matter. After review and discussion Mr. Redifer offered a motion seconded by Mr. Mitchell to adopt as final.

The motion was unanimously approved. Members voting “yes” were: **Ayres, Dyer, Mitchell, Oliver, Pace, Smith, Trenary, and Redifer. Dowdy, Middleton, Magruder, O’Dell, Chowdhuri and Giesen were absent.**

Mr. Olson asked the Board to review and offer recommendations on the Board for Contractors Regulations-proposed addition of clandestine drug lab remediators. The Board reviews and discussed in detail.

Following discussion a motion was offered by Mr. Oliver and seconded by Mr. Trenary to have staff prepare these proposed additions and to move forward with the Executive Branch Review Process.

The motion was unanimously approved. Members voting “yes” were: **Ayres, Dyer, Mitchell, Oliver, Pace, Smith, Trenary, and Redifer. Dowdy, Middleton, Magruder, O’Dell, Chowdhuri and Giesen were absent.**

Remedial Education

Twenty eight persons attended the last class. A few of these were walk ins. Seventeen were Class A license holders and 12 were cited for hiring unlicensed subs. Some of the class attendees shared with us that they should have taken this class prior to being licensed initially.

Financial Statement

The Board reviewed the Recovery Fund Financial Statement that was provided and were informed that in December of 2016 Mr. Jeff Waite will be attending the meeting and providing training and advice on the financial portion of the Recovery Fund.

Board Member Training:

Mr. Olson and Mr. DeBoer reminded the Board that if anyone contacts them about Board business to send the “request/person” to Eric Olson for response. The Board is a single unit-No personal opinions allowed. Never sign personal communications with Board titles.

Reciprocity with West VA, PA and TN

Mr. Mitchell shared that he'd like staff to pursue reciprocity with additional states: PA, TN and West VA. Staff shared that Maryland no longer requires sub-contractors to hold licenses. The Board asked Ms. Mayo to look into this matter.

The Board meeting adjourned at 12:12 pm.

**Adjourn-
ment**

Herbert "Jack" Dyer, Jr., Chairman

Jay W. DeBoer, Secretary

Copy teste:

Custodian of the Record