# BOARD FOR CONTRACTORS BOARD MEETING

The Board for Contractors met on Tuesday, **December 15, 2020** at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the other member's present was qualified to vote, except where a specific reason for disqualification is stated. There are sixteen (16) members on this board, in which nine (9) constitutes a quorum pursuant to §54.1-1102.

Jeffrey Hux, Chairman Vance Ayres Michael Redifer Gene Magruder James Oliver Donald Groh Wiley "Bif" Johnson Shawn Mitchell E.G. "Rudy" Middleton

Board member(s) absent from the meeting:
Caitlin King, Vice Chairman
Christopher Plummer
Herbert "Jack "Dyer, Jr
Sheila Bynum-Coleman
Deborah Tomlin
John David O'Dell

Joshua Laws, Board Counsel was not present at the meeting.

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

Mary Broz-Vaughan, Director Eric L. Olson, Executive Director Marjorie King, Board Administrator Adrienne Mayo, Board Administrator Mary Charity, Licensing Supervisor Stephanie Keuther, Administrative Assistant 1. Chairman, Hux called the December 15, 2020 Board for Contractors Meeting to order at 10:05 A.M. Chairman, Hux declared a quorum of board members are in attendance.

<u>Call</u> To Order

2. Mr. Oliver made a motion seconded by Mr. Magruder to adopt the Agenda of December 15, 2020.

Approval of the Agenda

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Groh, Johnson, Middleton, Mitchell, and Magruder. Nays: None Abstain: None Absent: Dyer, King, Bynum-Coleman, O'Dell Tomlin and Plummer.

**3. Mr. Oliver made a motion seconded by Mr. Magruder** to approve the Minutes of October 27, 2020 Board for Contractors Meeting as presented.

Approval of Minutes

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Groh, Johnson, Middleton, Mitchell, and Magruder. Nays: None Abstain: None Absent: Dyer, King, Bynum-Coleman, O'Dell, Tomlin and Plummer.

**4. Chairman, Hux** opened the Public Comment section of the meeting. With no one wishing to come forward, Chairman Hux closed the Public Comment section of the meeting.

Public Comment Period

**Recovery Fund Cases** 

Recovery Fund
Cases

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

File Number 2019-01461 Rob Baxter (Claimant)

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

Rob Baxter (Claimant) and Brian Casey (Counsel) attend the Board meeting and agreed with the recommendation.

A motion was made by Mr. Oliver, and seconded by Mr. Magruder to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$7,377.00. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Recovery Fund File Number 2020-01391, Nir and Natalia Horev, (Claimant) and My Heating and Air Guy, Inc. (Regulant), the board adopts the claim review, which contains the facts

File Number 2020-01391

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regarding the recovery fund claim in this matter.

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

(Claimant)

Horev

Nir and Natalia

Nir and Natalia Horev (Claimant) attended the Board meeting and agreed with the recommendation.

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Recovery Fund File Number 2019-03252, Travis and Ilona Koziol, (Claimant) and RSB, Inc. (Regulant), Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number 2019-03252 Travis and Ilona Koziol (Claimant)

## Licensing Cases

**Licensing Cases** 

In the matter of License Application, File Number 2020-02785, Corner 2 Corner Remodeling LLC. The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Amended Summary of the Informal Fact-Finding Conference.

File Number 2020-02785 Corner 2 Corner Remodeling LLC

Corner 2 Corner Remodeling LLC (Applicant) participated in the Informal Fact-Finding Conference by telephone.

Wesley Tinsley on behalf of Corner 2 Corner Remodeling LLC (Applicant) attended the Board meeting and agreed with the recommendation.

After discussion, a motion was made by Mr. Oliver and seconded by Mr. Magruder to amend the recommendation for a Class C Contractor License to include the condition Mr. Wesley pay his criminal restitution monthly payments and provide proof of payments annually to Board staff.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of License Application, File Number 2020-02828, Pro Tiles, LLC. The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the

File Number 2020-02828

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Informal Fact-Finding Conference.

Pro Tiles, LLC

Pro Tiles, LLC (Applicant) participated in the Informal Fact-Finding Conference by telephone.

Meija Martinez Pro Tiles, LLC (Applicant) attended the Board meeting and agreed with the recommendation.

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of License Application, File Number 2020-02827, Brilliant Builders, Inc. The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

Brilliant Builders, Inc. (Applicant) participated in the Informal Fact-Finding Conference by telephone.

Josh Yeargin on behalf of Brilliant Builders, Inc. (Applicant) attended the Board meeting and disagreed with the recommendation.

After discussion, a motion was made by Mr. Oliver and seconded by Mr. Magruder to amend the recommendation to deny the application for a Class B Contractor License and approve the application for a Class C Contractor License, with the condition the applicant hold a Class C Contractors License for 1 year with no adverse criminal history before upgrading the license.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of License Application, File Number 2021-00061, Hodges Sign Company Outdoor Advertising, LLC. The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

Hodges Sign Company Outdoor Advertising, LLC (Applicant) participated in the Informal Fact-Finding Conference by telephone.

Randall Hodges on behalf of Hodges Sign Company Outdoor Advertising, LLC (Applicant) attended the Board meeting and disagreed with the recommendation.

After discussion, a motion was made by Mr. Oliver and seconded by Mr. Middleton to amend the recommendation for denial and to approve the application for a Class A Contractor License.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.



File Number 2020-02827 Brilliant Builders, Inc.

File Number 2021-00061 Hodges Sign Company Outdoor Advertising, LLC Contractor Board Meeting Minutes December 15, 2020 Page 5 of 60

Consent Orders

**Consent Orders** 

In the matter of Consent Order File Number 2019-02613 A-1 Plumbing Companies LLC, the board reviewed the Consent Order as seen and agreed to by A-1 Plumbing Companies LLC.

File Number 2019-02613 A-1 Plumbing Companies LLC

Jeffery Marks on behalf of A-1 Plumbing Companies LLC attended the Board meeting and agreed with the recommendation.

A motion was made by Mr. Oliver seconded by Mr. Redifer to ratify the proposed Consent Order offer wherein A-1 Plumbing Companies LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

A-1 Plumbing Companies LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9 \$400.00 Count 2: 18 VAC 50-22-260.B.15 \$1,450.00 Count 3: 18 VAC 50-22-260.B.33 \$850.00

A-1 Plumbing Companies LLC agrees to Board costs of \$150.00.

Total fines and costs of \$2,850.00

Further, for violation of Counts 1-3, A-1 Plumbing Companies LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01676 BSS Construction LLC the board reviewed the Consent Order as seen and agreed to by BSS Construction LLC.

File Number 2020-01676 BSS Construction LLC

Brian Samuels on behalf of BSS Construction LLC attended the Board meeting and agreed with the recommendation.

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

BSS Construction LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

BSS Construction LLC agrees to Board costs of \$150.00.

Total fines and costs of \$850.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

### 5. RF Prima Facie, RF and Licensing Case Files

RF Prima Facie, RF and Licensing Case Files

Recovery Fund Prima Facie

Recovery Fund Prima Facie Case Files

In the matter of Prima Facie Recovery Fund File Number 2021-00671, Paul W. Glover, Jr. (Claimant) and LSG Builders Inc. (Regulant), the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number 2021-00671 Paul W. Glover, Jr. (Claimant)

Paul W. Glover, Jr. (Claimant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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In the matter of Recovery Fund File Number 2021-00941, Esther Pooler (Claimant) and Bell Concrete Construction LLC (Regulant), the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter and the meeting notice.

File Number 2021-00941 Esther Pooler (Claimant)

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

After discussion, Mr. Middleton made a motion seconded by Mr. Magruder to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$2,277.50. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

# Recovery Fund Case Files

**Recovery Fund Case** 

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

File Number 2019-03102 Mark Muse (Claimant)

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

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

A motion was made by Mr. Middleton, and seconded by Mr. Redifer to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, and to adopt the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$3,275.25. Pursuant to 54.1-1123 (B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion was approved with a vote of 8-1-0. Ayes: Hux, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: Oliver Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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## **LICENSING CASES**

LICENSING CASES

In the matter of License Application, File Number 2020-01849, Luck Contractors LLC The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Amended Summary of the Informal Fact-Finding Conference.

File Number 2020-01849 Luck Contractors LLC

Luck Contractors LLC (Applicant) participated in the Informal Fact-Finding Conference.

Luck Contractors LLC (Applicant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of License Application, File Number 2020-02783, D&G Multi Services LLC. The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number 2020-02783 D&G Multi Services LLC

D&G Multi Services LLC (Applicant) participated in the Informal Fact-Finding Conference by telephone.

D&G Multi Services LLC (Applicant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

The motion was approved with a vote of 8-1-0. Ayes: Hux, Oliver, Redifer, Ayres, Groh, Johnson, Mitchell, and Magruder. Nays: Middleton Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of License Application, File Number 2020-02787, Benjamin Jarrett Rockwell. The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

Benjamin Jarrett Rockwell (Applicant) participated in the Informal Fact-Finding Conference by telephone.

Benjamin Jarrett Rockwell (Applicant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

File Number 2020-02787 Benjamin Jarrett Rockwell Contractor Board Meeting Minutes December 15, 2020 Page 9 of 60

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of License Application, File Number 2020-02808, All ECO Homes, LLC. The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number 2020-02808 All ECO Homes, LLC

All ECO Homes, LLC (Applicant) participated in the Informal Fact-Finding Conference by telephone.

All ECO Homes, LLC (Applicant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

After discussion, a motion was made by Mr. Middleton and seconded by Mr. Groh to amend the recommendation to approve the application for a Class A Contractor License, to include a condition that the applicant be required to submit a \$50,000.00 bond.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of License Application, File Number 2020-02810, R&R Comfort LLC. The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Amended Summary of the Informal Fact-Finding Conference.

File Number 2020-02810 R&R Comfort LLC

R&R Comfort LLC (Applicant) participated in the Informal Fact-Finding Conference by telephone.

R&R Comfort LLC (Applicant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

The motion was approved with a vote of 8-1-0. Ayes: Hux, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: Oliver Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of License Application, File Number 2020-02826, Michael Perry Smith. The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

Michael Perry Smith (Applicant) participated in the Informal Fact-Finding Conference by telephone.

File Number 2020-02826 Michael Perry Smith Contractor Board Meeting Minutes December 15, 2020 Page 10 of 60

Michael Perry Smith (Applicant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of License Application, File Number 2020-02786, Benjamin Gordon Brooks. The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number 2020-02786 Benjamin Gordon Brooks

Benjamin Gordon Brooks (Applicant) participated in the Informal Fact-Finding Conference by telephone.

Benjamin Gordon Brooks (Applicant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of License Application, File Number 2021-00434, Masster Contracting LLC. The Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number 2021-00434 Masster Contracting LLC

Masster Contracting LLC (Applicant) participated in the Informal Fact-Finding Conference by telephone.

Masster Contracting LLC (Applicant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of License Application, File Number 2020-02551, DBH Homes Services, LLC. Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number 2020-02551 DBH Homes Contractor Board Meeting Minutes December 15, 2020 Page 11 of 60

Services, LLC

In the matter of License Application, File Number 2020-02636, Muhammad Naeem Akhtar. Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number 2020-02636 Muhammad Naeem Akhtar

6. DISCIPLINARY CASES & RATIFICATION OF CONSENT ORDERS:

DISCIPLINARY
CASES &
RATIFICATION
OF CONSENT
ORDERS

DISCIPLINARY CASES

DISCIPLINARY CASES

In the matter of Disciplinary File Number 2019-03050, Key Structures LLC Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

<u>File Number</u> 2019-03050 Key Structures LLC

In the matter of Disciplinary File Number 2019-03139, Apex General Contracting LLC Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number 2019-03139 Apex General Contracting LLC

In the matter of Disciplinary File Number 2020-00247, Bull Run Builders LLC Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number 2020-00247 Bull Run Builders LLC

In the matter of Disciplinary File Number 2020-00007, Area Access, Inc. Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number 2020-00007 Area Access, Inc. Contractor Board Meeting Minutes December 15, 2020 Page 12 of 60

In the matter of Disciplinary File Number 2019-01441, Marcel's Home Building & Improvement LLC Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number
2019-01441
Marcel's Home
Building &
Improvement LLC

In the matter of Disciplinary File Number 2019-03044, United Air-Temp Air Conditioning and Heating Inc., Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number 2019-03044 United Air-Temp Air Conditioning and Heating Inc.

In the matter of Disciplinary File Number 2019-00964, Christopher Scott Pace Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number 2019-00964 Christopher Scott Pace

In the matter of Disciplinary File Number 2019-01250, Christopher Scott Pace Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number 2019-01250 Christopher Scott Pace

In the matter of Disciplinary File Number 2019-02519, Christopher Scott Pace Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number 2019-02519 Christopher Scott Pace

In the matter of Disciplinary File Number 2019-00108, TSL Properties LLC Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number 2019-00108 TSL Properties LLC

In the matter of Disciplinary File Number 2019-01883, Michael & Son Services, Inc. Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

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

In the matter of Disciplinary File Number 2019-02185, Michael & Son Services, Inc. Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number 2019-02185 Michael & Son Contractor Board Meeting Minutes December 15, 2020 Page 13 of 60

Services, Inc.

In the matter of Disciplinary File Number 2019-02524, Michael & Son Services, Inc. Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

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

In the matter of Disciplinary File Number 2019-02834, Thomas Builders of Virginia Inc. Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number 2019-02834 Thomas Builders of Virginia Inc.

In the matter of Disciplinary File Number 2019-03184, Minerva Services, LLC t/a Handyman Matters Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number 2019-03184 Minerva Services, LLC t/a Handyman Matters

In the matter of Disciplinary File Number 2020-01581, Minerva Services, LLC t/a Handyman Matters Due to a quorum issue, the Board has deferred this matter and rescheduled it to the March 9, 2021 Board for Contractors Meeting.

File Number 2020-01581 Minerva Services, LLC t/a Handyman Matters

In the matter of Disciplinary File Number 2019-02702, ECO Windows and Siding LLC the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number 2019-02702 ECO Windows and Siding LLC

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

ECO Windows and Siding LLC (Regulant) nor anyone on its behalf participated in the Informal Fact-Finding Conference.

ECO Windows and Siding LLC (Regulant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

The Board finds substantial evidence that ECO Windows and Siding LLC violated the following:

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

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The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

Count 1: \$400.00 And Remedial Education

Total: \$400.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Disciplinary File Number 2020-00653, Brian Ashley Gill t /a Quality First Home Improvements, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

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

Brian Ashley Gill t/a Quality First Home Improvements (Regulant) nor anyone on its behalf participated in the Informal Fact-Finding Conference.

Brian Ashley Gill t/a Quality First Home Improvements (Regulant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

The Board finds substantial evidence that Brian Ashley Gill t/a Quality First Home Improvements violated the following:

Count 1: 18 VAC 50-30-190.B.9 Count 2: 18 VAC 50-30-190.B.28

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

Count 1: \$400.00 And Remedial Education Count 2: \$1,750.00 And License Revocation

Total: \$2,150.00

File Number 2020-00653 Brian Ashley Gill t/a Quality First Home Improvements Contractor Board Meeting Minutes December 15, 2020 Page 15 of 60

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Disciplinary File Number 2020-00909, Home Pro Build LLC the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number 2020-00909 Home Pro Build LLC

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

Wasim Malik on behalf of Home Pro Build LLC (Regulant) participated in the Informal Fact-Finding Conference.

Home Pro Build LLC (Regulant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

The Board finds substantial evidence that Home Pro Build LLC violated the following:

Count1: 18 VAC 50-22-260.B.9.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

Count 1 was closed with a finding of no violation of Board Regulation 18 VAC 50-22-260.B.9.

# **DISCIPLINARY PRIMA FACIE CASES:**

DISCIPLINARY PRIMA FACIE CASES

File Number

In the matter of Prima Facie Disciplinary File Number 2019-02923 Benjamin F. Burton, d/b/a B & B Contractors, the Board members reviewed the record, which consisted of the Report of Findings, exhibits, notice, and the Recommendation.

2019-02923 Benjamin F. Burton, d/b/a B & B Contractors

Benjamin F. Burton, d/b/a B & B Contractors did not request an Informal Fact Findings conference.

Benjamin F. Burton, d/b/a B & B Contractors did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

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A motion was made by Mr. Middleton and seconded by Mr. Groh to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopt the Summary.

The Board finds substantial evidence that Benjamin F. Burton, d/b/a B & B Contractors violated the following:

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

Count 1: \$1,750.00 (six violations at \$1,750.00 each) And License Revocation

Total: \$10,500.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Prima Facie Disciplinary File Number 2019-03101 Robert James Stone, Sr., dba R S Plumbing the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

Robert James Stone, Sr., dba R S Plumbing did not request an Informal Fact Findings conference.

Robert James Stone, Sr., dba R S Plumbing did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Magruder to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

The Board finds substantial evidence that Robert James Stone, Sr., dba R S Plumbing violated the following:

Count 1: 18 VAC 50-22-210 Count 2: 18 VAC 50-22-260.B.28

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

File Number 2019-03101 Robert James Stone, Sr., dba R S Plumbing Contractor Board Meeting Minutes December 15, 2020 Page 17 of 60

Count 1: \$550.00 And License Revocation Count 2: \$1,750.00 And License Revocation

Total: \$2,300.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Prima Facie Disciplinary File Number 2019-03253 Snyder Building Services the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

File Number 2019-03253 Snyder Building Services

Snyder Building Services did not request an Informal Fact Findings conference.

Snyder Building Services did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Groh to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

The Board finds substantial evidence that Snyder Building Services violated the following:

Count 1: 18 VAC 50-22-260.B.9 Count 2: 18 VAC 50-22-260.B.33

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

Count 1: \$400.00 And Remedial Education Count 2: \$850.00 And Remedial Education

Total: \$1,250.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-00254 David K. Fincham, d/b/a Fincham Excavating the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

David K. Fincham, d/b/a Fincham Excavating did not request an Informal Fact Findings conference.

File Number
2020-00254
David K. Fincham,
d/b/a Fincham
Excavating

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David K. Fincham, d/b/a Fincham Excavating did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

The Board finds substantial evidence that David K. Fincham, d/b/a Fincham Excavating violated the following:

Count 1:

18 VAC 50-22-260.B.26

Count 2:

18 VAC 50-22-260.B.8

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

#### **Priors**

David K Fincham t/a Fincham Excavating, license number 2705-030074. On June 23, 2020 David K. Fincham t/a Fincham Excavating was found in violation of the Board for Contractors Regulations for failure to use a contract, failure to comply with the notification requirements of the Virginia Underground Utility Damage Prevention Act and failure to respond to an agent of the Board. Final Order 2019-02525 resulted in \$1,050 in fines and completion of Remedial Education. Compliance was obtained on October 28, 2020.

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

Count 1:

\$650.00

And Remedial Education

Count 2:

\$400.00

And Remedial Education

Total:

\$1,050.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-00727 Ralph Beall, t/a Apex Plumbing the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

<u>File Number</u> 2020-00727 Ralph Beall, t/a Apex Plumbing

Ralph Beall, t/a Apex Plumbing did not request an Informal Fact Findings conference.

Ralph Beall, t/a Apex Plumbing did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

The Board finds substantial evidence that Ralph Beall, t/a Apex Plumbing violated the following:

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

Count 1: \$800.00 And License Revocation

Total: \$800.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-00765 Zero Defects Mechanical LLC the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

File Number 2020-00765 Zero Defects Mechanical LLC

Zero Defects Mechanical LLC did not request an Informal Fact Findings conference.

Zero Defects Mechanical LLC did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

The Board finds substantial evidence that Zero Defects Mechanical LLC violated the following:

Count 1: 18 VAC 50-22-230.A

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

Count 1: \$350.00 And Remedial Education

Total: \$350.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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In the matter of Prima Facie Disciplinary File Number 2020-00863 Corian Reid Carney the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

File Number 2020-00863 Corian Reid Carney

Corian Reid Carney did not request an Informal Fact Findings conference.

Corian Reid Carney did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Groh to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

The Board finds substantial evidence that Corian Reid Carney violated the following:

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

Count 1: \$850.00 And Remedial Education

Total: \$850.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Abstain: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-00997 Steadfast Construction Inc. the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

File Number
2020-00997
Steadfast
Construction Inc.

Steadfast Construction Inc. did not request an Informal Fact Findings conference.

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

A motion was made by Mr. Middleton and seconded by Mr. Groh to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

The Board finds substantial evidence that Steadfast Construction Inc. violated the following:

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman,

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Tomlin, Dyer, and Plummer.

#### **Priors**

Steadfast Construction Inc., license number 2705-058852. On March 28, 2006 Steadfast Construction Inc. was found in violation of the Board for Contractors Regulations for hiring an unlicensed contractor. Consent Order 2005-05059 resulted in \$100 in fines, \$150 in Board Costs, and completion of Remedial Education. Compliance was obtained on November 8, 2006. On June 23, 2020 Steadfast Construction Inc. was found in violation of the Board for Contractors Regulations for failure to have business properly registered with the Virginia State Corporation Commission. Consent Order 2019-02085 resulted in \$550 in fines, \$150 in Board Costs and completion of Remedial Education.

After discussion a motion was made by Mr. Oliver seconded Mr. Middleton to amend the recommendation from \$700.00 to \$1,200.00 due to prior violations of the same type, and impose the following sanctions:

Count 1: \$1,200.00 And Remedial Education

Total: \$1,200.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-01139 Ethan Connor Inc., t/a Your Power People the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

Ethan Connor Inc., t/a Your Power People did not request an Informal Fact Findings conference.

Ethan Connor Inc., t/a Your Power People did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

The Board finds substantial evidence that Ethan Connor Inc., t/a Your Power People violated the following:

Count 1: 18 VAC 50-22-210

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

#### Priors

Ethan Connor Inc. t/a Your Power People, license number 2705-133266. On October 24, 2012, Ethan Connor Inc. t/a Your Power People was found in violation of the Board for Contractors Regulations for misconduct. Consent Order 2012-02749 resulted in \$750 in fines, \$150 in Board Costs and completion of Remedial Education. Compliance was obtained on October 10, 2013.

File Number
2020-01139
Ethan Connor Inc.,
t/a Your Power
People

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

Count 1: \$550.00 And License Revocation

Total: \$550.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-01295 CPS Contractors Inc. the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

File Number 2020-01295 CPS Contractors Inc.

CPS Contractors Inc. did not request an Informal Fact Findings conference.

CPS Contractors Inc. did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Groh to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

The Board finds substantial evidence that CPS Contractors Inc. violated the following:

Count 1: 18 VAC 50-22-220.A Count 2: 18 VAC 50-22-210

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

Count 1: \$500.00 And Remedial Education Count 2: \$550.00 And License Revocation

Total: \$1,050.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-01358 Quality Buildings & Decks LLC the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

File Number 2020-01358 Quality Buildings & Contractor Board Meeting Minutes December 15, 2020 Page 23 of 60

Decks LLC

Quality Buildings & Decks LLC did not request an Informal Fact Findings conference.

Quality Buildings & Decks LLC did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Groh to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

The Board finds substantial evidence that Quality Buildings & Decks LLC violated the following:

Count 1: 18 VAC 50-22-210

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

Count 1: \$550.00 And License Revocation

Total: \$550.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-01521 Rivah View Custom Builders LLC the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

File Number 2020-01521 Rivah View Custom Builders LLC

Rivah View Custom Builders LLC did not request an Informal Fact Findings conference.

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

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

The Board finds substantial evidence that Rivah View Custom Builders LLC violated the following:

Count 1: 18 VAC 50-22-260.B.9 Count 2: 18 VAC 50-22-260.B.33 Count 3: 18 VAC 50-22-260.B.25 Count 4: 18 VAC 50-22-210

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman,

Contractor Board Meeting Minutes December 15, 2020 Page 24 of 60

Tomlin, Dyer, and Plummer.

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

Count 1: \$400.00 And Remedial Education

Count 2: \$5,100.00 (six violations at \$850.00 each) And Remedial Education

Count 3: \$1,000.00 And License Revocation Count 4: \$550.00 And License Revocation

Total: \$7,050.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-01522 I & R Construction Group LLC the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

File Number
2020-01522
I & R Construction
Group LLC

- I & R Construction Group LLC did not request an Informal Fact Findings conference.
- I & R Construction Group LLC did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

The Board finds substantial evidence that I & R Construction Group LLC violated the following:

Count 1: 18 VAC 50-22-260.B.15

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

Count 1: \$1,450.00 And License Revocation

Total: \$1,450.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Prima Facie, Disciplinary File Number 2020-02268 CSC Development LLC, d/b/a

File Number

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**Colorscapes Custom Painting LLC** the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

CSC Development LLC, d/b/a Colorscapes Custom Painting LLC did not request an Informal Fact Findings conference.

2020-02268 CSC Development LLC, d/b/a Colorscapes Custom Painting LLC

CSC Development LLC, d/b/a Colorscapes Custom Painting LLC did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

The Board finds substantial evidence that CSC Development LLC, d/b/a Colorscapes Custom Painting LLC violated the following:

Count 1: 18 VAC 50-22-260.B.9 Count 2: 18 VAC 50-22-260.B.8 Count 3: 18 VAC 50-22-260.B.15 Count 4: 18 VAC 50-22-260.B.16

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

Count 1: \$400.00 And Remedial Education Count 2: \$400.00 And Remedial Education Count 3: \$1,450.00 And License Revocation Count 4: \$1,850.00 And License Revocation

Total: \$4,100.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-02390 Integrity Construction & Remodeling LLC the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

Integrity Construction & Remodeling LLC did not request an Informal Fact Findings conference.

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

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

File Number
2020-02390
Integrity
Construction &
Remodeling LLC

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The Board finds substantial evidence that Integrity Construction & Remodeling LLC violated the following:

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

Count 1: \$800.00 And License Revocation

Total: \$800.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-02530 American Pride Construction LLC the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

File Number
2020-02530
American Pride
Construction LLC

American Pride Construction LLC did not request an Informal Fact Findings conference.

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

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

The Board finds substantial evidence that American Pride Construction LLC violated the following:

Count 1: 18 VAC 50-22-260.B.27 Count 2: 18 VAC 50-22-260.B.13

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

Count 1: \$1,500.00 (two violations at \$750.00 each) And Remedial Education

Count 2: \$1,350.00 And License Revocation

Total: \$2,850.00

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The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Prima Facie Disciplinary File Number 2020-02569 Integrity Remodeling and Construction LLC the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

Integrity Remodeling and Construction
LLC

File Number

2020-02569

Integrity Remodeling and Construction LLC did not request an Informal Fact Findings conference.

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

A motion was made by Mr. Middleton and seconded by Mr. Oliver to adopt the report of findings including exhibits and the Recommendation and adopt the Summary.

The Board finds substantial evidence that Integrity Remodeling and Construction LLC violated the following:

Count 1:

18 VAC 50-22-260.B.15

Count 2:

18 VAC 50-22-260.B.13

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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

Count 1:

\$1,450.00

And License Revocation

Count 2: \$1,35

\$1,350.00

And License Revocation

Total:

\$2,800.00

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

# **CONSENT ORDER CASE FILES**

CONSENT ORDER
CASES FILES

In the matter of Consent Order File Number 2019-03172 Eastern Shore Air Cool & Underground Inc., t/a E S A C & V Inc. the board reviewed the Consent Order as seen and agreed to by Eastern Shore Air Cool & Underground Inc., t/a E S A C & V Inc.

Eastern Shore Air Cool & Underground Inc. attended the Board meeting and agreed with the

File Number
2019-03172
Eastern Shore Air
Cool &
Underground Inc.

Contractor Board Meeting Minutes December 15, 2020 Page 28 of 60

recommendation.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Eastern Shore Air Cool & Underground Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Eastern Shore Air Cool & Underground Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.27 \$750.00 Count 2: 18 VAC 50-22-260.B.17 \$700.00

Eastern Shore Air Cool & Underground Inc. agrees to Board costs of \$150.00.

# Total fines and costs of \$1,600.00

Further, for violation of Counts 1 and 2, Eastern Shore Air Cool & Underground Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2019-01903 Welsh Construction Incorporated the board reviewed the Consent Order as seen and agreed to by Welsh Construction Incorporated.

2019-01903
Welsh Construction
Incorporated

File Number

Welsh Construction Incorporated (Regulant) did not attend the Board meeting in person or by counsel or by any other qualified representative.

A motion was made by Mr. Oliver seconded by Mr. Johnson to ratify the proposed Consent Order offer with the corrected amount of \$850.00 wherein Welsh Construction Incorporated, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Welsh Construction Incorporated consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

Welsh Construction Incorporated agrees to Board costs of \$150.00.

#### Total fines and costs of \$850.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman,

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Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-00105 Jerry Fitzgerald & Jerry Fitzgerald Jr, t/a Jerry Fitzgerald and Son Remodeling the board reviewed the Consent Order as seen and agreed to by Jerry Fitzgerald & Jerry Fitzgerald Jr, t/a Jerry Fitzgerald and Son Remodeling.

Jerry Fitzgerald & Jerry Fitzgerald Jr, t/a Jerry Fitzgerald and Son Remodeling did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Redifer to ratify the proposed Consent Order offer with the corrected amount of \$1,350.00 wherein Jerry Fitzgerald & Jerry Fitzgerald Jr, t/a Jerry Fitzgerald and Son Remodeling acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Jerry Fitzgerald & Jerry Fitzgerald Jr, t/a Jerry Fitzgerald and Son Remodeling consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9 \$400.00 Count 2: 18 VAC 50-22-260.B.8 \$400.00 Count 3: 18 VAC 50-22-260.B.6 \$400.00

Jerry Fitzgerald & Jerry Fitzgerald Jr, t/a Jerry Fitzgerald and Son Remodeling agrees to Board costs of \$150.00.

# Total fines and costs of \$1,350.00

In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 1 provided Jerry Fitzgerald & Jerry Fitzgerald Jr provides a copy of its current contract to the Board within ninety (90) days of the effective date of this Consent Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260.B.9. If Jerry Fitzgerald & Jerry Fitzgerald Jr fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Further, for violation of Counts 1-3, Jerry Fitzgerald & Jerry Fitzgerald Jr, t/a Jerry Fitzgerald and Son Remodeling agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-00152 Homefix Custom Remodeling Corp the board reviewed the Consent Order as seen and agreed to by Homefix Custom Remodeling Corp.

Homefix Custom Remodeling Corp did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Homefix Custom Remodeling Corp acknowledges an understanding of the charges and

File Number 2020-00105 Jerry Fitzgerald & Jerry Fitzgerald Jr, t/a Jerry Fitzgerald and Son Remodeling

File Number 2020-00152 Homefix Custom Remodeling Corp Contractor Board Meeting Minutes December 15, 2020 Page 30 of 60

admits to the violation(s) of the Counts as outlined in the Report of Findings.

Homefix Custom Remodeling Corp consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$1,000.00 Count 2: 18 VAC 50-22-260.B.33 \$700.00

Homefix Custom Remodeling Corp agrees to Board costs of \$150.00.

### Total fines and costs of \$1,850.00

It is noted that a member of Responsible Management for Homefix Custom Remodeling Corp was required to complete Remedial Education pursuant to the terms of the Consent Order entered into on September 22, 2020.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-00667 Angelson Contracting Inc. the board reviewed the Consent Order as seen and agreed to by Angelson Contracting Inc.

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

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

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

Count 1: 18 VAC 50-22-260.B.27 \$750.00 Count 2: 18 VAC 50-22-260.B.29 \$700.00

Angelson Contracting Inc. agree to Board costs of \$150.00.

## Total fines and costs of \$1,600.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

File Number 2020-00667 Angelson Contracting Inc.

In the matter of Consent Order File Number 2020-00859 Turner Streat Group LLC the board

File Number

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reviewed the Consent Order as seen and agreed to by Turner Streat Group LLC.

2020-00859 Turner Streat

Turner Streat Group LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

Group LLC

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Turner Streat Group LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Turner Streat Group LLC consents to the following violations of the Board's Regulations:

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

Turner Streat Group LLC to Board costs of \$150.00.

Total fines and costs of \$550.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Abstait: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-00876 VA Premium Cabinets & Renovations LLC the board reviewed the Consent Order as seen and agreed to by VA Premium Cabinets & Renovations LLC.

File Number
2020-00876
VA Premium
Cabinets &
Renovations LLC

VA Premium Cabinets & Renovations LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein VA Premium Cabinets & Renovations LLC acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

VA Premium Cabinets & Renovations LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-230.B.9 \$400.00 Count 2: 18 VAC 50-22-260.B.29 \$700.00 Count 3: 18 VAC 50-22-260.B.27 \$750.00

VA Premium Cabinets & Renovations LLC agrees to Board costs of \$150.00.

Total fines and costs of \$2,000.00

In addition, VA Premium Cabinets & Renovations LLC agrees to revocation of its license, and therefore, imposition of fines and remedial education is hereby waived.

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The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-00991 Modern Remodeling Inc. the board reviewed the Consent Order as seen and agreed to by Modern Remodeling Inc.

File Number
2020-00991
Modern Remodeling

Modern Remodeling Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

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

Modern Remodeling Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9 \$400.00 Count 2: 18 VAC 50-22-220.A \$500.00

Modern Remodeling Inc. agrees to Board costs of \$150.00.

Total fines and costs of \$1,050.00

Further, Modern Remodeling Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-00992 Log Home Repair & Restoration Services Inc. the board reviewed the Consent Order as seen and agreed to by Log Home Repair & Restoration Services Inc.

File Number
2020-00992
Log Home Repair &
Restoration Services
Inc.

Log Home Repair & Restoration Services Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Log Home Repair & Restoration Services Inc. acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Log Home Repair & Restoration Services Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-210 \$550.00 Count 2: 18 VAC 50-22-260.B.28 \$1,750.00 Count 3: 18 VAC 50-22-260.B.6 \$800.00 Contractor Board Meeting Minutes December 15, 2020 Page 33 of 60

Log Home Repair & Restoration Services Inc. agrees to Board costs of \$150.00.

#### Total fines and costs of \$3,250.00

Further, for violation of Counts 1 and 2, Log Home Repair & Restoration Services Inc. agrees to revocation of its license.

The Board agrees to waive the monetary sanction and license revocation for Count 2 should Log Home Repair & Restoration Services Inc. satisfy the judgment referenced in that count and provide proof of satisfaction to the Board within six (6) months of the effective date of this Consent Order. Should Log Home Repair & Restoration Services Inc. fail to comply with this requirement, the monetary sanction and license revocation will be imposed.

Further, for violation of Counts 1 - 3, Log Home Repair & Restoration Services Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01059 Hill Contracting Co LLC, the board reviewed the Consent Order as seen and agreed to by Hill Contracting Co LLC.

File Number 2020-01059 Hill Contracting Co

Hill Contracting Co LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

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

Hill Contracting Co LLC consents to the following violations of the Board's Regulations:

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

Hill Contracting Co LLC agree to Board costs of \$150.00.

## Total fines and costs of \$550.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

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In the matter of Consent Order File Number 2020-01126 Edward Boyd Hamlett, t/a Hamlet Concrete Construction & Home Improvement the board reviewed the Consent Order as seen and agreed to by Edward Boyd Hamlett, t/a Hamlet Concrete Construction & Home Improvement.

Edward Boyd Hamlett, t/a Hamlet Concrete Construction & Home Improvement did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Edward Boyd Hamlett, t/a Hamlet Concrete Construction & Home Improvement, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Edward Boyd Hamlett, t/a Hamlet Concrete Construction & Home Improvement consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9 \$400.00 Count 2: 18 VAC 50-22-260.B.26 \$650.00 Count 3: 18 VAC 50-22-260.B.29 \$700.00 Count 4: 18 VAC 50-22-260.B.31 \$400.00 Count 5: 18 VAC 50-22-260.B.15 \$1,450.00

Edward Boyd Hamlett, t/a Hamlet Concrete Construction & Home Improvement agrees to Board costs of \$150.00.

Total fines and costs of \$3,750.00

Further, for violation of Counts 1-5, Edward Boyd Hamlett, t/a Hamlet Concrete Construction & Home Improvement agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Abstain: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01156 Worldwide Waterproofing and Foundation Repair Inc. the board reviewed the Consent Order as seen and agreed to by Worldwide Waterproofing and Foundation Repair Inc.

Worldwide Waterproofing and Foundation Repair Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Worldwide Waterproofing and Foundation Repair Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Worldwide Waterproofing and Foundation Repair Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9 \$400.00

File Number
2020-01126
Edward Boyd
Hamlett, t/a Hamlet
Concrete
Construction &
Home Improvement

File Number 2020-01156 Worldwide Waterproofing and Foundation Repair Inc. Contractor Board Meeting Minutes December 15, 2020 Page 35 of 60

Count 2: 18 VAC 50-22-260.B.27 \$1,500.00 (Two violations at \$750.00 each)

Count 3: 18 VAC 50-22-260.B.33 \$850.00 Count 4: 18 VAC 50-22-260.B.25 \$1,000.00

Worldwide Waterproofing and Foundation Repair Inc. agrees to Board costs of \$150.00.

### Total fines and costs of \$3,900.00

Further, for violation of Counts 1-4, Worldwide Waterproofing and Foundation Repair Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01181 Robert Tomlin, t/a R L Tomlin & Son Painting. the board reviewed the Consent Order as seen and agreed to by Robert Tomlin, t/a R L Tomlin & Son Painting.

File Number 2020-01181 Robert Tomlin, t/a R L Tomlin & Son Painting

Robert Tomlin, t/a R L Tomlin & Son Painting did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Robert Tomlin, t/a R L Tomlin & Son Painting acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Robert Tomlin, t/a R L Tomlin & Son Painting consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.27 \$750.00 Count 2: 18 VAC 50-22-260.B.17 \$750.00 Count 3: 18 VAC 50-22-260.B.31 \$400.00

Robert Tomlin, t/a R L Tomlin & Son Painting agrees to Board costs of \$150.00.

## Total fines and costs of \$2,050.00

Further, for violation of Counts 133, Robert Tomlin, t/a R L Tomlin & Son Painting agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01182 Sunrise Premier Pools of Virginia Inc., the File Number

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board reviewed the Consent Order as seen and agreed to by Sunrise Premier Pools of Virginia Inc.

2020-01182 Orion Wall Systems

Sunrise Premier Pools of Virginia Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Sunrise Premier Pools of Virginia Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Sunrise Premier Pools of Virginia Inc. consents to the following violations of the Board's Regulations;

Count 1: 18 VAC 50-22-210 \$400.00

Count 2: 18 VAC 50-22-210 \$2,000.00 (Two violations at \$1,000.00 each) Count 3: 18 VAC 50-22-210 \$800.00 (Two violations at \$400.00 each)

Sunrise Premier Pools of Virginia Inc. agrees to Board costs of \$150.00.

# Total fines and costs of \$3,350.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01242 Custom Sets LLC the board reviewed the Consent Order as seen and agreed to by Custom Sets LLC.

File Number 2020-01242 Custom Sets LLC

Custom Sets LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

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

Custom Sets LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8 \$400.00 Count 2: 18 VAC 50-22-260.B.9 \$400.00 Count 3: 18 VAC 50-22-260.B.10 \$350.00

Custom Sets LLC agrees to Board costs of \$150.00.

### Total fines and costs of \$1,300.00

Further, for violation of Counts 1-3, Custom Sets LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days

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of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01395 Morgan & Morgan Construction Inc. the board reviewed the Consent Order as seen and agreed to by Morgan & Morgan Construction Inc.

2020-01395 Morgan & Morgan Construction Inc.

File Number

Morgan & Morgan Construction Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

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

Morgan & Morgan Construction Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-260.B.9 \$400.00

Morgan & Morgan Construction Inc. agrees to Board costs of \$150.00.

#### Total fines and costs of \$550.00

In addition, the Board shall waive imposition of the \$400.00 monetary penalty for Count 1 provided Morgan & Morgan Construction Inc. provides a copy of its current contract to the Board within ninety (90) days of the effective date of this Consent Order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260.B.9. If Morgan & Morgan Construction Inc. fails to comply with this condition, then the full monetary penalty will be automatically imposed.

It is acknowledged that remedial education was completed in File Numbers 2018-02368 and 2017-02185.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01464 Pro Tech Siding Plus Inc. the board reviewed the Consent Order as seen and agreed to by Pro Tech Siding Plus Inc.

File Number 2020-01464 Pro Tech Siding Plus Inc.

Pro Tech Siding Plus Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Pro Tech Siding Plus Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Pro Tech Siding Plus Inc. consents to the following violations of the Board's Regulations:

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

\$400.00

Count 2: 18 VAC 50-22-260.B.28

\$1,750.00

Pro Tech Siding Plus Inc. agrees to Board costs of \$150.00.

#### Total fines and costs of \$2,300.00

In addition, for violation of Count 2, Pro Tech Siding Plus Inc. agrees to revocation of its license.

Also, the Board shall waive imposition of the \$1,750.00 monetary penalty and license revocation for Count 2 provided Pro Tech Siding Plus Inc. satisfies the judgment and provides the Board with proof of the satisfaction within ninety (90) days of the effective date of this Order. If Pro Tech Siding Plus Inc. fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01501 Precision Trim of Virginia Inc., the board reviewed the Consent Order as seen and agreed to by Precision Trim of Virginia Inc.

File Number 2020-01501 Precision Trim of Virginia Inc.

Precision Trim of Virginia Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

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

Precision Trim of Virginia Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.27

\$750.00

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

\$400.00

Precision Trim of Virginia Inc. agrees to Board costs of \$150.00.

#### Total fines and costs of \$1,300.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman,

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Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01596 K Power Construction Inc. the board reviewed the Consent Order as seen and agreed to K Power Construction Inc.

K Power Construction Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

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

K Power Construction Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-230.B \$650.00 Count 2: 18 VAC 50-22-260.B.6 \$800.00 Count 3: 18 VAC 50-22-260.B.27 \$750.00 Count 4: 18 VAC 50-22-260.B.33 \$850.00

K Power Construction Inc. agrees to Board costs of \$150.00.

Total fines and costs of \$3,200.00

Further, for violation of Counts 1-4, K Power Construction Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01655 Alan W Rogers, t/a Lake Anna Contractors the board reviewed the Consent Order as seen and agreed to by Alan W Rogers, t/a Lake Anna Contractors.

Alan W Rogers, t/a Lake Anna Contractors did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Alan W Rogers, t/a Lake Anna Contractors, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Alan W Rogers, t/a Lake Anna Contractors consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9 \$800.00 Count 2: 18 VAC 50-22-260.B.31 \$800.00

File Number 2020-01596 K Power Construction Inc.

File Number
2020-01655
Alan W Rogers, t/a
Lake Anna
Contractors

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Alan W Rogers, t/a Lake Anna Contractors agrees to Board costs of \$150.00.

#### Total fines and costs of \$1,750.00

Further, for violation of Counts 1-2, Alan W Rogers, t/a Lake Anna Contractors agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01678 Fjord Construction Inc. the board reviewed the Consent Order as seen and agreed to by Fjord Construction Inc.

Fjord Construction d Inc.

File Number 2020-01678

Fjord Construction Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

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

Fjord Construction Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

Fjord Construction Inc. agrees to Board costs of \$150.00.

#### Total fines and costs of \$850.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01705 National Exterminating Co Inc. The board reviewed the Consent Order as seen and agreed to by National Exterminating Co Inc.

National Exterminating Co Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

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

File Number
2020-01705
National
Exterminating Co
Inc.

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National Exterminating Co Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$800.00

National Exterminating Co Inc. agrees to Board costs of \$150.00.

#### Total fines and costs of \$950.00

Additionally, for violation of Count 1, National Exterminating Co Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01719 J T Whiting, t/a The Whiting Company the board reviewed the Consent Order as seen and agreed to by J T Whiting, t/a The Whiting Company.

File Number
2020-01719
J T Whiting, t/a The
Whiting Company

J T Whiting, t/a The Whiting Company did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein J T Whiting, t/a The Whiting Company, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

J T Whiting, t/a The Whiting Company consents to the following violations of the Board's Regulations:

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

J T Whiting, t/a The Whiting Company agrees to Board costs of \$150.00.

#### Total fines and costs of \$950.00

Additionally, for violation of Counts 1-2, R J T Whiting, t/a The Whiting Company agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01731 Benjamin M Forrest, t/a BMF Contracting the board reviewed the Consent Order as seen and agreed to by Benjamin M Forrest, t/a BMF Contracting.

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

File Number 2020-01731 Benjamin M Forrest, t/a BMF Contracting Contractor Board Meeting Minutes December 15, 2020 Page 42 of 60

Benjamin M Forrest, t/a BMF Contracting did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Benjamin M Forrest, t/a BMF Contracting, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Benjamin M Forrest, t/a BMF Contracting consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.6 \$800.00

Benjamin M Forrest, t/a BMF Contracting agrees to Board costs of \$150.00.

#### Total fines and costs of \$950.00

Additionally, for violation of Count 1, Benjamin M Forrest, t/a BMF Contracting agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Abstait: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01770 Worleys Home Services LLC, t/a Rick's Heating And Air the board reviewed the Consent Order as seen and agreed to by Worleys Home Services LLC, t/a Rick's Heating And Air.

Worleys Home Services LLC, t/a Rick's Heating And Air did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Worleys Home Services LLC, t/a Rick's Heating And Air, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Worleys Home Services LLC, t/a Rick's Heating And Air consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.33 \$850.00

Worleys Home Services LLC, t/a Rick's Heating And Air agrees to Board costs of \$150.00.

#### Total fines and costs of \$1,000.00

Further, for violation of Count 1, Worleys Home Services LLC, t/a Rick's Heating And Air agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

File Number 2020-01770 Worleys Home Services LLC, t/a Rick's Heating And Air Contractor Board Meeting Minutes December 15, 2020 Page 43 of 60

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01771 William Avalos, t/a W & E Homes Construction Co the board reviewed the Consent Order as seen and agreed to by William Avalos, t/a W & E Homes Construction Co.

File Number 2020-01771 William Avalos, t/a W & E Homes Construction Co

William Avalos, t/a W & E Homes Construction Co did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein William Avalos, t/a W & E Homes Construction Co, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

William Avalos, t/a W & E Homes Construction Co consents to the following violations of the Board's Regulations:

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

William Avalos, t/a W & E Homes Construction Co agrees to Board costs of \$150.00.

Total fines and costs of \$550.00

Further, for violation of Count 1, William Avalos, t/a W & E Homes Construction Co agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01790 Marines Plumbing LLC the board reviewed the Consent Order as seen and agreed to by Marines Plumbing LLC.

Marines Plumbing LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

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

Marines Plumbing LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8 \$400.00 Count 2: 18 VAC 50-22-260.B.9 \$400.00 Count 3: 18 VAC 50-22-260.B.27 \$1,500.00

Count 4: 18 VAC 50-22-260.B.31 \$800.00 (Two violations at \$400.00 each)

File Number 2020-01790 Marines Plumbing LLC Contractor Board Meeting Minutes December 15, 2020 Page 44 of 60

Count 5: 18 VAC 50-22-260.B.33 \$1,700.00

Marines Plumbing LLC agrees to Board costs of \$150.00.

#### Total fines and costs of \$4,950.00

Further, Marines Plumbing LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

In addition, the Board shall waive imposition of the \$400.00 monetary sanction for Count 2 provided Marines Plumbing LLC provides a copy of its current contract template to the Board within ninety (90) days of the effective date of this Consent Order. The contract template must include all terms required by the Board's regulation 18 VAC 50-22-260.B.9.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01791 Culpeper Home Services Inc. the board reviewed the Consent Order as seen and agreed to by Culpeper Home Services Inc.

File Number
2020-01791
Culpeper Home
Services Inc.

Culpeper Home Services Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

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

Culpeper Home Services Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9 \$400.00 Count 2: 18 VAC 50-22-260.B.33 \$850.00

Culpeper Home Services Inc. agrees to Board costs of \$150.00.

#### Total fines and costs of \$1,400.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01796 U S Home Corporation, t/a Lennar the board reviewed the Consent Order as seen and agreed to by U S Home Corporation, t/a Lennar.

File Number 2020-01796

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U S Home Corporation, t/a Lennar did not attend the Board meeting in person by counsel or by any other qualified individual.

U S Home Corporation, t/a Lennar

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein U S Home Corporation, t/a Lennar, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

U S Home Corporation, t/a Lennar consents to the following violations of the Board's Regulations

Count 1: 18 VAC 50-22-260.B.29 \$700.00

U S Home Corporation, t/a Lennar agrees to Board costs of \$150.00.

#### Total fines and costs of \$850.00

Further, for violation of Count 1, U S Home Corporation, t/a Lennar agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01821 Columbus Austin Earnest Pollard II the board reviewed the Consent Order as seen and agreed to by Columbus Austin Earnest Pollard II.

File Number
2020-01821
Columbus Austin
Earnest Pollard II

Columbus Austin Earnest Pollard II did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Columbus Austin Earnest Pollard II, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Columbus Austin Earnest Pollard II consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.27 \$750.00 Count 2: 18 VAC 50-22-260.B.27 \$750.00 Count 3: 18 VAC 50-22-260.B.31 \$400.00 Count 4: 18 VAC 50-22-260.B.33 \$850.00

Columbus Austin Earnest Pollard II agrees to Board costs of \$150.00.

#### Total fines and costs of \$2,900.00

Further, for violation of Counts 1-4, Columbus Austin Earnest Pollard II agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

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The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01837 Alvis W McKinney & Sarah J McKinney, t/a McKinney Plumbing Repair the board reviewed the Consent Order as seen and agreed to by Alvis W McKinney & Sarah J McKinney, t/a McKinney Plumbing Repair.

Alvis W McKinney & Sarah J McKinney, t/a McKinney Plumbing Repair did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Alvis W McKinney & Sarah J McKinney, t/a McKinney Plumbing Repair, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Alvis W McKinney & Sarah J McKinney, t/a McKinney Plumbing Repair consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

Alvis W McKinney & Sarah J McKinney, t/a McKinney Plumbing Repair agrees to Board costs of \$150.00.

Total fines and costs of \$850.00

Further, for violation of Count 1, Alvis W McKinney & Sarah J McKinney, t/a McKinney Plumbing Repair agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (180) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01865 J&O Construction Inc. the board reviewed the Consent Order as seen and agreed to by J&O Construction Inc.

J&O Construction Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein J&O Construction Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

J&O Construction Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8 \$400.00 Count 2: 18 VAC 50-22-260.B.9 \$400.00

File Number
2020-01837
Alvis W McKinney
& Sarah J
McKinney, t/a
McKinney
Plumbing Repair

File Number 2020-01865 J&O Construction Inc. Contractor Board Meeting Minutes December 15, 2020 Page 47 of 60

J&O Construction Inc. agrees to Board costs of \$150.00.

#### Total fines and costs of \$950.00

Further, J&O Construction Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

In addition for violation of Count 2, the Board agrees to waive the \$400 monetary sanction for this count should J&O Construction Inc. provide a copy of its current contract template within ninety (90) days of the effective date of this Consent Order. The contract must be in compliance with Board regulation 18 VAC 50- 22-260.B.9

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01900 BH Mid Atlantic Inc., t/a Blue Haven Pools the board reviewed the Consent Order as seen and agreed to by BH Mid Atlantic Inc., t/a Blue Haven Pools.

File Number 2020-01900 BH Mid Atlantic Inc., t/a Blue Haven Pools

BH Mid Atlantic Inc., t/a Blue Haven Pools did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein BH Mid Atlantic Inc., t/a Blue Haven Pools, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

BH Mid Atlantic Inc., t/a Blue Haven Pools consents to the following violations of the Board's Regulations:

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

\$850.00

BH Mid Atlantic Inc., t/a Blue Haven Pools agrees to Board costs of \$150.00.

#### Total fines and costs of \$1,000.00

Further, for violation of Count 1, BH Mid Atlantic Inc., t/a Blue Haven Pools agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01902 Spotsylvania Construction Incorporated the board reviewed the Consent Order as seen and agreed to by Spotsylvania Construction Incorporated.

File Number 2020-01902

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Spotsylvania Construction Incorporated did not attend the Board meeting in person by counsel or by any other qualified individual.

Spotsylvania Construction Incorporated

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Spotsylvania Construction Incorporated, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Spotsylvania Construction Incorporated consents to the following violations of the Board's Regulations:

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

\$850.00

Spotsylvania Construction Incorporated agrees to Board costs of \$150.00.

#### Total fines and costs of \$1,000.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-01970 D&A Construction Group Inc., the board reviewed the Consent Order as seen and agreed to by D&A Construction Group Inc.

File Number 2020-01970 D&A Construction Group Inc.

D&A Construction Group Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein D&A Construction Group Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

D&A Construction Group Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.8 \$400.00 Count 2: 18 VAC 50-22-260.B.27 \$750.00 Count 3: 18 VAC 50-22-260.B.27 \$750.00

D&A Construction Group Inc. agrees to Board costs of \$150.00.

#### Total fines and costs of \$2,050.00

Further, D&A Construction Group Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh,

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

In the matter of Consent Order File Number 2020-01995 M E Flow Inc. the board reviewed the Consent Order as seen and agreed to by M E Flow Inc.

<u>File Number</u> 2020-01995 M E Flow Inc.

M E Flow Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

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

M E Flow Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9 \$400.00 Count 2: 18 VAC 50-22-260.B.33 \$850.00

M E Flow Inc. agrees to Board costs of \$150.00.

Total fines and costs of \$1,400.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-02020 J C Design & Build LLC the board reviewed the Consent Order as seen and agreed to by J C Design & Build LLC.

File Number 2020-02020 J C Design & Build LLC

J C Design & Build LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein J C Design & Build LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

J C Design & Build LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.9 \$400.00 Count 2: 18 VAC 50-22-260.B.29 \$700.00

J C Design & Build LLC agrees to Board costs of \$150.00.

Total fines and costs of \$1,250.00

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Further, for violation of Counts 1 and 2, J C Design & Build LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-02092 Highland Street LLC, t/a Alair Homes Arlington the board reviewed the Consent Order as seen and agreed to by Highland Street LLC, t/a Alair Homes Arlington.

Highland Street LLC, t/a Alair Homes Arlington

File Number

2020-02092

Highland Street LLC, t/a Alair Homes Arlington did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Highland Street LLC, t/a Alair Homes Arlington, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Highland Street LLC, t/a Alair Homes Arlington consents to the following violations of the Board's Regulations:

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

\$2,800.00 (Four violations at \$700.00 each)

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

\$700.00

Highland Street LLC, t/a Alair Homes Arlington agrees to Board costs of \$150.00.

#### Total fines and costs of \$3,650.00

Further, for violation of Counts 1 and 2, Highland Street LLC, t/a Alair Homes Arlington agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-02130 Charles Parham Sr, t/a C P Contracting the board reviewed the Consent Order as seen and agreed to by Charles Parham Sr, t/a C P Contracting.

File Number 2020-02130 Charles Parham Sr, t/a C P Contracting

Charles Parham Sr, t/a C P Contracting did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Charles Parham Sr, t/a C P Contracting, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Charles Parham Sr, t/a C P Contracting consents to the following violations of the Board's Regulations:

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Count 1: 18 VAC 50-22-260.B.9 \$400.00

Charles Parham Sr, t/a C P Contracting agrees to Board costs of \$150.00.

Total fines and costs of \$550.00

Further, Charles Parham Sr, t/a C P Contracting agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-02154 Premier Roofing Inc. the board reviewed the Consent Order as seen and agreed to by Premier Roofing Inc.

File Number 2020-02154 Premier Roofing Inc.

Premier Roofing Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

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

Premier Roofing Inc. consents to the following violations of the Board's Regulations:

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

Premier Roofing Inc. agrees to Board costs of \$150.00.

Total fines and costs of \$550.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-02302 AAPCO Southeast Inc. the board reviewed the Consent Order as seen and agreed to by AAPCO Southeast Inc.

AAPCO Southeast Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

ied

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order

File Number 2020-02302 AAPCO Southeast Inc. Contractor Board Meeting Minutes December 15, 2020 Page 52 of 60

offer wherein AAPCO Southeast Inc., acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

AAPCO Southeast Inc. consents to the following violations of the Board's Regulations:

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

\$700.00

AAPCO Southeast Inc. agrees to Board costs of \$150.00.

#### Total fines and costs of \$850.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-02411 Aden Road Construction LLC, the board reviewed the Consent Order as seen and agreed to by Aden Road Construction LLC.

File Number 2020-02411 Aden Road Construction LLC

Aden Road Construction LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Aden Road Construction LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Aden Road Construction LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.27

\$750.00

Aden Road Construction LLC agrees to Board costs of \$150.00.

#### Total fines and costs of \$900.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-02469 Havepower LLC the board reviewed the Consent Order as seen and agreed to by Havepower LLC.

<u>File Number</u> 2020-02469 Havepower LLC Contractor Board Meeting Minutes December 15, 2020 Page 53 of 60

Havepower LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

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

Havepower LLC consents to the following violations of the Board's Regulations:

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

Havepower LLC agrees to Board costs of \$150.00.

#### Total fines and costs of \$950.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-02528 Linton Dario Cano, t/a Cano Construction the board reviewed the Consent Order as seen and agreed to by Linton Dario Cano, t/a Cano Construction.

Linton Dario Cano, t/a Cano Construction did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein Linton Dario Cano, t/a Cano Construction, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Linton Dario Cano, t/a Cano Construction consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.27 \$750.00 Count 2: 18 VAC 50-22-260.B.11 \$450.00

Linton Dario Cano, t/a Cano Construction agrees to Board costs of \$150.00.

#### Total fines and costs of \$1,350.00

The Board agrees to waive the \$750.00 monetary sanction for Count 1, as subsequent to the facts outlined in the attached Report of Findings, Linton Dario Cano upgraded license 2705128108 to Class A.

Further, Linton Dario Cano, t/a Cano Construction agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective

File Number 2020-02528 Linton Dario Cano, t/a Cano Construction Contractor Board Meeting Minutes December 15, 2020 Page 54 of 60

date of this Consent Order.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-02584 K&K Electric & Construction LLC the board reviewed the Consent Order as seen and agreed to by K&K Electric & Construction LLC.

File Number
2020-02584
K&K Electric &
Construction LLC

K&K Electric & Construction LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein K&K Electric & Construction LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

K&K Electric & Construction LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

K&K Electric & Construction LLC agrees to Board costs of \$150.00.

Total fines and costs of \$850.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2020-02844 BK Roofing LLC, t/a Apple Roofing LLC the board reviewed the Consent Order as seen and agreed to by BK Roofing LLC, t/a Apple Roofing LLC.

File Number 2020-02844 BK Roofing LLC, t/a Apple Roofing LLC

BK Roofing LLC, t/a Apple Roofing LLC did not attend the Board meeting in person by counsel or by any other qualified individual.

A motion was made by Mr. Oliver seconded by Mr. Magruder to ratify the proposed Consent Order offer wherein BK Roofing LLC, t/a Apple Roofing LLC, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

BK Roofing LLC, t/a Apple Roofing LLC consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

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BK Roofing LLC, t/a Apple Roofing LLC agrees to Board costs of \$150.00.

#### Total fines and costs of \$850.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman. Tomlin, Dyer, and Plummer.

In the matter of Consent Order File Number 2021-00380 Wetherington Homes Inc. the board reviewed the Consent Order as seen and agreed to by Wetherington Homes Inc.

File Number 2021-00380 Wetherington Homes Inc.

Wetherington Homes Inc. did not attend the Board meeting in person by counsel or by any other qualified individual.

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

Wetherington Homes Inc. consents to the following violations of the Board's Regulations:

Count 1: 18 VAC 50-22-260.B.29 \$700.00

Wetherington Homes Inc. agrees to Board costs of \$150.00.

#### Total fines and costs of \$850.00

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

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

Chairman Hux called a recess to the meeting at 11:20 A.M. Chairman Hux called the meeting back to order at 11:36 A.M.

Recess Reconvene

#### 7. <u>NEW BUSINESS</u>

a) Regulatory Review

**NEW BUSINESS** 

Regulatory Review

Contractor Board Meeting Minutes December 15, 2020 Page 56 of 60

#### **Backflow Prevention Device Workers**

At its Committee Meeting on December 15, 2020 Eric Olson, Executive Director, updated the Board on the NOIRA that was submitted regarding the reduction of the required vocational training hours for candidates with less than seven years of experience in water distribution systems from 40 hours to 32 hours. Public comment received was actually meant for the BPOR study on regulatory reduction and were not related to the NOIRA. The Committee recommended that the Board adopt the proposed regulations as drafted.

Proposed Regulations Backflow Prevention Devise Workers

After discussion, Mr. Redifer made a motion seconded by Mr. Mitchell to adopt the regulations as proposed and proceed with the regulatory review process.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

SDS Sewage Disposal

At its Committee Meeting on December 15, 2020 Eric Olson, Executive Director, updated the Board on the NOIRA that was submitted regarding the separation of the SDS specialty into two separate specialties (conventional and alternative) per the request made by the WWWOOSSP Board earlier this year. No public comment was received. The Committee recommended that the Board adopt the proposed regulations as drafted.

Proposed Regulations SDS Sewage Disposal

Mr. Redifer made a motion seconded by Mr. Mitchell to adopt the regulations as proposed and proceed with the regulatory review process.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Abstain: None Abstain: O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

b) Education Provider Applications

Applications for proposed education providers and courses were reviewed by the Board, recommendations are as follows:

Education Provider Applications

Ms. Mayo shared that staff recommends approval for:

**Associated Builders & Contractors** – Virginia Chapter: one classroom LP Gas Fitter vocational course and one classroom Natural Gas Fitter Vocational course.

Associated Builders & Contractors

A motion was made by Mr. Johnson seconded by Mr. Middleton for approval.

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The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

Ms. Mayo shared that staff recommends retroactive approval as of September 1, 2020 for:

Central Virginia Electrical Contractors Association – four vocational Electrical Education classes (Classroom with Zoom)

A motion was made by Mr. Johnson seconded by Mr. Middleton for approval.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

Central Virginia Electrical Contractors Association

Ms. Mayo shared that staff recommends retroactive approval as of November 12, 2020 for:

Milby Company – one online Certified Water Well Systems Provider continuing education class.

Milby Company

A motion was made by Mr. Johnson seconded by Mr. Middleton for approval.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

Ms. Mayo shared that staff recommends approval for:

Virginia Water Well Association – Certified Water Well Systems provider: one classroom vocational education class, one classroom continuing education class, one Zoom vocational education class, one Zoom continuing education class.

Virginia Water Well
Association

A motion was made by Mr. Johnson seconded by Mr. Middleton for approval.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

c) Education Provider Audits

Ms. Mayo informed the Board that due to travel restrictions staff has been unable to attend education classes to perform provider audits.

Education Provider Audits

d) Remedial Education Report

Board Administrator Marjorie King provided the Board an update on remedial education information.

Remedial Education Report Contractor Board Meeting Minutes December 15, 2020 Page 58 of 60

Currently Remedial Education classes are full through February 2021.

e) Fireplace Insert - Revisit

Eric Olson Executive Director informed the Board that at its Committee Meeting on December 15, 2020 The Committee voted to approve the revisions to the Guidance Document to add that contractors holding the Home Improvement Contracting specialty (HIC) may install vented and non-vented fireplace inserts provided that it is done according to manufacturer's instructions and that all gas related work is subcontracted to a properly licensed contractor/tradesman.

After discussion, Mr. Redifer made a motion seconded by Mr. Middleton to revise the Guidance Document to add that contractors holding the Home Improvement Contracting specialty (HIC) may install vented and non-vented fireplace inserts provided that it is done according to manufacturer's instructions and that all gas related work is subcontracted to a properly licensed contractor/tradesman.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

f) Solar Farms

Eric Olson Executive Director informed the Board that at its Committee Meeting on December 15, 2020 the Committee voted to approve and to adopt a policy that allows AES contractors to install alternative energy systems that do not exceed 100 KW. In order to install alternative energy systems that generate more than 100KW would require that the contractor hold a license with the H/H classification.

After discussion, Mr. Redifer made a motion seconded by Mr. Mitchell to adopt a policy that allows AES contractors to install alternative energy systems that do not exceed 100 KW. In order to install alternative energy systems that generate more than 100KW would require that the contractor hold a license with the H/H classification.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

### g) Gas Fitter Training, Non-Apprenticeship Candidates

Eric Olson Executive Director informed the Board that at its June meeting of the Board for Contractors a determination was made to allow candidates for licensure who had completed a plumbing or HVAC apprenticeship program to use that training to meet the educational requirements to sit for any of the gas-fitter specialties. Staff is now receiving inquiries from individuals that did not complete an apprenticeship program, but who did receive a minimum of 240 hours of training from an approved provider. Many of these individuals took their vocational training from the same provider that is utilized by apprenticeship candidates.

At its Committee Meeting on December 15, 2020 the Committee voted and approved that the Board consider expanding the acceptance of training only for those HVAC and plumbing candidates that have completed a minimum of 240 hours of vocational training in their trade and who hold the requisite years

Fireplace Insert

Solar Farms

Gas Fitter Training, Non-Apprenticeship Candidates Contractor Board Meeting Minutes December 15, 2020 Page 59 of 60

of experience in the trade.

After discussion, Mr. Redifer made a motion seconded by Mr. Mitchell to expand the acceptance of training only for those HVAC and plumbing candidates that have completed a minimum of 240 hours of vocational training in their trade and who hold the requisite years of experience in the trade.

The motion was approved with a vote of 9-0-0. Ayes: Hux, Oliver, Redifer, Ayres, Middleton, Groh, Johnson, Mitchell, and Magruder. Nays: None Abstain: None Absent: King, O'Dell, Bynum-Coleman, Tomlin, Dyer, and Plummer.

h) COIA-Financial Disclosure Forms

Director Mary-Broz-Vaughan and Executive Director Eric Olson informed the Board they should be receiving their link to the electronic filing of their Financial Disclosure Forms before December 31, 2020, that they cannot be submitted until after the first of the year, and that they must be submitted no later than February 3<sup>rd</sup> or they could be subject to a fine. For those that are due COIA training and have received the link/email, the training is due by December 31, 2020.

COIA-Financial Disclosure Forms

i) Virginia Contractor Transaction Recovery Act Fund

The recovery fund Financial statement was given to the Board for their review.

Virginia Contractor Transaction Recovery Act Fund

8. Other Board Business

None

Other Board Business

9. Completion of Paper work

**Eric Olson,** requested the Board members to complete their Conflict of Interest Statements and Travel Reimbursement Forms.

Completion of Paper work

10. Adjournment

Adjournment

Chairman, Hux thanked the Board and Staff and adjourned the meeting at 12:09 P.M.

The next board meeting will be March 9, 2021

Jeffery Mux, Chairman

Mary Broz Vaughan, Director

Copy teste:

Custodian of the Record

1.	Name	Jeffrey W Hux
		(Name of Board Member)
2.	Title:	Board Member
3.	Agency:	DPOR/Board for Contractors (Name of Board)
12		
4.	Meeting/IFF Da	ate: <u>12/15/2020</u>
5.	I have a persor	nal interest in the following transaction:
	(Agenda Item)	
	Nature of Pers	onal Interest Affected by Transaction:
		am a member of the following business, profession, occupation or group, the members of which the transaction:
		ble to participate in this transaction fairly, objectively, and in the public interest.
	or	
		ot participate in the transaction.
6,	I do not have	a personal interest in any transactions taken at this meeting.
	Signature	12-15-2020 Date

1.	Name	Donald Groh
		(Name of Board Member)
2.	Title:	Board Member
3.	Agency:	DPOR/Board for Contractors  (Name of Board)
4.	Meeting/IFF Da	
5.	I have a persor	nal interest in the following transaction:
	(Agenda Item)  Nature of Pers	onal Interest Affected by Transaction:
		•
		am a member of the following business, profession, occupation or group, the members of which the transaction:
	☐ I am a	ble to participate in this transaction fairly, objectively, and in the public interest.
	☐ I did n	ot participate in the transaction.
6.	I do not have	a personal interest in any transactions taken at this meeting.  12   15   2020  Date

1.	Name	Shawn Mitchell	
		(Name of Board Member)	
2.	Title:	Board Member	· · · · · · · · · · · · · · · · · · ·
3.	Agency:	DPOR/Board for Contractors (Name of Board)	4 a vite 4 have - e
4.	Meeting/IFF Da	ate: 12/15/2020	
5.	. I have a personal interest in the following transaction:		
	I declare that I	onal Interest Affected by Transaction:  I am a member of the following business, profession, occupator the transaction:	ion or group, the members of which
	☐ Iam a	ble to participate in this transaction fairly, objectively, and in the	e public interest.
	☐ I did n	ot participate in the transaction.	
6.	I do not have	a personal interest in any transactions taken at this meeting.	12-15-2020

1.	Name	E.G. "Rudy" Middleton	
		(Name of Board Member)	
2.	Title:	Board Member	
3.	Agency:	DPOR/Board for Contractors (Name of Board)	
4.	Meeting/IFF Da		
5.	I have a person	nal interest in the following transaction:	
	(Agenda Item)  Nature of Pers	onal Interest Affected by Transaction:	
		I am a member of the following business, profession, occupy the transaction:	pation or group, the members of whic
	I am a	ble to participate in this transaction fairly, objectively, and in	the public interest.
	☐ I did n	ot participate in the transaction.	
6.	I do not have	a personal interest in any transactions taken at this meeting.	
	E-	h Muldetto 14	12-15-20
	Signature		Date

1.	Name	Vance Ayres
		(Name of Board Member)
2.	Title:	Board Member
3.	Agency:	DPOR/Board for Contractors (Name of Board)
4.	Meeting/IFF Da	
5.	I have a personal interest in the following transaction:	
	I declare that I	onal Interest Affected by Transaction:  am a member of the following business, profession, occupation or group, the members of which the transaction:
	1 am a	ble to participate in this transaction fairly, objectively, and in the public interest.
	☐ I did n	ot participate in the transaction.
6.	I do not have	a personal interest in any transactions taken at this meeting.  13/15/30  Date

1.	Name	Gene Magruder
		(Name of Board Member)
2.	Title:	Board Member
3.	Agency:	DPOR/Board for Contractors (Name of Board)
4.	Meeting/IFF Da	ate: <u>12/15/2020</u>
5.	I have a personal interest in the following transaction:	
	(Agenda Item)	
	Nature of Pers	onal Interest Affected by Transaction:
I declare that I am a member of the following business, profession, occupation or group, the members are affected by the transaction:		
	☐ I am a	ble to participate in this transaction fairly, objectively, and in the public interest.
	☐ I did n	ot participate in the transaction.
6.	I do not have a	a personal interest in any transactions taken at this meeting.
	Signature	9. Mayrda 12/15/2020

1.	Name	Wiley "Bif" Johnson
		(Name of Board Member)
2.	Title:	Board Member
3.	Agency:	DPOR/Board for Contractors (Name of Board)
4.	Meeting/IFF Da	
5.	I have a personal interest in the following transaction:	
	(Agenda Item)	
	Nature of Person	onal Interest Affected by Transaction:
		am a member of the following business, profession, occupation or group, the members of which the transaction:
	☐ I am al	ble to participate in this transaction fairly, objectively, and in the public interest.
	or	
	☐ I did no	ot participate in the transaction.
6.	I do not have a	a personal interest in any transactions taken at this meeting.
0.	1	12/15/20
f	Signature	Date

1.	Name	James Oliver
		(Name of Board Member)
2.	Title:	Board Member
3.	Agency:	DPOR/Board for Contractors
		(Name of Board)
4.	Meeting/IFF Da	ate: 12/15/2020
5.	I have a personal interest in the following transaction:	
	(Agenda Item)	
	Nature of Pers	onal Interest Affected by Transaction:
	A. Marie Colonia Colon	
		l am a member of the following business, profession, occupation or group, the members of which $\gamma$ the transaction:
	I am a	ble to participate in this transaction fairly, objectively, and in the public interest.
	☐ I did ŋ	ot participate in the transaction.
6.	I do not have	a bersonal interest in any transactions taken at this meeting.
		MIN BA 12/15/2020
	Signature \	Date

1.	Name	Michael Redifer
		(Name of Board Member)
2.	Title:	Board Member
3.	Agency:	DPOR/Board for Contractors (Name of Board)
4.	Meeting/IFF Da	ate: <u>12/15/2020</u>
5.	I have a persor	nal interest in the following transaction:
	(Agenda Item)	
	Nature of Pers	onal Interest Affected by Transaction:
		I am a member of the following business, profession, occupation or group, the members of which $\gamma$ the transaction:
	I am a	ble to participate in this transaction fairly, objectively, and in the public interest.
	• •	ot participate in the transaction.
6.	I do not have	a personal interest in any transactions taken at this meeting.
		il 12-15-20
	Signature	Date