

## **Draft BOARD FOR CONTRACTORS BOARD MEETING**

### **MINUTES**

The Board for Contractors met on Tuesday, June 7th, 2011 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 15 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

Troy Smith, Chairman  
Herbert "Jack" Dyer, Jr.  
Michael Gelardi  
David Giesen  
E. G. "Rudy" Middleton, III  
Doug Murrow  
Pete Sumpter  
Deborah Tomlin  
Dwight Todd Vander Pol  
Chancey Walker  
Walton H. Walton, III  
Bruce Williams

Board members absent from the meeting were: Bailey Dowdy, Dorothy Wood and E C. "Chick Pace, III.

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

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

Chairman Troy Smith called the meeting to order at 9:11 a.m. and declared a quorum of board members was in attendance.

Call  
To Order

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

Approval of the Agenda

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**Mrs. Tomlin** moved to approve the following minutes as submitted from the:

Approval of Minutes

April 19<sup>th</sup>, 2011 Board for Contractors Meeting  
April 12<sup>th</sup>, 2011 Informal Fact Finding Conference  
April 14<sup>th</sup>, 2011 Informal Fact Finding Conference  
April 18<sup>th</sup>, 2011 Informal Fact Finding Conference  
April 22<sup>nd</sup>, 2011 Informal Fact Finding Conference  
April 26<sup>th</sup>, 2011 Informal Fact Finding Conference  
April 27<sup>th</sup>, 2011 Informal Fact Finding Conference  
May 10<sup>nd</sup>, 2011 Informal Fact Finding Conference

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

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**There was no public comment.**

Public Comment Period

**In the matter of Recovery Fund File Number 2011-00619, Patrick L and Nancy W Lewis (Claimants) vs. Renaissance Homes Of Virginia, LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Renaissance Homes of Virginia, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Patrick and Nancy Lewis (Claimant) did not** attend the Board meeting.

File Number  
**2011-00619**  
**Patrick L and Nancy W Lewis (Claimant) vs. Renaissance Homes of Virginia, LLC (Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. Upon payment of this claim, the license of **Renaissance Homes of Virginia, LLC** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walton, Vander Pol, Sumpter, Smith, Tomlin, Williams and Walker.**

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2011-00679, Erik & Betty Jean Shilda Kloster (Claimant) vs. Chandler Construction, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Chandler Construction, Inc. (Regulant)** did not appear at the board meeting. **Erik & Betty Jean Shihda Kloster (Claimants)** did attend the Board meeting. Mr. Kloster shared they agreed with the recommendation.

**File Number**  
**2011-00679**  
**Erik & Betty Jean Shilda Kloster (Claimant) vs. Chandler Construction, Inc. (Regulant)**

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

After discussion, a motion was made by **Mr. Middleton** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000. The Claim Review and Summary are incorporated as a part of this Order. Mr. Dyer had some questions concerning this case. Mr. Gregory, counsel for the Board shared that no distribution was made. Following the discussion a motion passed by majority vote. Members voting "Yes" were: **Giesen, Gelardi, Middleton, Murrow, Walton, Vander Pol, Sumpter, Smith, Tomlin, Williams and Walker.**

**Mr. Dyer** voted "no".

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2009-00714, Phillip & Virginia Newcomb (Claimants) vs. Guaranteed Home Improvement, LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Guaranteed Home Improvement, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Phillip & Virginia Newcomb**

**File Number**  
**2009-00714**  
**Phillip & Virginia Newcomb (Claimant) vs. Guaranteed Home Improvement, LLC (Regulant)**

**(Claimants) did not** attend the Board meeting.

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

After discussion, a motion was made by **Mr. Vander Pol** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and approve payment of the claim in the amount of \$16, 444.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. The Board finds substantial evidence that the actions of Guaranteed Home Improvement, LLC do fall within the statutory definition of improper or dishonest conduct. Members voting "Yes" were: **Giesen, Gelardi, Middleton, Murrow, Walton, Vander Pol, Sumpter, Smith, Tomlin, Williams and Walker.**

**Mr. Dyer** voted "no".

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2010-02599, Carol McHale (Claimants) vs. Mark Joseph King t/a Laurel Mountain Builders (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Mark Joseph King t/a Laurel Mountain (Regulant)** did not appear at the board meeting. **Carol McHale (Claimants)** did attend the Board meeting. She addressed the Board.

**File Number**  
**2010-02599**  
**Carol McHale**  
**(Claimant) vs.**  
**Mark Joseph King t/a Laurel**  
**Mountain Builders**  
**(Regulant)**

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

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

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2010-05757, Quinton & Dawn Miltier (Claimants) vs. J D Evans Construction, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the

**File Number**  
**2010-05757**  
**Quinton & Dawn Miltier**

IFF, and the summary and recommendation. **J D Evans Construction, Inc. (Regulant)** did not appear at the board meeting. **Quinton & Dawn Miltier (Claimant)** did attend the Board meeting. They were represented by Attorney, Gary Patterson.

**(Claimants)**  
**vs.**  
**J D Evans Construction, Inc. (Regulant)**

**Mr. Redifer, and Mr. Dowdy** the Board's Hearing Representatives were not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$13,477.50**. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walton, Vander Pol, Sumpter, Smith, Tomlin, Williams and Walker.**

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2010-05894, Joseph Hoppel (Claimants) vs. Kastech, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Kastech, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Joseph Hoppel (Claimant)** did not attend the Board meeting.

**File Number**  
**2010-05894**  
**Joseph Hoppel (Claimant) vs. Kastech, Inc. (Regulant)**

**Mr. Redifer and Mr. Dowdy,** the Board's Hearing Representatives were not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Middleton** and seconded by **Mr. Gelardi** to adopt the claim review and approve the recommendation and approve the recovery fund claim meets all criteria for payment in the amount of **\$3,554.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by majority vote. Members voting "Yes" were: **Giesen, Gelardi, Middleton, Murrow, Walton, Vander Pol, Sumpter, Smith, and Tomlin.**

**Members voting "no" were: Dyer, Williams and Walker.**

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2011-00262, Elizabeth Duncan (Claimant) vs. A Roof Doctor, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **A Roof Doctor, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2011-00262**  
**Elizabeth Duncan (Claimant)**  
**A Roof Doctor, Inc. (Regulant)**

**Counsel for the Claimant, Rhonda Duncan and Kim Duncan, the daughter for the claimant; (Claimant)** did attend the Board meeting. She addressed the Board.

**Mr. Redifer and Mr. Dowdy**, the Board's Hearing Representatives were not present and did not participate during the discussion or the vote.

Mr. Walton, Mr. Dyer and Mr. Williams had some discussion questions.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and approve the recommendation and approve the recovery fund claim meets all criteria for payment in the amount of \$10,175.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. The motion passed by majority vote. Members voting "Yes" were: **Giesen, Gelardi, Middleton, Murrow, Vander Pol, Smith, Sumpter, Tomlin, and Walker.**

**Members voting "no" were: Dyer, Williams and Walton.**

**Board members, Wood, Pace and Dowdy, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2011-01466, Nicole Carter (Claimant) vs. Performance Concrete and Repair (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Performance Concrete and Repair (Regulant)** did not appear at the board meeting. **John Hodnett (Claimants)** did not attend the Board meeting.

**File Number**  
**2011-01466**  
**John Hodnett (Claimant)**  
**Performance Concrete and Repair**  
**(Regulant)**

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

After further discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$3,343.00. The Claim Review and Summary are incorporated as a part of this Order. **Mr. Sumpter** withdrew his motion. After further discussion, **Mr. Dyer** offered a motion that was seconded by **Mr. Walton** to subtract the **\$1,342.40** that was paid from the claim and pay the claim in the amount of **\$2,122.05**. The motion passed by majority vote. Members voting "Yes" were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Vander Pol, Sumpter, Smith, Tomlin, and Walker.**

**Mr. Walton and Mr. Williams voted "no".**

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2011-02196, Bette Sisk (Claimant) vs. Hollywood & Hall, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Prestige Pools of VA, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Rick and Karen Fauber (Claimant)** attended the Board meeting. She addressed the Board and shared her agreement with the recommendation.

**File Number**  
**2011-02196**  
**Rick and Karen Fauber**  
**(Claimant)**  
**Prestige Pools of VA, Inc.**  
**(Regulant)**

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

After discussion, a motion was made by **Mr. Vander Pol** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$14,211.37**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walton, Vander Pol, Sumpter, Smith, Tomlin, Williams and Walker.**

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2011-02647, Zhou Hong & Ken Yang (Claimants) vs. Christian Gonzalez Construction LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Christian Gonzalez Construction, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Zhou Hong & Ken Yang (Claimants)** did not attend the Board meeting.

**File Number**  
**2011-02647**  
**Zhou Hong & Ken Yang**  
**(Claimants) and**  
**Christian Gonzalez**  
**Construction, LLC**  
**(Regulant)**

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

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$11,331.25**. The Claim Review and Summary are incorporated as a part of this Order.

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

**Board members, Wood, Dowdy, and Pace, were not present at the Board**

meeting.

**In the matter of Recovery Fund File Number 2007-02177, Jeffrey Hall (Claimant) vs. James McQuinn t/a James's Home Improvement (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **James McQuinn t/a James's Home Improvement (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Jeffrey Hall (Claimant)** did attend the meeting. He shared his disagreement with the Board.

**File Number**  
**2007-02177**  
**Jeffrey Hall**  
**(Claimant)**  
**James McQuinn t/a James's**  
**Home Improvement (Regulant)**

**Mr. Redifer and Ms. Tomlin**, the Board's Hearing Representatives were not present and did not participate during the discussion or the vote.

Mr. Walton and Mr. Vander Pol discussed their concerns. Board Counsel responded to their concerns.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** adopt the claim review and the hearings officer's recommendations and summary and to deny payment of the claim in the amount of \$15,100.00. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Giesen, Gelardi, Middleton, Murrow, Pace, Vander Pol, Smith, Sumpter, Tomlin, Williams and Wood.**

**Board members, Walker and Walton, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2010-02989, Alan and Mary Goldstein (Claimant) vs. Comfortable Home Improvements, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Comfortable Home Improvements, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Alan and Mary Goldstein (Claimants)** did attend the Board meeting. They addressed the Board and shared their agreement.

**File Number**  
**2010-02989**  
**Alan Goldstein and Mary**  
**Goldstein**  
**(Claimant)**  
**Comfortable Home**  
**Improvements, Inc. (Regulant)**

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

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

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

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2010-04276, James & Sandra Johnston (Claimant) vs. James R Price t/a Right Price Improvements (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **James R Price t/a Right Price Improvements. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **James & Sandra Johnston (Claimants) did** attend the Board meeting. They addressed the Board and shared their agreement.

**File Number**  
**2010-04276**  
**James & Sandra Johnston**  
**(Claimant)**  
**James R Price t/a Right Price**  
**Improvements (Regulant)**

**Mrs. Tomlin**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. Mr. Dyer had some concerns about the judgment and improper and defective work.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$15,053.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by majority vote.

Members voting "Yes" were: **Giesen, Gelardi, Middleton, Murrow, Vander Pol, Sumpter, Smith, Tomlin, Williams and Walker.**

**Mr. Dyer and Mr. Walton voted "no".**

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2010-04413, Delbert & Elena Matlock (Claimant) vs. Brymon Services, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Brymon Services, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Delbert & Elena Matlock (Claimants) did not** attend the Board meeting.

**File Number**  
**2010-04413**  
**Delbert & Elena Matlock**  
**(Claimant)**  
**Brymon Services, Inc.**  
**(Regulant)**

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

Mr. Vander Pol offered discussion about the recommendation.

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

Mr. Vander Pol offered a substitute motion to amend the recommendation and pay the claim in the amount of \$20,000.00. The motion failed due to lack of a second.

Members voting "Yes" were: **Dowdy, Dyer, Giesen, Gelardi, Middleton, Murrow, Pace, Smith, Sumpter, and Wood.**

**Members voting "no" were: Vander Pol and Williams.**

**Board members, Tomlin, Walker and Walton, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2010-05371, Abdul Habayeb (Claimant) vs. Christian Gonzalez Construction, LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Christian Gonzalez Construction, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Abdul Habayeb (Claimants) did not** attend the Board meeting.

**File Number**  
**2010-05371**  
**Abdul Habayeb**  
**(Claimant)**  
**Christian Gonzalez**  
**Construction, LLC**  
**(Regulant)**

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

After discussion, a motion was made by **Mr. Walker** and seconded by **Mr. Dyer** to adopt the claim review and the hearing officer's recommendations and summary to deny payment of the claim in the amount of **\$2,118.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote.

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

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2010-05490, Bobbi Jo & Rudolf Denke (Claimant) vs. Wesley Robinson t/a C & L Home Improvements (Regulant);** the board reviewed the record, which consisted of the claim file,

**File Number**  
**2010-05490**  
**Bobbi Jo & Rudolf Denke**

transcript and exhibits from the IFF, and the summary and recommendation. **Wesley Robinson t/a C & L Home Improvements (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Bobbi Jo & Rudolf Denke (Claimants)** did attend the Board meeting.

**(Claimant)**  
**Wesley Robinson t/a C & L Home Improvements (Regulant)**

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

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of **\$19,940.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote.

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

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2010-05882, Thuy & Lan Hoe Dang (Claimant) vs. Nguyen Design & Build, LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Nguyen Design & Build, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Thuy & Lan Hoe Dang (Claimants)** did attend the Board meeting. He addressed the Board and shared his agreement.

**File Number**  
**2010-05882**  
**Thuy & Lan Hoe Dang (Claimant)**  
**Nguyen Design & Build, LLC (Regulant)**

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

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

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

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2010-05893, Richard & Lynne Hunt (Claimant) vs. Crawford Construction Company of Virginia (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Elwood Crawford for **Crawford Construction Company of Virginia (Regulant)** did appear at the board meeting in person. **Shelton Frank attorney for Richard and Lynne Hunt (Claimants) did** attend the Board meeting. He addressed the Board and shared his client's disagreement. Mr. Frank requested that the Board remand the case back to an Informal Fact Finding Conference and allow his client's to present pertinent evidence that would have an effect on the outcome of the case.

**File Number**  
**2010-05893**  
**Richard & Lynne Hunt**  
**(Claimant)**  
**Crawford Construction**  
**Company of Virginia**  
**(Regulant)**

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

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** to remand the case back to staff to have an Informal Fact Finding conducted to allow the claimant to submit additional information. The motion passed by majority vote.

Members voting "Yes" were: **Giesen, Gelardi, Middleton, Murrow, Walton, Vander Pol, Williams and Sumpter.**

**Members voting "no" were: Walker, Smith and Dyer**

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2011-00699, Great Oak Homeowners Association (Claimant) vs. Accent Contracting, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Accent Contracting, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Great Oak Homeowners Association (Claimants) did** attend the Board meeting. Attorney Bruce Easmund addressed the Board on behalf of the Association and shared their agreement.

**File Number**  
**2011-00699**  
**Great Oak Homeowners**  
**Association**  
**(Claimant)**  
**Accent Contracting, Inc.**  
**(Regulant)**

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

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

Members voting "Yes" were: **Dyer, Giesen, Gelardi, Middleton, Murrow,**

**Walton, Vander Pol, Sumpter, Smith, Williams and Walker.**

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**In the matter of Recovery Fund File Number 2011-01538, Margaret Stultz (Claimant) vs. For the Six, Inc. t/a Turnkey Homes (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **For the Six, Inc. t/a Turnkey Homes (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Margaret Stultz, (Claimants) did not** attend the Board meeting.

**File Number**  
**2011-01538**  
**Margaret Stultz**  
**(Claimant)**  
**For the Six, Inc. t/a Turnkey**  
**Homes (Regulant)**

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

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

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

**Board members, Wood, Dowdy, and Pace, were not present at the Board meeting.**

**The Board members took a 5 minute recess.**

**Recess**

**In the matter of License Application File Number 2011-02701, James Holland,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-02701  
James Holland**

**Applicant James Holland** appeared at the IFF. He did attend the Board meeting and shared that he agrees with the Recommendation.

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03442, Bob Windsor Construction, LLC** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-03442  
Bob Windsor Construction,  
LLC**

**Applicant Bob Windsor Construction, LLC** did not appear at the IFF he did not attend the Board meeting.

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

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mrs. Tomlin** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license. **Mr. Dyer** offered a substitute motion seconded by **Mr. Walker** to have the Designated Employee take the Contractor Exam due to the recent discharged bankruptcy and to approve the issuance of the license. The motion passed by majority vote. Members voting "Yes" were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Vander Pol, Smith, Sumpter, Tomlin, Williams and Walker.**

**Member voting "no" was: Walton.**

**Board members, Dowdy, Wood and Pace, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03443, Andrew Holzmacher**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-03443**  
**Andrew Holzmacher**

**Applicant Andrew Holzmacher** appeared at the IFF. He did not attend the Board meeting.

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

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03603 Trent Owens**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-03603**  
**Trent Owens**

**Applicant Trent Owens** appeared at the IFF. He did not attend the Board meeting.

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03604 Jerry Allport**, the Board members reviewed the record, which consisted of the application file,

**File Number**  
**2011-03604**

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

**Jerry Allport**

**Applicant Jerry Allport** appeared at the IFF. He did not attend the Board meeting.

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

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03606 Mehrshard Mahmoudi Zarandi t/a Tidewater Home Repair**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-03606  
Mehrshard Mahmoudi  
Zarandi t/a Tidewater  
Home Repair**

**Applicant Mehrshard Mahmoudi Zarandi** appeared at the IFF.

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03607 Liberty Corner Masonry**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-03607  
Liberty Corner Masonry**

**Applicant Liberty Corner Masonry** appeared at the IFF.

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

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03758 Terrence Morton t/a Morton Building**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-03758  
Terrence Morton t/a Morton  
Building**

**Applicant Terrence Morton t/a Morton Building** appeared at the IFF. He did not attend the Board meeting.

The presiding Board representative **Ms. Becker** was not present, did not participate in the discussion and did not vote. Ms. Perkins shared that on page 2 in the 1<sup>st</sup> paragraph it should read Consent Order and not Final Opinion and Order.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Vander Pol** to adopt the recommendation contained in the Summary (with corrections as noted by staff ) of the Informal Fact-Finding Conference and grant a license. The motion passed by unanimous vote.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03759 Henderson McLee**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-03759  
Henderson McLee**

**Applicant Henderson McLee** appeared at the IFF. He did not attend the Board meeting.

The presiding Board representative **Ms. Becker** was not present, did not participate in

the discussion and did not vote.

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03831 Willie Bryant**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-03831  
Willie Bryant**

**Applicant Willie Bryant** appeared at the IFF. He and Monique Bryant **did** attend the Board meeting. Mr. Bryant shared his agreement with the Recommendation.

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

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03832 David Ransom II t/a D & J Handyman Service**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-03832  
David Ransom II t/a D & J  
Handyman Service**

**Applicant David Ransom, II** appeared at the IFF. He attended the Board meeting and shared his agreement with the recommendation.

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

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03833 Advanced Custom Contractors, Inc,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-03833  
Advanced Custom  
Contractors, Inc.**

**Applicant Nelson Morris, Amy Landry and Gutherie Mines for Advanced Custom Contractors, Inc.** appeared at the Board meeting. They addressed the Board.

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

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant a conditional license. Mr. Dyer offered a substitute motion to require the Designated Employee complete the PSI contractors exam and to complete the Basic Contractor Licensing class prior to granting the conditional license that was seconded by Mr. Sumpter. Mr. Sumpter withdrew his initial motion. The motion passed by unanimous vote.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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**In the matter of License Application File Number 2011-03834 William Weaver III,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-03834  
William Weaver III**

**Applicant William Weaver III** appeared at the IFF and the Board meeting. He addressed the Board.

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

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03858 A Chimney Expert, LLC**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-03858  
A Chimney Expert, LLC**

**Applicant Joseph Laszlo for A Chimney Expert, LLC** appeared at the IFF. He attended the meeting and shared his agreement with the recommendation.

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

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-03859, Ashless Chimneys II, Inc., (Respondent)**; the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

**File Number  
2011-03859  
Ashless Chimneys II, Inc.**

**Joseph Laszlo for Ashless Chimneys II, Inc (Respondent)** appeared at the IFF and Board meeting.

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

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Dyer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations with a finding of no violation.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03906 Ricardo Pinzon III**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-03906  
Ricardo Pinzon III**

**Applicant Ricardo Pinzon** appeared at the IFF. He did not attend the Board meeting. Mrs. Perkins shared that in the summary paragraph 4, last sentence it should be “...duties of a plumbing journeyman (not-electrical). In the Recommendation-last sentence it should be “...take the plumbing tradesman...”-(not-electrical).

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

After discussion **Mr. Middleton** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference along with the corrections as noted by Mrs. Perkins and grants a license. The motion passed by unanimous vote.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License File Number 2011-04152, Steven Stuart (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-04152  
Steven Stuart**

**Applicant Steven Stuart (Respondent)** appeared at the IFF. Steven Stuart did appear at the Board meeting. He addressed the Board.

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

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

Members voting “Yes” were: **Giesen, Gelardi, Middleton, Murrow, Walker, Vander Pol, Smith, Sumpter, Tomlin, Williams and Walton.**

**Dyer** voted “no”.

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-04153 Matthew Graybill,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-04153  
Matthew Graybill**

**Applicant Matthew Graybill** appeared at the IFF. He did not attend the Board meeting.

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

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-04154 Southern Exposure Home Improvements, LLC,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-04154  
Southern Exposure Home  
Improvements, LLC**

**Southern Exposure Home Improvements, LLC** appeared at the IFF. They did not appear at the Board meeting.

The presiding Board representative **Ms. Becker** did not participate in the discussion and did not vote. Mrs. Perkins shared with the board that in the Summary Arlene Smith should be included as a participant at the Informal Fact Finding Conference.

After further discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Dyer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a conditional license with the information provided by Mrs. Perkins so noted. The motion passed by unanimous vote.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File 2011-04155, Joshua Lichliter**, the board members reviewed record, which consisted of: the application file, transcript, exhibits and the Summary of the Informal Fact Finding Conference (IFF).

**File Number  
2011-04155  
Joshua Lichliter**

**Applicant Joshua Lichliter** at the IFF and the Board meeting.

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

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

The motion passed by unanimous vote.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File 2011-03608, Emmanuel Ricks t/a Nate’s Lawn Care** the board members reviewed record, which consisted of: the

**File Number  
2011-03608**

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

**Emmanuel Ricks t/a Nate's  
Lawn Care**

**Applicant Emmanuel Ricks t/a Nate's Lawn Care attended** the IFF. He did not attend the Board meeting.

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

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

The motion passed by unanimous vote.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03609 John Fogg, Jr.** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-03609  
John Fogg, Jr.**

**Applicant John Fogg, Jr.** appeared at the IFF. He did attend the Board meeting.

The presiding Board representative **Ms. Brigil** did not participate in the discussion and did not vote. Mrs. Perkins shared that in the summary in paragraph #4, the second sentence, it should be "Fogg supervises eight..."-(not-Goff) and in paragraph #8 in the second sentence it should be "Fogg supervises eight..."-(not Goff).

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

Members voting "yes" were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walker, Vander Pol, Smith, Sumpter, Tomlin, Williams and Walton.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03610 Larry Goff, II**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-03610  
Larry Goff, II**

**Applicant Larry Goff, II** appeared at the IFF. He did not attend the Board meeting .

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

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

Members voting “yes” were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walker, Vander Pol, Smith, Sumpter, Tomlin, Williams and Walton.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Licensing Application File Number 2011-03611, Arnett Gray t/a A J Gray Home Improvements**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-03611  
Arnett Gray t/a A J Gray  
Home Improvements**

Applicant Arnett Gray t/a A J Gray Home Improvements appeared at the IFF. He did not attend the Board meeting.

After discussion **Mr. Vander Pol** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the summary.

Members voting “yes” were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walker, Vander Pol, Smith, Sumpter, Tomlin, Williams and Walton.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-03612, Arnett Gray t/a A J Gray Home Improvements (Respondent)**; the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2011-03612  
Arnett Gray t/a A J Gray  
Home Improvements**

**Arnett Gray t/a A J Gray Home Improvements (Respondent)** appeared at the IFF. **Arnett Gray t/a A J Gray Home Improvements** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Middleton** and seconded by **Mr. Dyer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Arnett Gray t/a A J Gray Home Improvements**, did violate the following sections of its Regulations:

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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

Sanctions		
Count 1:	\$250.00	
Total		\$250.00

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03828 Lee Contracting LLC**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-03828**  
**Lee Contracting LLC**

**Applicant Jeremy Lee Flowers on behalf of Lee Contracting LLC** appeared at the IFF. He did attend the Board meeting. Mr. Flowers addressed the Board.

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

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

Members voting “yes” were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walker, Vander Pol, Smith, Sumpter, Tomlin, Williams and Walton.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03829 Alfonso Wilson, Jr.**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-03829**  
**Alfonso Wilson, Jr.**

**Applicant Alfonso Wilson, Jr.** appeared at the IFF. He did not attend the Board meeting. A Handout for this case was given to the Board for consideration.

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

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

Members voting “yes” were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walker, Vander Pol, Smith, Sumpter, Tomlin, Williams and Walton.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03830 Sarah McGinnis**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-03830**  
**Sarah McGinnis**

**Applicant Sarah McGinnis** appeared at the IFF. Brian McGinnis for Sarah McGinnis attend the Board meeting. He addressed the Board.

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

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

Members voting “yes” were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walker, Vander Pol, Smith, Sumpter, Tomlin, Williams and Walton.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03836 Robert L. Pearson t/a Artdivine Painting**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-03836**  
**Robert L. Pearson t/a**  
**Artdivine Painting**

**Applicant Robert L. Pearson t/a Artdivine Painting** appeared at the IFF. He attended the Board meeting and addressed the members.

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

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

Members voting “yes” were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walker, Vander Pol, Smith, Sumpter, Tomlin, Williams and Walton.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-03837 Richard Guillory**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-03837**  
**Richard Guillory**

**Applicant Richard Guillory** appeared at the IFF. He did not attend the Board meeting.

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

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

The motion passed by majority vote.

Members voting “yes” were: **Giesen, Gelardi, Middleton, Murrow, Walker, Vander Pol, Smith, Sumpter, Tomlin, Williams and Walton.**

**Mr. Dyer** voted “no”.

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of License Application File Number 2011-04552 Scaparotti Construction Group, LLC**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-04552**  
**Scaparotti Construction**  
**Group, LLC**

**Applicant Scaparotti Construction Group, LLC** appeared at the IFF. He attended the Board meeting and addressed the members.

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

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Williams** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny granting a license. The Board considered the debts incurred within the last five years and that Carbone was not forthcoming on the application by failing to disclose on the application to the Board the Chapter 11 bankruptcy of Carbone Construction. The Board determined that due to the tax obligation being incurred prior to Katrina, and the debts occurring within the last five years and related to contracting, that it would not be in the best interest of the public to grant a license to Scaparotti at this time; therefore, the Board voted to deny the license at this time. The motion passed by unanimous vote.

Members voting “yes” were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walker, Vander Pol, Smith, Sumpter, Tomlin, Williams and Walton.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-01735, Jody Coryell, t/a Pillar Enterprises (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2011-01735  
Jody Coryell, t/a Pillar  
Enterprises**

**Jody Coryell, t/a Pillar Enterprises (Respondent)** appeared at the IFF. **Pillar Enterprises** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives **Mr. Dowdy and Mr. Middleton** were not present, did not participate in the discussion and did not vote.

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

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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

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

In addition, for violation of Count 1, the Board voted to revoke the license for violation of Count 1 and Count 2. The Board voted to also require Jody Coryell have a member of Responsible Management successfully complete a Board-approved

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-01752, Stone Image Masonry (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

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

**Neither stone Image Masonry (Respondent)** nor anyone on its behalf appeared at the IFF or at the Board meeting.

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to continue the case to the Board’s July 26, 2011, based on the written request received from the Regulant.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-01751, Stone Image Masonry, Inc (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2011-01751  
Stone Image Masonry, Inc**

**Stone Image Masonry, Inc (Respondent)** did not appear at the IFF. **Neither Stone Image Masonry, Inc,** Respondent, nor anyone on its behalf appeared at the Board meeting.

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to continue the case to the Board's July 26, 2011, based on the written request received from the Regulant.

The motion passed by unanimous vote. Members voting "yes" were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walker, Vander Pol, Smith, Sumpter, Williams and Walton.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary Case File Number 2010-04394 Anthony Clark Simpkins, t/a S & W Construction,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2010-04394  
Anthony Clark Simpkins, t/a  
S & W Construction**

**Anthony Clark Simpkins, t/a S & W Construction** did not attend the IFF or the Board meeting in person or by counsel or by any other qualified representative.

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

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

Count 1:	18 VAC 50-22-260 B 9
Count 2:	18 VAC 50-22-260 B 27
Count 3:	18 VAC 50-22-260 B 15
Count 4:	18 VAC 50-22-260 B 6
Count 5:	18 VAC 50-22-260 B 28 two violations
Count 6:	18 VAC 50-22-260 B 13

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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

Count 1:	\$600.00
Count 2:	\$2,500.00
Count 3:	\$500.00
Count 4:	\$2,500.00
Count 5:	\$2,000.00
Count 6:	\$2,500.00
Total	\$10,600.00

In addition, for violation of Count 1, the Board recommends revocation of license 2705-056190. The Board also voted to require Anthony Clark Simpkins have a member of Responsible Management successfully complete a board-approved remedial education class within 90 days of the order.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-00103, Anthony Clark Simpkins, t/a S & W Construction (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

**File Number  
 2011-00103  
 Anthony Clark Simpkins, t/a  
 S & W Construction**

**Neither Anthony Clark Simpkins, t/a S & W Construction, (Respondent), nor anyone on his behalf appeared at the IFF or the Board meeting.**

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

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

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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

Count 1	\$500.00
Count 2	\$800.00
Count 3	\$2,500.00
Total	\$3,800.00

In addition, for violation of Count 3, the Board recommends revocation of license 2705-056190.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2010-04322, C & C General Builders Inc (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number  
 2010-04322  
 C & C General Builders Inc**

**Carlos Alexander Giron on behalf C & C General Builders Inc, (Respondent), and Attorney Pearl Keng** appeared at the IFF and the Board meeting. They addressed the Board. John and Teresa Dodd's (Complainants) attended the Board meeting and the IFF. They addressed the Board Members.

The Board's hearing representative; **Mr. Kirby** was not present and did not vote.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Dyer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations with a finding of violations.

Effective September 1, 2001	
Count 1:	18 VAC 50-22-260 B 16
Count 2	18 VAC 50-22-260 B 28 February 1, 2006
Count 3	18 VAC 50-22-260 B 2 September 1, 2001

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

After discussion a motion was offered by **Mr. Gelardi** and seconded by **Mr. Dyer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference and adopt the Recommendations. The Board voted to impose the following monetary penalty for the violation of its regulations.

Count 1:		\$2,500.00
Count 2		\$2,500.00
Count 3		\$1,000.00
Total		\$6,000.00

In addition, for violation of Count 1, the Board voted to revoke the

license 2705-095914.

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

**Williams** voted “no”.

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-00082 Jack A Gallagher, (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number  
2011-00082  
Jack A Gallagher**

**Teresa Gallagher on behalf of Jack Gallagher (Respondent)** appeared at the IFF. Gallagher did not appear at the Board meeting but his attorney Michael H Gladstone did appear on his behalf. Kenneth Moore, Complainant attended the IFF and the Board meeting.

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

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

Effective July 9, 1999

Count 1:	18 VAC 50-30-190 15
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The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walker, Vander Pol, Smith, Sumpter, Tomlin, Williams and Walton.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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

regulations.

Count 1:		\$1,000.00
Total		\$1,000.00
<p>In addition, for violation of Count 1, the Board voted to require Gallagher have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.</p>		

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-00362, SDG Construction LLC (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number  
 2011-00362  
 SDG Construction LLC**

**SDG Construction LLC, (Respondent)** did appear at the IFF. They did not appear at the Board meeting in person or by counsel or by any other qualified representative. Kenneth Moore appeared at the Board meeting.

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

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

Effective February 1, 2006
Count 1: 18 VAC 50-22-260 B 9
Effective September 1, 2001

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Count 2:	18 VAC 50-22-260 B 27
Count 3:	18 VAC 50-22-260 17 (two violations)
Count 4:	18 VAC 50-22-260 6
Count 5:	18 VAC 50-22-260 B 29 (seven violations)
Count 6:	18 VAC 50-22-260 B 6

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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

Count 1,	\$500.00
Count 2,	\$2,500.00
Count 3,	\$5,000.00
Count 4:	\$2,500.00
Count 5:	\$3,500.00
Count 6:	\$2,500.00
Total	\$16,500.00
The Board voted to require SDG 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 further imposed Revocation of the license.	

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**The Board members took a five minute break.**

**Break**

**In the matter of Disciplinary File Number 2010-04168, Faithful Home Improvements Inc (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Jeffrey Corey** on behalf of **Faithful Home Improvements Inc (Respondent)** did appear at the IFF. He did attend the Board meeting in person. He addressed the Board sharing he agreed with the findings and not with the sanctions, asked for no revocation of license. **Wendy Valentine** (Complainant) attended the Board meeting.

**File Number**  
**2010-04168**  
**Faithful Home**  
**Improvements Inc**

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

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

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260.B 6	
Count 3	18 VAC 50-22-260 B 29	
Count 4	18 VAC 50-22-260 B 6	
Count 5	18 VAC 50-33-260 B 27	
Count 6	18 VAC 50-22-260 B 6	

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Dyer** to impose the following monetary sanctions, **Mr. Middleton** offered a friendly amendment to the motion prior to the vote to remove revocation on count 2, 5 and 6 and to keep the fines as recommended and to require the Designated Employee to take

the Contractor Examination. The motion failed due to lack of a majority vote. Members voting “yes” were: **Dyer, Giesen, Gelardi, Middleton, Vander Pol, and Sumpter.**

**Williams, Smith, Walker, Walton and Tomlin voted “no”.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**After further discussion a motion was offered by Sumpter and seconded by Dyer to impose the following sanctions:**

Count 1		\$350.00
Count 2		\$1,000.00
Count 3		\$500.00
Count 4		\$1,000.00
Count 5		\$1,000.00
Count 6		\$1,000.00
Total		\$4,850.00

In addition, for violation of Count 1, 3 and 4, the Board imposes requirement of Faithful Home Improvements Inc to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. The Board also imposed revocation of license 2705-096905 for violation of counts 2, 5 and 6.

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

**Williams, Walton and Middleton voted “no”.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-02770, Larry C Byrley, t/a Larry’s Irrigation (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Larry C Byrley (Respondent)** did appear at the IFF. **Larry C Byrley, t/a Larry’s Irrigation** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

**File Number  
2011-02770  
Larry C Byrley, t/a Larry’s  
Irrigation**

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

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

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-230 A	Effective September 1, 2001
Effective February 1, 2006		
Count 3:	18 VAC 50-22-260 B 8	
Count 4:	18 VAC 50-22-260 B 13	
Count 5:	18 VAC 50-22-260 B 15	

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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

Count 1:		\$350.00
Count 2:		\$1,000.00
Count 3:		\$350.00
Count 4:		\$2,500.00
Total		\$4,200.00

In addition, for violation of count 1 and 3, the board requires Larry C Byrley have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. For violation of Counts 2 and 4, the Board imposes revocation of license 2705-0028671.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-00343, Larry C Byrley, t/a Larry’s Irrigation (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Larry C Byrley, t/a Larry’s Irrigation (Respondent)** did appear at the IFF. **Larry C Byrley, t/a Larry’s Irrigation** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Daniel Benere (Complainant)** attended the IFF.

**File Number**  
**2011-00343**  
**Larry C Byrley, t/a Larry’s Irrigation**

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

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

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-230 A	September 1, 2001
Effective February 1, 2006		
Count 3:	18 VAC 50-22-260 B 8	

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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

Count 1:		\$35.00
Count 2:		\$350.00

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Count 3:		\$350.00
Total		\$1,050.00

In addition, for violation of count 1, 2 and 3, the board requires Larry C Byrley have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-00831 Evan Brown (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Evan Brown (Respondent)** did not appear at the IFF meeting in person or by counsel or by any other qualified representative. **Evan Brown;** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2011-00831**  
**Evan Brown**

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

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

Effective September 1, 2001		
Count 1:	18 VAC 50-22-230 A	
Count 2:	18 VAC 50-22-230.B	
Count 3:	18 VAC 50-22-260 B 16	February 1, 2006

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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

Count 1		\$350.00
Count 2		\$600.00
Count 3:		\$1,850.00
Total		\$2,800.00

In addition, for violation of Counts 1, and 2, the Board voted to require **Evan Brown** have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of effective date of this Order.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2010-05526 Larry Byrley, t/a Larry’s Irrigation (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Larry Byrley (Respondent);** did appear at the IFF. **Larry Byrley, t/a Larry’s Irrigation** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2010-05526**  
**Larry Byrley t/a Larry’s**  
**Irrigation**

The presiding Board representatives **Mr. Murrow and Mr. Sumpter** was not present and did not vote.

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

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 27	
Count 3:	18 VAC 50-22-260 B 6	

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

**Board members, Dowdy, Pace and Wood, were not present at the Board**

**meeting.**

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

Count 1		\$350.00
Count 2		\$1,200.00
Count 3:		\$750.00
Total		\$2,300.00

In addition, for violation of Count 1 and e, the Board voted to require Larry C Byrley have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. The Board voted to revoke the license 2705-028671 effective with the Order.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-01912 Timothy L Brewster, t/a Porterfield’s Home Repair (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Timothy L Brewster, t/a Porterfield’s Home Repair (Respondent);** did not appear at the IFF. **Timothy L Brewster** did not attend the Board meeting in person or by counsel or by any other qualified representative. **Francine M Hall (Complainant)** attended the IFF.

**File Number**  
**2011-01912**  
**Timothy L Brewster, t/a**  
**Porterfield’s Home Repair**

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

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

Effective September 1, 2001		
Count 1:	18 VAC 50-22-230 A	
Count 2:	18 VAC 50-22-269 B 9	February 1, 2006

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Count 3:	18 VAC 50-22-260 B 31	
Count 4:	18 VAC 50-22-260 B 15	
Count 5:	18 VAC 50-22-260 B 16	

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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

Count 1		\$500.00
Count 2		\$350.00
Count 3		\$400.00
Count 4		\$1,550.00
Count 5		\$1,550
Total		\$4,350.00

The Board imposes revocation of license (Number 2705-114504) for the violation of Count 5. In addition, for violation of Counts 2, 3, and 4, the Board voted to require Timothy L Brewster have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**Mr. Middleton chaired this case.**

**In the matter of Disciplinary File Number 2011-02980 Priority One Contractors Corp (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. Elwood Crawford Jr on behalf of **Priority One Contractors Corp (Respondent);** did not appear at the IFF in person or by counsel or by any other qualified representative. **Priority One Contractors Corp** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2011-02980**  
**Priority One Contractors**  
**Corp**

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

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

Effective September 1, 2001		
Count 1:	18 VAC 50-22-230 B	

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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

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

In addition, for violation the Board also imposed revocation of license 2705-083221 for violation of Count 4.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-00425 Rick D Slack, t/a RDSC Contractors (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Rick D Slack, t/a RDSC Contractors (Respondent);** did appear at the IFF. **Rick D Slack, t/a RDSC Contractors** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2011-00425**  
**Rick D Slack, t/ a RDSC**  
**Contractors**

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

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

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 8	
Count 3:	18 VAC 50-22-260 B 31	
Count 3:	18 VAC 50-22-260 B 6	
Count 4:	18 VAC 50-22-260 B 27	
Count 5:	18 VAC 50-22-260 B 29	

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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

Count 1		\$200.00
Count 3:		\$500.00
Count 4:		\$200.00
Count 5:		\$250.00
Total		\$1,150.00

In addition, for violation of Counts 1,2, 3 and 4 and 5, the Board voted to require **Rick D Slack** have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of effective date of this Order. The Board voted to impose no monetary penalty for the violation of the regulation for Count 2.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**File Number**  
**2011-01186**  
**Weather Hill Builders LLC**

**In the matter of Disciplinary File Number 2011-01186 Weather Hill Builders LLC (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Weather Hill Builders LLC (Respondent);** did not appear at the IFF in person or by counsel or by any other qualified representative. **Weather Hill Builders LLC** did not attend the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives **Mrs. Wood** were not present and did not vote.

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

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 28	
Count 2	18 VAC 50-22-260 B 28	

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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

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

The Board voted to impose revocation of license 2705-102947.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-01473 Sang Man Yi, t/a Complete Home Service (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **San Man Yi, t/a Complete Home Service (Respondent);** did not appear at the IFF in person or by counsel or by any other qualified representative. San Man Yi, t/a Complete Home Service.

**File Number**  
**2011-01473**  
**Sang Man Yi, t/a Complete Home Service**

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

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Dyer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary (in part) of the Informal Fact-Finding Conference with Recommendations. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Sang Man Yi**, violated the following sections of its Regulations:

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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

Count 1		\$850.00
Total		\$850.00

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-01537 Renu Contracting Inc, t/a**

**File Number**

**2011-01537**  
**Renu Contracting Inc, t/a**  
**Renu Contracting Services**

**Renu Contracting Services (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Renu Contracting Inc, t/a Renu Contracting Services (Respondent);** did not appear at the IFF. **Renu Contracting Inc, t/a Renu Contracting Services** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

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

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 31	
Count 2:	18 VAC 50-22-260 B 27	
Count 3:	18 VAC 50-22-260 6	

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

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

Count 1		\$350.00
Count 2		\$650.00
Count 3		\$750.00
Total		\$1,750.00

In addition, for violation of count 1, 2, and 3, the Board voted to require Renu Contracting Inc have a member of Responsible management successfully complete a board-approved remedial education class within 90 days of the order.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Disciplinary File Number 2011-00276 Mario Ramirez t/a M & M Painting and Renovations, Inc. (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation. **Mario Ramirez, t/a M & M Painting and Renovations (Respondent);** attended the Board meeting in person and requested the case be remanded to an Informal Fact Finding Conference to allow him to present pertinent information.

**File Number**  
**2011-00276**  
**Mario Ramirez t/a M & M**  
**Painting and Renovations**

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to remand the case back to staff for reconvening of an Informal Fact Finding Conference.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-02675 Board v. Matthew T Patrick, t/a Patrick Heating & Cooling;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-02675**  
**Matthew T Patrick, t/a**  
**Patrick Heating & Cooling**

**Mathew T Patrick,** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$500.00
Count 2:	18 VAC 50-22-260.B 31	\$500.00
Count 3:	18 VAC 50-22-230 B	\$500.00
Board Costs		\$150.00
Total		\$1,650.00

In addition, for violation of Count 3, Matthew T. Patrick agrees to revocation of his license. Further, the Board shall waive imposition of the \$500.00 monetary penalties for Counts 1 through 3, and shall waive imposition of the \$150.00 Board costs.

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

**Gelardi did not vote.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-02825 Board v. Jeff C Hoge, LLC t/a Aquarius Plumbing;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-02825  
Jeff C Hoge LLC, t/a  
Aquarius Plumbing**

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

Count 1:	18 VAC 50-22-260 B 22	\$350.00
Board Costs		\$150.00
Total		\$500.00
In addition, <b>for violation of Count 1, Jeff C Hoge LLC</b> , agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

**Gelardi did not vote.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2010-05533 Board v. Sam Kyun Yoon, t/a Eastern Interior & Construction;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2010-05533  
Sam Kyun Yoon, t/a Eastern  
Interior & Construction**

**Sam Kyun Yoon, t/a Eastern Interior & Construction**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230 A	\$350.00
Count 2:	18 VAC 50-22-260 B 9	\$100.00
Count 3:	18 VAC 50-22-260 B 15	\$1,200.00
Board Costs		\$150.00
Total		\$1,800.00

Further, **Sam Kyun Yoon**, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

**Murrow did not vote.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-02287 Board v. Donald D Spellman, t/a Spellman General Contractor;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2011-02287  
 Donald D Spellman, t/a  
 Spellman General Contractor**

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

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Count 2:	18 VAC 50-22-260 B 9	\$400.00
Count 3:	18VAC 50-22-260. B 15	\$2,000.00
Board Costs		\$150.00
Total		\$2,900.00

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

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

**Murrow did not vote.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2010-05267 Board v. A-1 American Services Inc, t/a A-1 American Plumbing;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2010-05267**

**A-1 American Services Inc,  
t/a A-1 American Plumbing**

**A-1 American Services Inc.,** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230 A	\$350.00
Count 2:	18 VAC 50-22-260 B 9	\$450.00
Board Costs		\$150.00
Total		\$950.00

Further, **A-1 American Services Inc** 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 \$350.00 monetary penalty for Count 1 provided A-1 American Services Inc reports its fictitious name “A-1 AMERICAN” to the State Corporation Commission and provides proof to the Board within ninety (90) days of the effective date of this Order. If A-1 American Services Inc fails to comply with this condition, then the full monetary penalty will be automatically imposed.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2010-05834 Board v. Joseph L**

**File Number**

**Glazebrook, t/a Atlantic Craftsman Co;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**2010-05834**  
**Joseph L Glazebrook, t/a**  
**Atlantic Craftsman Co**

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

Count 1:	18 VAC 50-22-260 .B 6	\$250.00
Count 2:	18 VAC 50-22-260. B 31	\$250.00
Board Costs		\$150.00
Total		\$650.00
In addition, for violation of Counts 1 and 2, <b>Joseph L Glazebrook</b> agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the effective of this order.		

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2010-05886 Board v. Superior Landscaping, Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2010-05886**  
**Superior Landscaping, Inc.**

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

Count 1:	18 VAC 50-22-260 B.9	\$400.00
Board Costs		\$ 150.00
Total		\$550.00
In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 1 provided <b>Superior Landscaping Inc</b> provides a copy of its current contract within ninety days of the effective date of this order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260 B 9. If Superior Landscaping Inc fails to comply with this condition, then the full monetary penalty will be automatically imposed. <b>Further, Superior Landscaping Inc</b> agrees to have a member of		

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

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2010-055959 Board v. Hubert E Bush III, t/a T & H Home Imp;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2010-05959**

**Hubert E Bush III, t/a T & H Home Imp**

**Hubert E Bush III, T & H Home Imp,** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B.9	\$800.00
Count 2:	18 VAC 50-22-260 B 6	\$400.00
Count 3:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$1,750.00

Further, **Hubert E Bush III** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-00051 Board v. Enterprise Builders Construction, Inc.;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the

**File Number**  
**2011-00051**

**Enterprise Builders**

regulatory and/or statutory issues in this matter.

**Construction, Inc.**

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

Count 1:	18 VAC 50-22-260 B.27	\$100.00
Count 2:	18 VAC 50-22-260 B 18	\$400.00
Count 3:	18 VAC 50-22-260 B 6	\$400.00
Count 4:	18 VAC 50-22-260 B 28	\$1,900.00
Count 5:	18 VAC 50-22-260 B 13	\$1,000.00
Board Costs		\$150.00
Total		\$3,950.00

In addition, for the violations Enterprise Builders Construction Inc agrees to revocation of its license. Further, **Enterprise Builders Construction Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class. Further the Board shall waive imposition of the \$1,900.00 monetary penalty and license revocation for Count 4, provided Enterprise satisfies the judgments and provides the Board with proof of the satisfactions within 90 days of the order. If Enterprise fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-02277 Board v. Pete’s Painting & Remodeling Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2011-02277  
 Pete’s Painting &  
 Remodeling Inc**

**Pete’s Painting & Remodeling Inc**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$150.00
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Count 2:	18 VAC 50-22-260 B. 27	\$550.00
Count 3:	18 VAC 50-22-260 B 6	\$400.00
Count 4:	18 VAC 50-22-260 B 25	\$900.00
Count 5:	18 VAC 50-22-260 B 29	\$300.00
Board Costs		\$150.00
Total		\$2,450.00

Further, **Pete’s Painting & remodeling, Inc.**, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order..

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-02426 Board v. David L Hill Jr., t/a David L Hill Company;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-02426  
David L Hill Jr., t/a David L Hill Company**

**David L Hill Jr.**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B.9	\$400.00
Count 2:	18 VAC 50-22-260 B 31	\$400.00
Count 3:	18 VAC 50-22-260B 27	\$650.00
Count 4:	18 VAC 50-22-260 B 28 (two violations at \$1,850.00 each)	\$3,700.00
Board Costs		\$150.00
Total		\$5,300.00

Further, **David L Hill, Jr. agrees to revocation of his license.** Further, the Board shall waive imposition of the monetary penalties for counts 1 through 4 and shall waive the imposition of the \$150.00 Board costs.

Upon a motion by **Mr. Williams** seconded by **Mr. Dyer**, the Board ratified the

Consent Order with an unanimous vote: Members voting “Yes” were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walker, Tomlin, Vander Pol, Smith, Sumpter, Williams, and Walton.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-02433 Board v. E G & J Corp t/a E G & J Contracting;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-02433  
E G & J Corp t/a E G & J  
Contracting**

**E G & J,** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B.6	\$350.00
Board Costs		\$150.00
Total		\$500.00
Further, <b>E G &amp; J corporation</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-02505 Board v. Plumbing Group LLC, t/a Modern Plumbing;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-02505  
Plumbing Group LLC, t/a  
Modern Plumbing**

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

Count 1:	18 VAC 50-22-260 B.31	\$400.00
Count 2:	18 VAC 50-22-260 B 18	\$800.00

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Board Costs		\$150.00
Total		\$1,350.00
Further, <b>Plumbing Group LLC</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-02553 All American Custom Homes, Inc.,** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-02553**

**All American Custom Homes, Inc.**

**All American Custom Homes, Inc.,** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B.28	\$2,500.00
Board Costs		\$150.00
Total		\$2,650.00
Further, for violation of Count 1, <b>All American Custom Homes, Inc.,</b> agrees to revocation of its license. Further, the Board shall waive imposition of the \$2,500.00 monetary penalty and the license revocation, provided that All American Custom Homes, Inc satisfies the judgment and provides the Board with proof of the satisfaction within ninety days of the order. If All American Custom Homes, Inc. fails to comply with these conditions, then the full \$2,500.00 monetary penalty and license revocation will be automatically imposed.		

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-02740 Board v. Werling Construction Corporation**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2011-02740  
 Werling Construction  
 Corporation**

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

Count 1:	18 VAC 50-22-260 B.27 (2 violations @ \$500.00 each)	\$1,000.00
Count 2:	18 VAC 50-22-260 B.6	\$800.00
Board Costs		\$150.00
Total		\$1,950.00
Further, for violation of Counts 1 and 2, <b>Werling Construction Corporation</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-02988 Board v. Commonwealth Construction and Maintenance LTD**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2011-02988  
 Commonwealth  
 Construction and  
 Maintenance LTD**

**Commonwealth Construction and Maintenance LTD.,** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230 A	\$350.00
Count 2:	18 VAC 50-22-260 B 9 H	\$350.00
Count 3:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$1,250.00

Further, for violation of Count 1, **Commonwealth Construction and Maintenance, Ltd**, agrees to revocation of its license. Further, the Board shall waive imposition of the \$350.00 , \$350.00, and \$400.00 monetary penalties for Counts 1 through respectively..

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-03327 Board v. Landmark Builders of Dublin Inc**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-03327  
Landmark Builders of  
Dublin Inc**

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

Count 1:	18 VAC 50-22-260 B.28 (2 violations @ \$1,900.00 each)	\$3,800.00
Board Costs		\$150.00
Total		\$3,950.00

In addition, Landmark Builders of Dublin, Inc. agrees to revocation of its license. Further, the board shall waive imposition of the \$3,800.00 monetary penalty. The Board shall waive imposition of the license revocation provided Landmark Builders of Dublin, Inc. satisfies the judgments and provides the Board with proof of the satisfaction within 90 days of the order. If Landmark Builders of Dublin, Inc. fails to comply with these conditions, then the license revocation will be automatically imposed.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board**

meeting.

**In the matter of Consent Order File Number 2011-03328 Board v. A-1 Companion & Elder Care, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03328**  
**A-1 Companion & Elder Care, Inc.**

**A-1 Companion & Elder Care, Inc.**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B.22	\$00.00
Count 2:	18 VAC 50-22-260 B.23	\$350.00
Board Costs		\$150.00
Total		\$500.00

Further, for violation of Counts 1, **A-1 companion & Elder Care, Inc.** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-036353 Board v. Lane's Excavating, LLC**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03635**  
**Lane's Excavating LLC**

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

Count 1:	18 VAC 50-22-260 B.8	\$350.00
Count 2:	18 VAC 50-22-260 B 6	\$450.00
Board Costs		\$150.00
Total		\$950.00

Further, **Lane's Excavating, LLC** agrees to have a member of Responsible Management successfully complete a Board-approved

remedial education class within 90 days of the order.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-03705 Board v. Charles L Fantroy, t/a Lees Electric Co,** and the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03705**  
**Charles L Fantroy, t/a**  
**Lees Electric Co**

**Charles L Fantroy, t/a Lees Electric Co,** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

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

Further, Charles L Fantroy agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-02658 Board v. Cityspace Construction, Inc.,** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-02658**  
**Cityspace Construction Inc**

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

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Count 1:	18 VAC 50-22-260 B.8	\$250.00
Count 2:	18 VAC 50-22-260 B.9	\$200.00
Count 3:	18 VAC 50-22-260 B.6 (two violations @ \$500.00 each)	\$1,000.00
Count 4:	18 VAC 50-22-260 B 15 (two violations at \$250.00 ea)	\$500.00
Count 5:	18 VAC 50-22-260 B 6	\$600.00
Count 6:	18 VAC 50-22-260 B 29	\$400.00
Count 7:	18 VAC 50-22-260 B 17	\$500.00
Count 8:	18 VAC 50-22-260 B 31 (three violations at \$100.00 each)	\$300.00
Board Costs		\$150.00
Total		\$3,900.00
Further, <b>Cityspace Construction, Inc.</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

**Walton did not vote.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-01883 Board v. Colonial Contracting Solutions LLC, t/a A Plus Exteriors**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

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

**File Number  
2011-01883  
Colonial Contracting  
Solutions LLC, t/a A  
Plus Exteriors**

Count 1:	18 VAC 50-22-220 B.	\$400.00
Count 2:		\$800.00

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Count 3:		\$50.00
Count 4:		\$1,100.00
Count 5:		\$600.00
Count 6:		\$1,500.00
Count 7:		\$800.00
Count 8:		\$1,300.00
Count 9:		\$1,400.00
Count 10:		\$0.00
Board Costs		\$150.00
Total		\$8,100.00
Further, for violation of Count 1, 2, 6, 9 and 10 <b>Colonial Contracting Solutions, LLC</b> agrees to revocation of its license. In addition, the Board shall waive imposition of the monetary penalties for Counts 1 through 10. Further for violation of Counts 3,4,5,7, and 8, Colonial Contracting Solutions, LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**In the matter of Consent Order File Number 2011-02555 Board v. Brett Construction Inc**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-02555**  
**Brett Construction Inc**

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

Count 1:	18 VAC 50-22-230 B	\$250.00
Count 2:	18 VAC 50-22-260 B 5	\$300.00
Count 3:	18 VAC 50-22-260 B 15	\$100.00
Count 4:	18 VAC 50-22-260 B 6	\$100.00
Board Costs		\$150.00
Total		\$900.00
In addition, for violation of Counts 1 through 4, Brett Construction, Inc. agrees to have a member of Responsible		

Management successfully complete remedial education with ninety days of the effective date of the order.

In addition, the Board shall waive imposition of the \$250.00 monetary penalty for Count 1 provided that Brett Construction, Inc. reports its current mailing and/or physical address to the Board, in writing, within ninety days of the effective date of the order. If Brett Construction, Inc. fails to comply with this condition, then the full monetary penalty will be automatically imposed.

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

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**Review of Policy Regarding Home Improvement Contractors Performing Plumbing Work, Mr. Washington and Mr. Pete,** shared their concerns with the Board around whether home improvement contractors were allowed to perform plumbing work that is incidental to a project. The Board shared its regulations prohibit home improvement contractors from performing trade-related work. The Board further advised that incidental work projects are determined by locality building officials.

**Home Depot Representatives**  
**Craig Washington and**  
**Terrance Pete**

**Mark Courtney,** Deputy Director, conducted a training session for the Board members. He entertained a question and answer period as well. The training included an overview of the Board Member’s duties and obligations as well as the DPOR staff.

**Board Member Training**  
**Mark Courtney**

**The DPOR team of Mrs. Mayo and Mrs. Roth** shared the education providers and course applications for consideration before the Committee on Monday, June 6th, 2011. The Recommendations were shared with the Board and a vote was requested.

**Committee Report**  
**Adrienne Mayo and**  
**Leas Roth**

**Education Provider Applications\***

The following Applications for proposed education providers and courses were reviewed and the Committee recommended for Board approval are as follows:

Name	Education	Type	Staff Recommendation
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Delaware Rural Water Assoc.	Vocational (Classroom)	Backflow	<b>Approval (40 hours) 5 day course</b>	<b>Approval</b>
JATC – Baltimore Local 24	Continuing (Classroom)	Electrical	<b>Approval (3 classes at 3 credits each)</b>	<b>Approval</b>
All Star Professional Training, Inc.	Continuing Ed (Online)	Electrical	<b>Approval (3 hours) 1 course</b>	<b>Approval</b>
Virginia Water Well Association	Continuing Education (Classroom)	Water Well	<b>Approval (8 hours for CE and VT) – fall field day and jubilee</b>	<b>Approval</b>
IEC Atlanta & Georgia Chapters	Continuing Education (Classroom)	Electrical	<b>Approval ( 14 classes at 4 contact hours each but 3 credit hours)</b>	<b>Approval</b>
Baroid Industrial Drilling Products	Vocational and Continuing Education (Classroom)	Water Well	<b>Approval (32 hours) – 1 class offered each. – Retroactive from February 14, 2011</b>	<b>Approval</b>
Arne Electro Tech Seminars	Vocational and Continuing Education (Classroom)	Electrical	<b>Approval (2 courses for CE and 2 courses at 8 hours each for VT)</b>	<b>Approval</b>
Michigan Code & Education	Vocational and Continuing Education (Classroom)	Electrical	<b>Approval (2 courses – 1 CE and 1 VT 32 contact hours for each)</b>	<b>Approval</b>
Entrepreneur & Technology Institute	Contractor Pre-license and Remedial	Contractor	<b>Approval (1 course offered for each)</b>	<b>Approval</b>
ACR Construction Education	Vocational Ed (Classroom)	Electrical	<b>Approval (3 classes)</b>	<b>Approval</b>
Mike Holt Enterprises	Continuing Ed. (correspondence and online)	Electrical	<b>Approval (2 courses)</b>	<b>Approval</b>
Drilling Consultants Internationals	Vocational Ed. in classroom	Waterwell	<b>Approval (2 courses) 48 hours and 24 hours</b>	<b>Approval</b>

A motion was offered by **Mr. Gelardi** and seconded by **Mr. Sumpter** to receive the report and the recommendations from the Committee. The Motion passed with an unanimous vote: Members voting “Yes” were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walker, Tomlin, Vander Pol, Smith, Sumpter, Williams, and Walton.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

The Committee shared with the Board that they held elections of officers and their Committee Chairman is Mr. Middleton and their Vice Chairman is Mr. Dowdy.

**Regulation Update,** The Committee reported that Board staff presented draft regulations and provided an update to the committee that the 2011 General Assembly approved licensing of Residential Building Energy Analyst Firms as a Board for Contractors program that will become effective July 1, 2011. The Committee further recommends the Board adopt to include draft emergency regulations for the Residential Building Energy Analysts Firms license program within the Board for Contractors Regulations. The Committee also recommends that the Board Staff begin the NORA process.

After discussion, **Mr. Gelardi** offered a motion seconded by **Mr. Dyer** that the Board adopt Emergency draft regulations for Residential Building Energy Analyst Firms within the Board for Contractor Regulations as recommended by the Committee and for Board Staff to start the NORA process. The motion passed with a unanimous vote: Members voting “Yes” were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walker, Tomlin, Vander Pol, Smith, Sumpter, Williams, and Walton.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

The Committee also reported that Board staff presented draft regulations for the Residential Building Energy Analysts and provided an update to the committee that the 2011 General Assembly approved licensing of Residential Building Energy Analysts as a Board for Contractors program that will become effective July 1, 2011. The Committee further recommends the Board adopt to include draft regulations for the Residential Building Energy Analysts license program within the Individual License and Certification Regulations. The Committee further recommends that staff begin the NORA process.

After discussion, **Mr. Gelardi** offered a motion seconded by **Mr. Dyer** that the Board adopt including Emergency draft regulations for Residential Building Energy Analysts within the Individual License and Certification Regulations as recommended by the Committee and for Board Staff to start the NORA process. The motion passed with a unanimous vote: Members voting “Yes” were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walker, Tomlin, Vander Pol, Smith, Sumpter, Williams, and Walton.**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**The Committee** informed the Board that Mr. Gelardi, Mr. Middleton and Mr. Walker volunteered to attend the alternative energy advisory conference scheduled for June 29, 2011. The Board chairman as well as all members present thanked them for volunteering to attend the Energy meeting.

**Energy Meeting**

**PSI Update**

The Committee shared that effective August 1, 2011 all portions of the tradesman examination will be combined. The change will be posted on the Department and examination vendor, PSI's website.

**PSI Update**

**The Board took a 10 minute break to get their lunch and continue working.**

**Break**

**In the matter of Michael Gavigan, v. Commonwealth of Virginia, Department of Professional and Occupational Regulation, Board of Contractors and Larry W Pippin, t/a Affordable Home Repair.** Steven Jack addressed the Board concerning the ruling of the Circuit Court for the City of Lynchburg and the Virginia Court of Appeals. The Board members were given a handout and after review and discussion Mr. Sumpter offered a motion that was seconded by Mr. Williams to come into compliance with the Court of Appeals of Virginia's recommendation to reverse the Board's decision denying Gavigan's CTRA claim on his unsatisfied judgment and to pay Gavigan the sum of \$14,000 in damages for actual monetary loss and the sum of \$5,000 for attorney's fees, from the Contractor's Transaction Recovery Account fund. The motion passed with a unanimous vote: Members voting "Yes" were: **Dyer, Giesen, Gelardi, Middleton, Murrow, Walker, Tomlin, Vander Pol, Smith, Sumpter, Williams, and Walton.**

**File Number**

**2009-02143**

**Recovery Fund Case**

**Board members, Dowdy, Pace and Wood, were not present at the Board meeting.**

**The Board members reviewed the Recovery Fund Statements.**

**Recovery Fund Statement**

**Mr. Olson, Executive Director,** shared with the Board members that Dean Ricks will be leaving DPOR and starting a new job with the Department of Corrections. The members of the Board offered Congratulations and Thanks to Mr. Ricks.

**Dean Ricks**

The next Board meeting will be July 26th, 2011.

**Next Board meeting**

The Board Chair and Mr. Olson asked all members to be certain to complete and turn in their paperwork for processing to Sheila Watkins prior to leaving the meeting. We

**Paperwork**

are approaching the end of the fiscal year and would like to have all of our documentation processed in a timely fashion.

There being no further business to come before the board, the meeting was adjourned at **02:49 p.m.** upon a motion by **Mr. Sumpter** and seconded by **Mr. Williams**. The motion passed by unanimous vote. The Motion passed with a unanimous vote: Members voting "Yes" were: **Dyer, Walker Gelardi, Giesen, Middleton, Murrow, Vander Pol, Smith, Sumpter, Tomlin, Williams, and Walton.**

**Adjournment**

**Dowdy, Pace and Wood were absent.**

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Troy Smith, Chairman

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Gordon N. Dixon, Secretary

**Copy teste:**

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Custodian of the Record