

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

The Board for Contractors met on Tuesday, **June 4<sup>th</sup>, 2013** at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the members present was qualified to vote, except where a specific reason for disqualification is stated. There are 15 members on this board, in which eight constitutes a quorum pursuant to §54.1-1102.

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

Mr. David Giesen was not present at the meeting.

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

Gordon Dixon, Director  
Eric L. Olson, Executive Director  
Mindy Spruill, Regulatory Boards Administrator  
Adrienne Mayo, Regulatory Boards Administrator  
Sheila Watkins, Administrative Assistant/  
Compliance Specialist  
Karen Bullock, Administrative Assistant/  
Compliance Specialist  
Kristen Clay, Legal Analyst  
Cameron Parris, Legal Analyst  
Rhonda Holmes, Legal Analyst  
Mark Courtney, Senior Director of Regulatory &  
Public Affairs  
Laura Sennewald, Intern, Attorney General's Office  
Steven Jack, Assistant Attorney General

Chairman E. G. Middleton called the meeting to order at 9:09 a.m. and declared a quorum of board members was in attendance.

**Call  
To Order**

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

**Approval of the Agenda**

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

**Approval of Minutes**

April 9<sup>th</sup>, 2013 Board for Contractors Meeting  
March 12<sup>th</sup>, 2013 Informal Fact Finding Conference  
March 19<sup>th</sup>, 2013 Informal Fact Finding Conference  
March 20<sup>th</sup>, 2013 Informal Fact Finding Conference  
March 20<sup>th</sup>, 2013 Informal Fact Finding Conference  
March 26<sup>th</sup>, 2013 Informal Fact Finding Conference  
March 29<sup>th</sup>, 2012 Informal Fact Finding Conference  
April 2<sup>nd</sup>, 2013 Informal Fact Finding Conference  
April 16<sup>th</sup>, 2013 Informal Fact Finding Conference  
April 17<sup>th</sup>, 2013 Informal Fact Finding Conference  
April 23<sup>rd</sup>, 2013 Informal Fact Finding Conference

**Mr. Pace** seconded the motion and it was unanimously approved by members: Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton. Member absent was: Giesen.**

**There was no public comment.**

**Public Comment Period**

**In the matter of Recovery Fund File Number 2013-02511, Harvey & Jean Schartup, (Claimant) vs. Maciej Szpak, t/a Riley Tree Interiors, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Maciej Szpak, t/a Rimax Construction (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Harvey and Jean Schartup (Claimant)** did not attend the Board meeting.

**File Number**  
**2013-02511**  
**Harvey & Jean Schartup**  
**(Claimant)**  
**vs. Maciej Szpak t/a Rimax**  
**Construction (Regulant)**

**This is a Prima Facie case.**

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

the claim in the amount of **\$20,000.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton**. Member absent was: **Giesen**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Rimax Construction** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Rimax Construction** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. See order for additional details.

**In the matter of Recovery Fund File Number 2013-02341, Wilfred and Kay Stokes, (Claimant) vs. Old Richmond Exteriors, LLC, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Old Richmond Exteriors, LLC, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Wilfred and Kay Stokes (Claimant)** did not attend the Board meeting.

File Number  
**2013-02341**  
**Wilfred and Kay Stokes**  
**(Claimant) and**  
**Old Richmond Exteriors,**  
**LLC (Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Walton** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$20,000.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton**. Member absent was: **Giesen**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Old Richmond Exteriors, LLC** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Old Richmond Exteriors, LLC** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. See order for additional details.

**In the matter of Recovery Fund File Number 2013-02320, Guy and Mary Kate Smith, (Claimant) vs. Gators Landscaping & Construction LLC,**

File Number  
**2013-02320**

**(Regulant)**; the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Gators Landscaping & Construction LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Guy and Mary Kate Smith (Claimant)** did not attend the Board meeting.

**Guy and Mary Kate Smith (Claimants) and Gators Landscaping & Construction LLC (Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Williams** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$20,000.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton**. Member absent was: **Giesen**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Gators Landscaping & Construction LLC** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Gators Landscaping & Construction LLC** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. See order for additional details.

**In the matter of Recovery Fund File Number 2013-02302, Michael Lackey, (Claimant) vs. New Start Homes, Inc, (Regulant)**; the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Michael Lackey (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **New Start Homes, Inc, (Claimant)** did not attend the Board meeting.

**File Number  
2013-02302  
Michael Lackey  
(Claimant) vs.  
New Start Homes, Inc.  
(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Williams** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$1,552.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton**. Member absent was: **Giesen**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **New Start Homes, Inc**, involved improper

and dishonest conduct.

Upon payment of the claim, the license of **New Start Homes, Inc** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. See order for additional details.

**In the matter of Recovery Fund File Number 2013-02112, David and Beth Oliver (Claimant) vs. Priority One Contractors Corporation (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Priority One Contractors Corporation (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **David and Beth Oliver (Claimant)** did not attend the Board meeting.

**File Number**  
**2013-02112**  
**David and Beth Oliver**  
**(Claimant)**  
**vs. Priority One**  
**Contractors Corporation**  
**(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Smith** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$20,000.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton**. Member absent was: **Giesen**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Priority One Contractors Corporation** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Priority One Contractors Corporation** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. See order for additional details.

**In the matter of Recovery Fund File Number 2013-02029, James and Melisa Packett, (Claimant) vs. Jonathan Gibson t/a C & J Painting, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Jonathan Gibson t/a C & J Painting (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **James and Melisa Packett, (Claimants)** did not attend the Board meeting.

**File Number**  
**2013-02029**  
**James and Melisa Packett**  
**(Claimant) vs.**  
**Johnathan Gibson t/a**  
**C&J Painting**  
**(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Smith** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$16,068.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton**. Member absent was: **Giesen**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Jonathan Gibson t/a C & J Painting** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Jonathan Gibson t/a C & J Painting** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. See order for additional details.

**In the matter of Recovery Fund File Number 2013-01353, Karen Gallagher, (Claimant) vs. Stingray Construction LLC, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Stingray Construction LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Karen Gallagher (Claimant)** did not attend the Board meeting.

**File Number**  
**2013-02019**  
**Karen Gallagher**  
**(Claimant) vs.**  
**Stingray Construction**  
**LLC**  
**(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$20,000.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton**. Member absent was: **Giesen**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Stingray Construction LLC** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Stingray Construction LLC** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. See order for additional details.

**In the matter of Recovery Fund File Number 2013-01413, Carmen Cardamone, (Claimant) vs. Matthew Kanady t/a Matt Kanady Air Conditioning & Heating, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Matthew Kanady t/a Matt Kanady Air Conditioning & Heating (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Carmen Cardamone (Claimant)** did not attend the Board meeting.

**File Number**  
**2013-01413**  
**Carmen Cardamone**  
**(Claimant)**  
**Matthew Kanady t/a**  
**Matt Kanady Air**  
**Conditioning & Heating**  
**(Regulant)**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation and pays the claim in the amount of **\$9,256.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton**. Member absent was: **Giesen**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Matthew Kanady t/a Matt Kanady Air Conditioning & Heating** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Matthew Kanady t/a Matt Kanady Air Conditioning & Heating** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. See order for additional details.

**In the matter of Recovery Fund File Number 2013-00325, Ralph Miller (Claimant) vs. John Bisnett t/a JL Bisnett Construction, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **John Bisnett t/a JL Bisnett Construction (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Ralph Miller (Claimant)** did not attend the Board meeting.

**File Number**  
**2013-00325**  
**Ralph Miller**  
**(Claimant)**  
**vs. John Bisnett t/a JL**  
**Bisnett Construction**  
**(Regulant)**

**A handout for this case was provided to the board members and they reviewed the document.**

**Mr. Redifer the hearing officer was not present.**

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

the claim in the amount of **\$2,300.00**. The Claim Review and Recommendation are incorporated as a part of this Order. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton**. Member absent was: **Giesen**.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **John Bisnett t/a JL Bisnett Construction** involved improper and dishonest conduct.

Upon payment of the claim, the license of **John Bisnett t/a JL Bisnett Construction** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. See order for additional details.

**In the matter of Recovery Fund File Number 2013-02066, Warren & Beverly Wharton, (Claimant) vs. Areopagus Construction, LLC, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Areopagus Construction, LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Warren & Beverly Wharton (Claimant)** attended the Board meeting. They addressed the Board.

File Number  
**2013-02066**  
**Warren & Beverly Wharton (Claimant) vs. Areopagus Construction, LLC (Regulant)**

**A handout for this case was provided to the board members and they reviewed the document.**

**Mr. Redifer the hearing officer was not present.**

After the Board's review of the handout, Mr. Olson, Executive Director of the Board for Contractor's requested a 5 minute recess which was granted by the Board. During the recess Mr. Olson, the Wharton's' and Steven Jack, the Board's Assistant Attorney General had a brief discussion. Mr. Middleton, the Board's chairperson called the meeting back to order.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Dyer** to honor the request in this matter, and move the case to the July 30, 2013 Board meeting. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton**. Member absent was: **Giesen**.



**In the matter of Recovery Fund File Number 2013-01662, Warren & Beverly Wharton, (Claimant) vs. Areopagus Construction, LLC, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Areopagus Construction, LLC (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Warren & Beverly Wharton (Claimant)** attended the Board meeting.

**File Number**  
**2013-01662**  
**Warren & Beverly Wharton (Claimants) vs. Areopagus Construction, LLC (Regulant)**

**A handout for this case was provided to the board members and they reviewed the document.**

**Mr. Redifer the hearing officer was not present.**

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to continue the case to the Board's July 30<sup>th</sup>, 2013 meeting. The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

**In the matter of Recovery Fund File Number 2013-00333, Charles Twitchell (Claimant) vs. John Bisnett t/a JL Bisnett Construction, (Regulant);** the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **John Bisnett t/a JL Bisnett Construction (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Charles Twitchell (Claimant)** did not attend the Board meeting.

**File Number**  
**2013-00333**  
**Charles Twitchell (Claimant) v. John Bisnett t/a JL Bisnett Construction (Regulant)**

**A handout for this case was provided to the board members and they reviewed the document.**

**Mr. Redifer the hearing officer was not present.**

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Gelardi** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary. The Claim Review and Summary are incorporated as a part of the Order. During the Question period Mr. Dyer opened discussion that he has concerns with approving payment of the claim from the Recovery Fund when the Regulant is making payments and is up to date and current with the court ordered restitution. After discussion, a substitute motion was offered by Mr. Dyer and seconded by Mr. Pace to adopt the Claim Review, which contains the facts

regarding the recovery fund claim in this matter, and reject the Summary. The Claim Review and Summary are incorporated as a part of the Order. The Board orders that the claim be denied based on evidence that restitution is being made to the claimant in accordance with the criminal sentencing order. . The Board denies payment of the claim.

The motion passed by a majority vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

**In the matter of Recovery Fund File Number 2012-03841, Jean Crawley (Claimant) vs. Samuel Coleman t/a Coleman's Construction, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Samuel Coleman t/a Coleman's Construction (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Jean Crawley (Claimant)** did not attend the Board meeting.

**File Number**  
**2012-03841**  
**Jean Crawley**  
**(Claimant) v. Samuel**  
**Coleman t/a Coleman's**  
**Construction**  
**(Regulant)**

**A handout for this case was provided to the board members and they reviewed the document.**

**Mrs. Tomlin the hearing officer was not present.**

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Dyer** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and deny payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. The Board orders that this claim be denied based on the fact the claimant did not provide evidence that she conducted or attempted to conduct debtor's interrogatories. Additionally, the Warrant in Debt does not include language that supports the court's conclusion that the conduct of the Regulant was improper or dishonest.

The motion passed by a majority vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Walker, Pace, Murrow, Oliver, Smith, Vander Pol, and Walton.** Member absent was: **Giesen.** Members voting "No" were: **Dowdy and Williams.**

**In the matter of Recovery Fund File Number 2013-02472, Petra Patterson (Claimant) vs. Pierce Properties and Pools LLC, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. Michael Pierce for **Pierce Properties and Pools LLC (Regulant)** did appear at the Board meeting in person. He addressed the Board. **Petra Patterson (Claimant)** did not attend the Board meeting in person, by counsel or by any other qualified representative.

**File Number**  
**2013-02472**  
**Petra Patterson**  
**(Claimant)**  
**and Hyon Kim, t/a H K**  
**Construction (Regulant)**

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Dyer** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and deny payment of the claim. The Claim Review and Summary are incorporated as a part of the Order. The Board orders that the claim be denied based on the fact that the Warrant in Debt does not contain language that supports the conclusion that the conduct of the Regulant was improper or dishonest.

**Mrs. Tomlin the hearing officer was not present.**

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Vander Pol, and Walton.** Member absent was: **Giesen.** Tomlin the Board's hearing officer did not vote and was not present.

**In the matter of Recovery Fund File Number 2013-01658, William & Petra Velasco (Claimant) vs. Pierce Properties and Pools LLC, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. Michael Pierce for **Pierce Properties and Pools LLC (Regulant)** did appear at the Board meeting. Mr. Pierce addressed the Board. **William Velasco (Claimant)** did attend the Board meeting. He addressed the Board.

**File Number**  
**2013-01658**  
**William & Petra Velasco**  
**(Claimants)**  
**and**  
**Pierce Properties and**  
**Pools LLC**  
**(Regulants)**

**Mrs. Tomlin the hearing officer was not present.**

After discussion, a motion was made by **Mr. Walker** and seconded by **Mr. Gelardi** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and approve payment of the claim in the amount of **\$10,953.69**. The Claim Review and Summary are incorporated as a part of the Order.

The motion passed by a majority vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** Tomlin, the hearing officer did not vote.

The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Pierce Properties and Pools LLC** involved improper and dishonest conduct.

Upon payment of the claim, the license of **Pierce Properties and Pools LLC** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia.

**In the matter of Recovery Fund File Number 2012-02439, George Gsell (Claimant) vs. George Roark, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **George Roark (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **George Gsell (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2012-02439**  
**George Gsell (Claimant)**  
**and**  
**George Roark**  
**(Regulant)**

**Mrs. Tomlin the hearing officer was not present.**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and deny payment of the claim. The Claim Review and Summary are incorporated as a part of the Order.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Vander Pol, and Walton.** Member absent was: **Giesen.** Tomlin, the Board's hearing officer was not present and did not vote.

**In the matter of Recovery Fund File Number 2013-01923, Dawn Phipps (Claimant) vs. East Coast Contracting, Inc., (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. Gwen Frost and Attorney

**File Number**  
**2013-01923**  
**Dawn Phipps (Claimant)**  
**and**

Ambrose for **East Coast Contracting, Inc (Regulant)** did appear at the Board meeting. He addressed the Board on behalf of his client. Larry Catlett, Attorney for **Dawn Phipps (Claimant)** did attend the Board meeting in person. He addressed the Board on behalf of his client.

**East Coast Contracting, Inc (Regulant)**

**Mrs. Tomlin the hearing officer was not present.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Murrow** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary. The Board orders that the claim be approved for payment in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of the Order.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Vander Pol, and Walton.** Member absent was: **Giesen.** Tomlin, the Board's hearing officer was not present and did not vote.

The Board finds there is language in the order to support the conclusion that the court found that the conduct of the Regulant involved improper or dishonest conduct.

Upon payment of the claim, the license of East Coast Contracting Inc will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia.

**In the matter of Recovery Fund File Number 2013-01415, Pamela Ayers (Claimant) vs. Christopher Waybright, (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Christopher Waybright (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Pamela Ayers (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2013-01415**  
**Pamela Ayers (Claimant)**  
**Christopher Waybright (Regulant)**

**Mrs. Tomlin the hearing officer was not present.**

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Walker** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and denies payment of the claim. The Claim Review and Summary are incorporated as a part of the Order.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Vander Pol, and Walton.** Member absent was: **Giesen.** Tomlin, the Board's hearing officer was not present and did not vote.

**In the matter of Recovery Fund File Number 2013-00732, Aaron Wyche (Claimant) vs. Jeremy Snyder t/a United States Roofing, Inc., (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Jeremy Snyder t/a United States Roofing, Inc., (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Aaron Wyche (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2013-00732**  
**Aaron Wyche (Claimant)**  
**And**  
**Jeremy Snyder t/a United States Roofing, Inc., (Regulant)**

**Mrs. Tomlin the hearing officer was not present.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Williams** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and denies payment of the claim. The Claim Review and Summary are incorporated as a part of the Order.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Vander Pol, and Walton.** Member absent was: **Giesen.** Tomlin, the Board's hearing officer was not present and did not vote.

The Board finds substantial evidence that the actions of **Jeremy Snyder t/a United States Roofing, Inc.,** does not fall within the statutory definition of improper and dishonest conduct.

**In the matter of Recovery Fund File Number 2013-00707, Carol Christenson (Claimant) vs. Renu Contracting, Inc., (Regulant);** the board reviewed the record, which consists of the claim file, the transcript and exhibits from the Informal Fact-Finding Conference and the Summary. **Renu Contracting, Inc., (Regulant)** did not appear at the Board meeting in person or

**File Number**  
**2013-00707**  
**Carol Christenson (Claimant)**  
**And**

by counsel or by any other qualified representative. **Carol Christenson (Claimant)** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**Renu Contracting, Inc.,  
(Regulant)**

**Mrs. Tomlin the hearing officer was not present.**

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Summary and approves payment of the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of the Order.

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Vander Pol, and Walton.** Member absent was: **Giesen.** **Tomlin, the Board's hearing officer was not present and did not vote.**

The Board finds substantial evidence that the actions of **Renu Contracting, Inc.,** does fall within the statutory definition of improper and dishonest conduct.

Upon payment of the claim, the license of **Renu Contracting, Inc.** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia.

**In the matter of License Application File Number 2013-02484 Johnathan Turner** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2013-02484  
Johnathan Turner**

Applicant **Johnathan Turner** appeared at the IFF. **Johnathan Turner** appeared at the Board meeting. He addressed the Board.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Williams** to grant a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

**In the matter of License Application File Number 2013-02475 David Northcott**

**File Number**  
**2013-02475**  
**David Northcott**

the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

Applicant **David Northcott** appeared at the IFF. **David Northcott** appeared at the Board meeting. He addressed the Board.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Williams** to grant a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

**In the matter of License Application File Number 2013-02316 Joseph Caruso t/a Caruso Painting** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2013-02316**  
**Joseph Caruso t/a**  
**Caruso Painting**

Applicant **Joseph Caruso t/a Caruso Painting** appeared at the IFF. **Joseph Caruso t/a Caruso Painting** did not appear at the Board meeting.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Walker** to grant a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**



**In the matter of License Application File Number 2013-02315 Nicholar Ruggiero** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2013-02315**  
**Nicholar Ruggiero**

Applicant **Nicholar Ruggiero** appeared at the IFF. **Nicholar Ruggiero** appeared at the Board meeting. He addressed the Board.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Pace** to grant a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

**In the matter of License Application File Number 2013-02191 Martin Roofing Company, LLC** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2013-02191**  
**Martin Roofing Company, LLC**

Applicant **Martin Roofing Company, LLC** appeared at the IFF. Pamela Martin for **Martin Roofing Company, LLC** appeared at the Board meeting. She addressed the Board.

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

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Dowdy** to grant a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

**In the matter of License Application File Number 2013-02087 Mountain Creek Construction, LLC** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the

**File Number**  
**2013-02087**  
**Mountain Creek**

Informal Fact-Finding Conference (IFF).

**Construction, LLC**

Applicant **Mountain Creek Construction, LLC** appeared at the IFF. **Charles Hartman and David Riley for Mountain Creek Construction, LLC** appeared at the Board meeting. They addressed the Board.

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

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Williams** to deny a license. Mr. Oliver had question referring the debts related to Contracting filed in the bankruptcy. The Boards has considered its Regulations 18 VAC 50-22-60 and other applicable law §54 -1106 A of the Code of Virginia. See order for additional terms. After further discussion the motion passed by majority vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith Tomlin, and Vander Pol.** Member absent was: **Giesen.** Member voting "no": **Walton.**

**In the matter of License Application File Number 2012-02086 Robert Cooper** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2013-02086**  
**Robert Cooper**

Applicant **Robert Cooper** appeared at the IFF. **Robert Cooper** did appear at the Board meeting. He addressed the Board.

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

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Dowdy** to deny a license. The Boards has considered its Regulations 18 VAC 50-22-40.E and other applicable law §54 1-204 and 54 1-1108.2 of the Code of Virginia. The Board denies the application based upon the record, including the information obtained from the Central Criminal Records Exchange, and in consideration of the criteria outlined in §54 1-204 B. See order for additional information.

The motion passed by majority vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Smith, Tomlin, and Vander Pol.** Member absent was: **Giesen.**

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

**In the matter of License Application File Number 2013-02085 Jeffrey Hintosh**

**File Number  
2012-02085  
Jeffrey Hintosh**

the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

Applicant **Jeffrey Hintosh** appeared at the IFF. **Jeffrey Hintosh** attended the Board meeting. He addressed the Board.

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

After discussion **Mr. Williams** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

**In the matter of License Application File Number 2013-02084 Antone Green**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2013-02084  
Antone Green**

Applicant **Antone Green** appeared at the IFF. **Antone Green** did attend the Board meeting. He addressed the Board.

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

After discussion **Mr. Pace** offered a motion that was seconded by **Mr. Chowdhuri** to grant a license. The motion passed by unanimous vote. Members voting “Yes” were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

**In the matter of license Application File number 2013-01948 Sowers Construction and Remodeling, LLC**, the Board members reviewed the

**File Number  
2013-01948**

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

**Sowers Construction  
and Remodeling, LLC**

Applicant **Sowers Construction and Remodeling, LLC** appeared at the IFF. **Sowers Construction and Remodeling, LLC** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Oliver** to approve a license. After additional discussion this motion was withdrawn by **Mr. Gelardi**.

**Mr. Pace** offered a motion to deny a license based on recent bankruptcy information. This motion failed due to lack of a second.

There was further Board discussion and **Mr. Middleton** offered a motion seconded by **Mr. Dowdy** to offer a conditional license based on the favorable results of a Board required CPA review (balance sheet) within 60 days of the order or the license will be denied. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton**. Member absent was: **Giesen**.

In the matter of license Application file number 2013-01947 Paul Harmon, Jr., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number  
**2013-01947**  
**Paul Harmon, Jr**

Applicant **Paul Harmon, Jr** appeared at the IFF. Shawn Conway for **Paul Harmon, Jr** did attend the Board meeting. He addressed the Board.

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

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton**. Member absent was: **Giesen**.

**In the matter of license Application file number 2013-01946 Matthew Hilgeford**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2013-01946**  
**Matthew Hilgeford**

Applicant **Matthew Hilgeford**, appeared at the IFF. **Matthew Hilgeford**, did not attend the Board meeting.

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

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Gelardi** to issue a conditional license. See order for additional information. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton**. Member absent was: **Giesen**.

**In the matter of license Application number 2013-01945 Communications International, Inc.;** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2013-01945**  
**Communications**  
**International, Inc**

Applicant **Communications International, Inc** appeared at the IFF. Eric Lebeau for **Communications International, Inc** attended the Board meeting. He addressed the Board.

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Dyer** to grant a conditional license. See order for terms. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Gelardi, Giesen Middleton, Dowdy, Walker, Pace, Dyer, Vander Pol, Tomlin and Walton**. Members absent were: **Williams, Murrow, Smith and Oliver**.

**In the matter of license Application number 2013-01944 Evcon Services, LLC;** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding

**File Number**  
**2013-01944**  
**Evcon Services, LLC**

Conference (IFF).

Applicant **Evcon Services, LLC** appeared at the IFF. **Evcon Services, LLC** did not attend the Board meeting.

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

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Gelardi** to issue a license. The motion passed by majority vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** Member voting "no": **Middleton.**

In the matter of license Application 2013-00069 **Eric A Howard**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

File Number  
**2013-00069**  
**Eric A Howard**

Applicant **Eric A Howard** appeared at the IFF. **Eric A Howard** did not attend the Board meeting.

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

After discussion **Mr. Vander Pol** offered a motion that was seconded by **Mr. Gelardi** to grant a license. The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

The Board took a recess from 10:21 am until 10:38 am.

Break

In the matter of Disciplinary File Number 2013-00635, **Edward Shupe t/a The Roof and Fence Company (Respondent)**; the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number  
**2013-00635**  
**Edward Shupe t/a The Roof and Fence**

**Edward Shupe t/a The Roof and Fence Company (Respondent)** appeared at the IFF. **Edward Shupe t/a The Roof and Fence Company** did not attend the Board meeting in person or by counsel or by any other qualified representative. **Company**

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

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Edward Shupe t/a The Roof and Fence Company** violated the following sections of its Regulations:

Violations Effective: February 1, 2006		
Count 1:	18 VAC 50-22-260 B 22	
Count 2:	18 VAC 50-22-260 B 23	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** **Dowdy, the Board's hearing officer was not present and did not vote.**

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

After discussion **Mr. Walker** offered a motion seconded by **Mr. Vander Pol** to impose the following sanctions:

Sanctions	
Count 2:	\$500.00
Total	\$500.00

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** **Dowdy, the Board's hearing officer was not present and did not**

**vote.**

**In the matter of Disciplinary File Number 2013-01409, Paul Davis Restoration of Greater Richmond Inc. (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2013-01409**  
**Paul Davis Restoration**  
**of Greater Richmond**  
**Inc.**

**Paul Davis Restoration of Greater Richmond Inc. (Respondent)** appeared at the IFF. **Michael McGraw for Paul Davis Restoration of Greater Richmond Inc.** did attend the Board meeting in person. He addressed the Board.

The presiding Board representative **Mr. Dowdy** was not present, did not participate in the discussion and did not vote. Mrs. Tomlin recused herself.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Murrow** to remand this case back to Department of Professional and Occupational Regulations staff for processing of a second Informal Fact Finding Conference.

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Walker, Williams, Pace, Murrow, Oliver, Smith, Vander Pol, and Walton.** Member absent was: **Giesen.** **Dowdy, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2012-02895, Hardesty Construction Inc (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2012-02895**  
**Hardesty Construction**  
**Inc**

**William Young attorney for Hardesty Construction Inc and Tim Feehley; John Grigg, (Witness) (Respondent)** appeared at the IFF. William Young attorney for **Hardesty Construction Inc and John Grigg** did not attend the Board. They addressed the Board.

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



After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Walton** 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 **Hardesty Construction Inc** violated the following sections of its Regulations:

Violations      Effective:    February 1, 2006		
Count 1:	18 VAC 50-22-260 B 29	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Dowdy, the Board's hearing officer was not present and did not vote.**

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

Ms. Clay shared with the Board that **Hardesty Construction Inc entered into a Consent Order, 2010-04296 that was ratified on October 10, 2010; Violation of 18 VAC 50-22-260 B 29; No fine was imposed, only \$150.00 in board costs and completion of Remedial Education was required. Compliance was obtained.**

After discussion **Mr. Williams** offered a motion to increase the sanction from \$500.00 to \$1,000.00 due to previous violations seconded by **Mr. Walker** to impose the following sanctions:

Sanctions	
Count 1:	\$1,000.00
Total	\$1,000.00
In addition, for violation of Count 1 the Board voted to require <b>Hardesty Construction Inc</b> have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. The Board voted to increase the sanction due to Hardesty Construction's history of violating the regulations.	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** **Gelardi, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-00043, Lige B Boswell t/a Katidid Paving (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2013-00043**  
**Lige B Boswell t/a**  
**Katidid Paving**

**Lige B Boswell t/a Katidid Paving (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative.. **Lige B Boswell t/a Katidid Paving** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Walker** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Lige B Boswell t/a Katidid Paving** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** **Gelardi, the Board's hearing officer was not present and did not vote.**

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

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

Sanctions	
Count 1:	\$350.00
Total	\$350.00
In addition, for violation of Count 1, the Board voted to require Revocation of the license.	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** **Gelardi, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-00212, Lige B Boswell t/a Katidid Paving (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number****2013-00212****Lige B Boswell t/a  
Katidid Paving**

**Lige B Boswell t/a Katidid Paving (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative.. **Lige B Boswell t/a Katidid Paving** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Walker** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Lige B Boswell t/a Katidid Paving** violated the following sections of its Regulations:

Violations	Effective: February 1, 2006	
Count 1:	18 VAC 50-22-260 B 8	
Count 2:	18 VAC 50-22-260 B 9	
Count 3:	18 VAC 50-22-260 B 11	

Count 4:	18 VAC 50-22-260 B 30	
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The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Gelardi, the Board's hearing officer was not present and did not vote.**

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

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

Sanctions	
Count 1:	\$350.00
Count 2:	\$350.00
Count 3:	\$450.00
Count 4:	\$1,200.00
Total	\$2,350.00
In addition, for violation of Count 1 and 4 the Board voted to Revoke the license.	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Gelardi, the Board's hearing officer was not present and did not vote.**

**In the matter Disciplinary File Number 2013-01200, Lige B Boswell t/a Katidid Paving (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2013-01200  
Lige B Boswell t/a  
Katidid Paving**

**Lige B Boswell t/a Katidid Paving (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **Lige B Boswell t/a Katidid Paving** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Dowdy** 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 **Lige B Boswell t/a Katidid Paving** violated the following sections of its Regulations:

Violations Effective: February 1, 2006		
Count 1:	18 VAC 50-22-260 B 22	
Count 2:	18 VAC 50-22-260 B 23	8 violations
Count 3:	18 VAC 50-22-260 B 24	
Count 4:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Gelardi, the Board's hearing officer was not present and did not vote.**

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

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

Sanctions	
Count 1:	\$700.00 each 8 violations \$5,600.00 \$800.00 \$1,250.00
Count 3:	
Count 4:	
Total        \$7,650.00	
In addition, for violation of Count 1, 2, 3 and 4 the Board voted to Revoke the license.	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** **Gelardi, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-00508, Timothy Wayne Nutter t/a Nutter's Landscaping (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2013-00508  
Timothy Wayne Nutter  
t/a Nutter's  
Landscaping**

**Timothy Wayne Nutter t/a Nutter's Landscaping (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **Timothy Wayne Nutter t/a Nutter's Landscaping** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Timothy Wayne Nutter t/a Nutter's Landscaping** violated the following sections of its Regulations:

Violations Effective: February 1, 2006		
Count 1:	18 VAC 50-22-260 B 18	
Count 2:	18 VAC 50-22-260 B 18	
Count 3:	18 VAC 50-22-260 B 18	
Count 4:	18 VAC 50-22-260 B 18	
Count 5:	18 VAC 50-22-260 B 18	

The motion passed by unanimous vote. Members voting "Yes" were:

**Chowdhuri, Dyer, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Gelardi, the Board's hearing officer was not present and did not vote.**

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

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

Sanctions	
Count 1:	\$800.00
Count 2:	\$650.00
Count 3:	\$650.00
Count 4:	\$750.00
Count 5:	\$2,500.00
Count 6:	\$1,500.00
Total	\$6,850.00
In addition, for violation of Count 3, 4, 5 and 6 the Board voted to Revoke the license.	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Gelardi, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2012-03346, Gerald E Wood Jr. (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2012-03346**  
**Gerald E Wood Jr**

**Gerald E Wood Jr. (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **Gerald E Wood Jr.** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Dyer** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Gerald E Wood Jr.** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** **Gelardi and Smith, the Board's hearing officer was not present and did not vote.**

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

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

Sanctions	
Count 1:	\$1,800.00 @ 900.00 each for 2 violations
Total	\$1,800.00
In addition, for violation of Count 1 the Board voted to Revoke the license.	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** **Gelardi and Smith, the Board's hearing officer was not present and did not vote.**



**In the matter of Disciplinary File Number 2013-02330, S Unlimited LLC (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2013-02330**  
**S Unlimited LLC**

**Jose Rivas-Rubio on behalf of S Unlimited LLC (Respondent)** did appear at the IFF. **David Mentzer**, Witness, by telephone participated in the IFF. **S Unlimited LLC** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Walton** 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 **S Unlimited LLC** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Dowdy, Walker, Gelardi, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Giesen, the Board's hearing officer was not present and did not vote.**

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

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

Sanctions	
Count 1:	\$500.00
Total	\$500.00

In addition, for violation of Count 1, and 2 the Board voted to require **S Unlimited LLC** require a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension. The Board voted to stay imposition of the monetary penalty and place S Unlimited on probation, subject to the following conditions:

1. **S Unlimited LLC** shall provide evidence acceptable to the Board within 90 days of the effective date of this order that a member of its Responsible Management has successfully completed remedial education
2. **S Unlimited LLC** shall provide evidence acceptable to the Board within 90 days of the effective date of this order that it has obtained the Buildings Contractors (BLD) classification.

Failure to comply with the terms of probation will then result in the imposition of the monetary penalty.

The motion passed by unanimous vote. Members voting "Yes" were:

**Chowdhuri, Dyer, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Gelardi, Oliver, Smith, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Giesen the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-00327, Hood Home And Building Services Inc, t/a Maintenance Man Services (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**Hood Home And Building Services Inc, t/a Maintenance Man Services (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **Hood Home And Building Services Inc, t/a Maintenance Man Services** did not attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number**

**2013-00327**

**Hood Home And Building Services Inc, t/a Maintenance Man Services**

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

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

regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Hood Home And Building Services Inc, t/a Maintenance Man Services** violated the following sections of its Regulations:

Violations Effective: February 1, 2006		
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 6	
Count 3:	18 VAC 50-22-260 B 30	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Gelardi, Smith, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Giesen the Board's hearing officer was not present and did not vote.**

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

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

Sanctions	
Count 2:	\$500.00
Count 3:	\$500.00
Total	\$1,000.00
In addition, for violation of Count 1, the Board voted to require a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension. The Board also imposed the sanction of license Revocation for violation of Count 2 and 3.	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Gelardi, Oliver, Smith, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Giesen, the Board's hearing officer was not present and did**

**not vote.**

**In the matter of Disciplinary File Number 2011-00711, Creteman Concrete Corp (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2011-00711**  
**Creteman Concrete Corp**

**Creteman Concrete Corp (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **Creteman Concrete Corp** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Chowdhuri** 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 **Creteman Concrete Corp** violated the following sections of its Regulations:

Violations Effective: February 1, 2006		
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 15	
Count 3:	18 VAC 50-22-260 B 16	
Count 4:	18 VAC 50-22-260 B 2	
Count 5:	18 VAC 50-22-260 B 28	
Count 6:	18 VAC 50-22-260 B 22	
Count 7:	18 VAC 50-22-260 B 13	
Count 8:	§54.1-1110 Code of VA	

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

**was: Giesen. Giesen the Board's hearing officer was not present and did not vote.**

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

After discussion **Mr. Walton** offered a motion seconded by **Mr. Vander Pol** to impose the following sanctions:

Sanctions	
Count 1:	\$350.00
Count 2:	\$1,550.00
Count 3:	\$1,850.00
Count 4:	\$900.00
Count 5:	\$1,850.00
Count 6:	\$1,250.00
Total	\$7,750.00
In addition, for violation of Count 1 the Board voted to require a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension. The Board also imposed the sanction of license Revocation for violation of Count 2, 3, 4, 6, 7, and 8.	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Giesen, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-01628, Back On Track Inc, t/a Back On Track (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2013-01628  
Back On Track Inc, t/a  
Back On Track**

**Back On Track Inc, t/a Back On Track (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **Back On Track Inc, t/a Back On Track** did not attend the Board meeting in person or by

counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Back On Track Inc, t/a Back On Track** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Giesen the Board's hearing officer was not present and did not vote.**

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

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

Sanctions	
Count 1:	\$1,250.00
Total	\$1,250.00
The Board imposed the sanction of license Revocation for violation of Count 1.	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Giesen, the Board's hearing officer was not present and did not vote.**

**In the matter of license Disciplinary File Number 2013-01789, Blue Masonry LLC (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2013-01789**  
**Blue Masonry LLC**

**Daniel Luniewski, by telephone on behalf of Blue Masonry LLC (Respondent)** did appear at the IFF. **Blue Masonry LLC** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Pace** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Timothy Wayne Nutter t/a Nutter's Landscaping** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Dowdy, Walker, Gelardi, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** **Giesen, the Board's hearing officer was not present and did not vote.**

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

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

Sanctions
The Board imposed the sanction of license Revocation for violation of Count 1.

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace,**

**Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Giesen, the Board's hearing officer was not present and did not vote.**

**In the matter of license Disciplinary File Number 2013-01880, Dereck Robert Lee Murphy, t/a Murphy Home Improvement (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2013-01880  
Dereck Robert Lee  
Murphy, t/a Murphy  
Home Improvement**

**Dereck Robert Lee Murphy, t/a Murphy Home Improvement (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **Dereck Robert Lee Murphy, t/a Murphy Home Improvement** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Dereck Robert Lee Murphy, t/a Murphy Home Improvement** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Gelardi, Smith, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Giesen the Board's hearing officer was not present and did not vote.**

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

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



Sanctions	
Count 1:	\$1,250.00
Total	\$1,250.00
The Board also imposed the sanction of license Revocation for violation of Count 1.	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Middleton, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** **Giesen, the Board's hearing officer was not present and did not vote.**

In the matter of Disciplinary File Number 2012-01810, **Alpha Omega Home Remodelers and Builders Inc, t/a Quick Fix (Respondent)**; the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2012-01810**  
**Alpha Omega Home**  
**Remodelers and**  
**Builders Inc, t/a**  
**Quick Fix**

**Alpha Omega Home Remodelers and Builders Inc, t/a Quick Fix (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **Van Nguyen, (Witness); participated** in the IFF. **Alpha Omega Home Remodelers and Builders Inc, t/a Quick Fix** did not attend the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Middleton** was not present, did not participate in the discussion and did not vote. Mr. Oliver chaired this case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Alpha Omega Home Remodelers and Builders Inc, t/a Quick Fix** violated the following sections of its Regulations:

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

Board for Contractors Meeting Minutes

June 4<sup>th</sup>, 2013

Page 42 of 90

Count 2:	18 VAC 50-22-260 B 10	
Count 3:	18 VAC 50-22-260 B 11	
Count 4:	18 VAC 50-22-260 B 27	
Count 5:	18 VAC 50-22-260 B 6	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen. Middleton, the Board's hearing officer was not present and did not vote.**

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

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

Sanctions	
Count 1:	\$350.00
Count 2:	\$1,500.00
Count 3:	\$500.00
Count 6:	\$2,500.00
Count 7:	\$2,500.00
Total	\$7,350.00
In addition, for violation of Count 1 and 3 the Board voted to require <b>Alpha Omega Home Remodelers and Builders Inc, t/a Quick Fix</b> have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. The Board also imposed the sanction of license Revocation for violation of Count 2 and 4.	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen. Middleton, the Board's hearing officer was not present and did not vote.**

In the matter of Disciplinary File Number 2012-02299, Chester William Hamilton, t/a Hamilton Fence And Deck Co (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

File Number  
**2012-02299**  
**Chester William**  
**Hamilton,**  
**t/a Hamilton Fence**  
**And Deck Co**

**Chester William Hamilton (participated by telephone), t/a Hamilton Fence And Deck Co (Respondent)** at the IFF meeting. **Brian Mikkelson**, Witness, participated in the IFF. **Chester William Hamilton, t/a Hamilton Fence And Deck Co** did not attend the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Middleton** was not present, did not participate in the discussion and did not vote. Mr. Oliver chaired this case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Chester William Hamilton, t/a Hamilton Fence And Deck Co** violated the following sections of its Regulations:

Violations February 1, 2006		
Count 1:	18 VAC 50-22-260 B 18	
Count 2:	18 VAC 50-22-260 B 18	
Count 4:	18 VAC 50-22-260 B 18	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen. Middleton, the Board's hearing officer was not present and did not vote.**

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

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

Sanctions	
Count 1:	\$800.00
Count 2:	\$1,000.00

	\$2,600.00
In addition, for violation of Count 1, 2 and 4 the Board voted to require <b>Chester William Hamilton, t/a Hamilton Fence And Deck Co</b> have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. As to violation of Count 3, the Board closes this aspect of the file with a finding of no violation.	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen. Middleton, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-00729, CSS Construction, Inc. (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2013-00729**  
**CSS Construction, Inc.**

**Scott Mallory on behalf of CSS Construction, Inc. (Respondent)** did appear at the IFF. **Michael Deppman, Witness,** appeared at the IFF. **CSS Construction, Inc.** did not appear at the board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Middleton** was not present, did not participate in the discussion and did not vote. Mr. Oliver chaired this case.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **CSS Construction, Inc.** violated the following sections of its Regulations:

Effective	February 1, 2006	
Count 1:	18 VAC 50-22-260 B1	
	9	

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

**Middleton, the Board's hearing officer was not present and did not vote.**

The presiding Board representative **Mr. Middleton** was not present, did not participate in the discussion and did not vote. Mr. Oliver chaired this case.

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

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

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Smith, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** **Middleton, the Board's hearing officer was not present and did not vote.**

**In matter of the Disciplinary File Number 2012-03187, Doo Rite Contracting LLC (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2012-03187**  
**Doo Rite Contracting**  
**LLC**

**Doo Rite Contracting LLC (Respondent)** did not appear at the IFF by counsel or by any other qualified representative. **Tammy Cato and Wayne Allen Cato (Witnesses)** appeared at the IFF. **Doo Rite Contracting LLC** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

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

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

Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Doo Rite Contracting LLC** violated the following sections of its Regulations:

Violations		February 1, 2006
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 27	
Count 3:	18 VAC 50-22-260 B 29	
Count 4:	18 VAC 50-22-260 B 6	
Count 5:	18 VAC 50-22-260 B 15	
Count 6:	18 VAC 50-22-260 B 16	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen. Middleton and Smith, the Board's hearing officer was not present and did not vote.**

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

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

Sanctions		
Count 1:		\$ 400.00
Count 2:		\$1,500.00
Count 3:		\$ 2,500.00
Count 4:		\$2,500.00
Count 5:		\$2,500.00
Count 6:		\$2,500.00
Total		\$11,900.00

In addition, for violation of Count 1 and 2, the Board voted to require **Doo Rite Contracting LLC** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. The Board also imposed the sanction of license Revocation for violation of Count 3, 4, 5 and 6.

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen. Middleton and Smith, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2012-03728, Robert S Smith, t/a Colonial Pool Company (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2012-03728  
Robert S Smith, t/a  
Colonial Pool  
Company**

**Robert S Smith, t/a Colonial Pool Company (Respondent)** did not appear at the IFF meeting in person or by counsel or by any other qualified representative. **Robert S Smith, t/a Colonial Pool Company (Respondent)** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

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

**Kristin Clay** shared that the name in the file should reflect Smith and not Foster.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and /or statutory issues in the matter, and adopts the Summary and to in cooperate the correction of the name in the record. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Robert S Smith, t/a Colonial Pool Company** violated the following sections of its Regulations:

Effective February 1, 2006	
Count 1:	18 VAC 50-22-260 B 27
Count 2:	18 VAC 50-22-260 B 31
Count 3:	18 VAC 50-22-260 B 15
Count 4:	18 VAC 50-22-260 B 16

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Smith, Williams, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen. Middleton and Walker, the Board's hearing officer was not present and did not vote.**

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

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

Sanctions		
Count 1:		\$ 1,500.00
Count 2:		\$ 500.00
Count 3:		\$2,500.00
Count 4:		\$ 2,500.00
Total		\$7,000.00
In addition, for violation of Count 1 and 2, the Board voted to require <b>Robert S Smith, t/a Colonial Pool Company</b> have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. The Board also imposed the sanction of license Revocation for violation of Count 3 and 4.		

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Smith, Williams, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** **Middleton and Walker, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2012-02045, Pool And Home Services LLC (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2012-02045**  
**Pool And Home**  
**Services LLC**

**Robert Brown and Robin Brown on behalf of Pool And Home Services LLC (Respondent)** did not appear at the IFF. **Joseph Martin and Cyndie Martin (Complaints)** attended the IFF. **Pool And Home Services LLC** did not attend the Board meeting in person or by counsel or by any other qualified representative. **Joseph Martin** attended the Board meeting.

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

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



**Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Pool And Home Services LLC** violated the following sections of its Regulations:

Violations February 1, 2006		
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 27	
Count 3:	18 VAC 50-22-260 B 27	
Count 4:	18 VAC 50-22-260 B 31	
Count 5:	18 VAC 50-22-260 B 29	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Middleton and Smith, Oliver, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Murrow, the Board's hearing officer was not present and did not vote.**

**Mr. Murrow** the board hearing officer did not participate in the discussion and vote.

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

Sanctions		
Count 1:		\$350.00
Count 2:		\$650.00
Count 3:		\$1,500.00
Count 4:		\$800.00
Count 5:		\$500.00
Total		\$3,800.00

In addition, for violation of Count 1, 2, 4 and 5 the Board voted to require a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The Board also imposed the sanction of license Revocation for

violation of Count 3.

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Middleton and Smith, Oliver, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Murrow, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2012-02985, Virginia Carolina Buildings Inc (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2012-02985  
Virginia Carolina  
Buildings Inc**

**Marie Willet on behalf of Virginia Carolina Buildings Inc (Respondent)** did appear at the IFF meeting. **Martha Ann Hicks and Oscar Pride and Charles M Veliky**, Witness attended the IFF meeting **Virginia Carolina Buildings Inc** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Premier Construction And Remodel Inc** violated the following sections of its Regulations:

Violations February 1, 2006		
Count 1:	18 VAC 50-22-260 B 8	
Count 2:	18 VAC 50-22-260 B 26	
Count 3:	18 VAC 50-22-260 B 25	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Middleton and Smith, the Board's hearing officer was not present and did not vote.**

**Mr. Murrow** the board hearing officer did not participate in the discussion and vote.

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

Sanctions		
Count 1:		\$350.00
Count 2:		\$1,000.00
Count 3:		\$900.00
Total		\$2,250.00
In addition, for violation of Count 3, the Board voted to require <b>Virginia Carolina Buildings Inc</b> have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order.		

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Oliver, Tomlin, Vander Pol, Walton, Middleton and Smith.** Member absent was: **Giesen.** **Murrow, the Board's hearing officer was not present and did not vote.**

In the matter of Disciplinary File Number 2012-03143, **Vernon G Altman, t/a Remarkable Renovations (Respondent)**; the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2012-03143**  
**Vernon G Altman, t/a**  
**Remarkable**  
**Renovations**

**Vernon Altman on behalf of Bull Run Builders LLC. (Respondent)** did appear at the IFF meeting in person. **Crystal Altman (Witness)** attended the IFF meeting. **Vernon Altman on behalf of Bull Run Builders LLC** did attend the Board meeting in person. He addressed the Board.  
The presiding Board representative **Mr. Murrow** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Vernon Altman on behalf of Bull Run Builders LLC** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Middleton and Smith, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** Murrow the Board's hearing officer was not present and did not vote.

**Mr. Murrow** the board hearing officer was not present did not participate in the discussion and vote.

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

Sanctions		
Count 1:		\$350.00
Count 2:		\$350.00
Count 5:		\$200.00
Total		\$900.00

As to 18 VAC 50-22-260 B 6 and 18 VAC 50-22-260 B 31, the Board closes this aspect of the file with a finding of no violation. As to Count 5 the Board reduced the fine from \$1,000.00 to \$200.00.

The motion passed by majority vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Middleton, Smith, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** Murrow, the Board's hearing officer was not present and did not vote.

In the matter of Disciplinary File Number 2011-02723, Areopagus Construction LLC, (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2011-02723**  
**Areopagus**  
**Construction**

**Areopagus Construction LLC (Respondent)** did appear at the IFF. George Dygert, Attorney attended the Board meeting. **Areopagus Construction LLC** **did** attend the Board meeting in person. Attorney Dygert addressed the Board and shared he concurred with the request for continuance of this case until October 1, 2013. **LLC**

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

The Board members were given a handout to review for consideration in this case.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Walker** to continue hearing of this case to the Board's October 1, 2013 meeting.

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

**Members voting "no" were: Williams, Oliver and Dowdy. Member absent were: and Giesen. Pace, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2012-02616, R & R Home Repair Inc (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2012-02616**  
**R & R Home Repair**  
**Inc**

**R & R Home Repair Inc (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **R & R Home Repair Inc** **did not** attend the Board meeting in person, by counsel nor by any other qualified individual.

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

Mrs. Clay shared there were priors and the Regulant was non compliant with the terms imposed.

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

**Dowdy** 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 **R & R Home Repair Inc** violated the following sections of its Regulations:

Effective		
Violations	September 1, 2001	
Count 1:	18 VAC 50-22-230 A	
<b>Violations</b> February 1, 2006		
Count 2:	18 VAC 50-22-260 B 30	
Count 3:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** Mr. Redifer, the Board's hearing officer was not present and did not vote.

The Board's hearing officer **Mr. Redifer** did not vote and did not participate in the discussion.

After discussion, **Mrs. Walton** offered a motion seconded by **Mr. Smith** to impose the following sanctions:

Sanctions		
Count 1:		\$350.00
Count 2:		\$750.00
Total		\$1,100.00
The Board also imposed the sanction of license Revocation for violation of Count 3.		

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** Redifer, the Board's hearing officer was not present and did not vote.

**In the matter of Disciplinary File Number 2012-03162, Charles R McKann III (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2012-03162**  
**Charles R McKann**  
**III**

**Charles R McKann III (Respondent)** did appear at the IFF. Jeffrey Anderson attended the IFF. **Charles R McKann III did not** attend the Board meeting in person, by counsel nor by any other qualified individual. **Jeff Anderson** attended the Board meeting and he addressed the Board.

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

Kristin Clay shared with the Board that the Regulant had priors and that the license is currently in a suspended state due to non compliance with the Board's previous order.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Charles R McKann III** violated the following sections of its Regulations:

Violations	February 1, 2006
Count 1:	18 VAC 50-22-260 B 8
Count 3:	18 VAC 50-22-260 B 27
Count 4:	18 VAC 50-22-260 B 17
Count 5:	18 VAC 50-22-260 B 25
Count 6:	18 VAC 50-22-260 B 13
Effective	September 1, 2001
Count 2:	18 VAC 50-22-230 A

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** Redifer, the Board's hearing officer was not present and did not vote.

The Board's hearing officer **Mr. Redifer** did not vote and did not participate in the discussion.

After discussion, **Mr. Walton** offered a motion seconded by **Mr. Pace** to impose the following sanctions:

Sanctions		
Count 1:		\$350.00
Count 2:		\$350.00
Count 3:		\$500.00
Count 4:		\$1,000.00
Count 5:		\$1,000.00
Total		\$3,200.00
In addition, for violation of Count 1, the Board voted to require <b>Charles R McKann III</b> have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. The Board also imposed the sanction of license Revocation for violation of Count 5 and 6.		

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** **Redifer**, the Board's hearing officer was not present and did not vote.

**In the matter of Disciplinary File Number 2013-00270, Divine Custom Builders Inc (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2013-00270**  
**Divine Custom**  
**Builders Inc.**

**Divine Custom Builders Inc (Respondent)** did not appear at the IFF in person, by counsel nor by any other qualified individual. **Divine Custom Builders Inc** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Parker Terry (Witness)** attended the IFF.

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

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



**Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Divine Custom Builders Inc** violated the following sections of its Regulations:

Violations February 1, 2006		
Count 1:	18 VAC 50-22-260 B 28	
Count 2:	18 VAC 50-22-260 B 13	
Effective	September 1, 2001	
Count 3:	18 VAC 50-22-260 B	
Count 4:	18 VAC 50-22-210	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Oliver, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Redifer, the Board's hearing officer was not present and did not vote.**

The Board's hearing officer **Mr. Redifer** did not vote and did not participate in the discussion.

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

Sanctions		
Count 3:		\$350.00
Total		\$350.00
The Board also imposed the sanction of license Revocation for violation of Count 1, 2 and 4.		

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Oliver, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Redifer, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2012-03655, Ads Remodeling Incorporated (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2012-03655  
Ads Remodeling  
Incorporated**

**Allan D Stephens** on behalf of **Ads Remodeling Incorporated (Respondent)** and appeared at the IFF. Robert Cooper (Witness) attended the IFF. **Allan D Stephens** on behalf of **Ads Remodeling Incorporated (Respondent)** did attend the Board meeting. He addressed the Board.

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

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Dyer** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Ads Remodeling Incorporated** violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 31	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Oliver, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Smith, the Board's hearing officer was not present and did not vote.**

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

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

Sanctions	Count 1	\$200.00
Count 2:		\$300.00
Total		\$500.00
The Board voted to require a member of Responsible		

Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.

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

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** **Smith, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2012-038292, Robert D Castillo, t/a Central Virginia Chimney Chap – Cvcc Contracting (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2012-03829**  
**Robert D Castillo, t/a**  
**Central Virginia**  
**Chimney Chap –**  
**Cvcc**  
**Contracting**

**Robert D Castillo, t/a Central Virginia Chimney Chap – Cvcc Contracting (Respondent)** did attend the IFF. **Robert D Castillo, t/a Central Virginia Chimney Chap – Cvcc Contracting** did not attend the Board meeting in person, by counsel nor by any other qualified individual. **Robert and Janis Ratliff (Witness)** attended the IFF. They did not attend the Board meeting.

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in the matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of this Order. The board finds substantial evidence that **Robert D Castillo, t/a Central Virginia Chimney Chap – Cvcc Contracting** violated the following sections of its Regulations:

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

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

**Giesen. Smith, the Board's hearing officer was not present and did not vote.**

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

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to impose the following monetary penalties:

Sanctions		
Count 1:		\$300.00
Total		\$300.00
In addition, for violation of Count 1 the Board voted to require <b>Robert D Castillo, t/a Central Virginia Chimney Chap – Cvcc Contracting</b> have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. Failure to comply with the terms will result in the automatic imposition of license suspension.		

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Dyer, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Oliver, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Smith, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2012-03423, Robert Construction LLC (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2012-03423**  
**Robert Construction**  
**LLC**

**Robert Kim on behalf of Robert Construction LLC (Respondent)** did appear at the IFF. **Robert Kim on behalf of Robert Construction LLC** did attend the Board meeting. He did not address the Board. **Justin and Tonya Lowe (Complainants)** did attend the IFF.

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

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Robert Kim on behalf of Robert**

**Construction LLC** violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 29	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Oliver, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Smith and Dyer, the Board's hearing officer was not present and did not vote.**

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

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

Sanctions		
Count 1:		\$400.00
Total		\$400.00

In addition, for violation of Count 1, the Board voted to require **Robert Kim on behalf of Robert Construction LLC** have a member of responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective of the order.

As to Count 2, the Board closes this aspect of the file with a finding of non violation.

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Middleton, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Oliver, Tomlin, Vander Pol, and Walton. Member absent was: Giesen. Dyer and Smith, the Board's hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2012-00679, Sunset Pools & Construction LLC (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-

**File Number  
2012-00679  
Sunset Pools &**

Finding Conference (IFF), and the Summary and recommendation.

## Construction LLC

**Sunset Pools & Construction LLC (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **Sylvie Piatre** (Witness), attended the IFF.

**Sunset Pools & Construction LLC (Respondent)** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

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

Kristin Clay shared with the Board that the Regulant has two priors and his license has been suspended since June 2012 due to non compliance.

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

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 6	
Count 3:	18 VAC 50-22-260 B 26	
Count 4:	18 VAC 50-22-260 B 31	
Count 5:	18 VAC 50-22-260 B 13	
Effective	December 1, 2012	
Count 6:	18 VAC 50-22-210	

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Oliver, Smith, Dyer, Tomlin, and Walton.** Member absent was: **Giesen.** **Vander Pol** the Board's hearing officer was not present and did not vote.

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

After discussion, **Mr. Oliver** offered a motion seconded by **Mr. Gelardi** to adopt the hearing officer's recommendation and impose the following sanctions:

Sanctions		
Count 1:		\$500.00
Count 2:		\$500.00
Count 3:		\$500.00
Count 4:		\$500.00
Count 5:		\$500.00
Total		\$2,500.00
The Board also imposed the sanction of license Revocation for violation of Count 6.		

The motion passed by a unanimous vote. Members voting "Yes" were: **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Oliver, Tomlin, Smith, Dyer, and Walton.** Member absent was: **Giesen.** **Vander Pol** the Board's hearing officer was not present and did not vote.

**In the matter of Disciplinary File Number 2012-03075, Servicepros LLC (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2012-03075**  
**Servicepros LLC**

**Servicepros LLC, (Respondent)** did not attend the IFF in person or by counsel or by any other qualified representative. **Servicepros LLC** did not attend the Board meeting in person or by counsel or by any other qualified representative.

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

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

to adopt the Report of Findings, this 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 **Servicepros LLC**, violated the following sections of its Regulations:

Violations	February 1, 2006
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Count 1:	18 VAC 50-22-260 B 28	
Count 6:	18 VAC 50-22-260 B 2	
Effective	September 1, 2001	
Count 2:	18 VAC 50-22-230 B	
Count 3:	18 VAC 50-22-220 A	
Count 4:	18 VAC 50-22-220 B	
Count 5:	18 VAC 50-22-220 C	

The motion passed by majority vote. Members voting “Yes” were **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Smith, Dyer, Middleton, Oliver, Tomlin, and Walton. Member absent was: Giesen. Vander Pol, the Board’s hearing officer was not present and did not vote.**

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

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

Sanctions	
The Board also imposed the sanction of license Revocation for violation of Count 1, 2, 3, 4, 5, and 6.	

The motion passed by majority vote. Members voting “Yes” were: **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Smith, Dyer, Middleton, Oliver, Tomlin, and Walton. Member absent was: Giesen. Vander Pol, the Board’s hearing officer was not present and did not vote.**

**In the matter of Disciplinary File Number 2013-00447, Becker Enterprises Inc (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2013-00447  
Becker Enterprises  
Inc**

**William F. Becker, II on behalf of Becker Enterprises Inc (Respondent)** did appear at the IFF. **Eric H. Kamien** (Witness) attended the IFF. **Becker Enterprises Inc (Respondent)** did not attend the Board meeting in person or by counsel or by any other qualified representative. A handout was given to the members of the Board for consideration.

The presiding Board representative **Mr. Vander Pol** was not present, did not



participate in the discussion and did not vote.

After further discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Dowdy** 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 **William F. Becker, II on behalf of Becker Enterprises Inc.**, violated the following sections of its Regulations:

Violations	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 31	

The motion passed by majority vote. Members voting "Yes" were: **Chowdhuri, Dowdy, Williams, Pace, Murrow, Middleton, Oliver, Tomlin, Smith, Dyer, and Walton.** Member absent was: **Giesen.** **Vander Pol, the Board's hearing officer was not present and did not vote.**

**Members voting "no": were Gelardi and Walker.**

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

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

Sanctions		
Count 1:		\$200.00
Count 2:		\$200.00
Total		\$400.00

The motion passed by unanimous vote. Members voting "Yes" were: **Chowdhuri, Gelardi, Dowdy, Walker, Pace, Smith, Dyer, Murrow, Middleton, Oliver, Tomlin, and Walton.** Member absent was: **Giesen.** **Vander Pol, the Board's hearing officer was not present and did not vote.**

**Member voting "no": Williams.**

**In the matter of Consent Order File Number 2012-03864 Board v. Orpheus Construction LLC;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2012-03864**  
**WWH Enterprises**  
**Inc.**

**Orpheus Construction LLC.;** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 0.00
Board Costs		\$ 150.00
Total		\$ 150.00
In addition for violation of Count 1, <b>Orpheus Construction LLC</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Dyer** seconded by **Mr. Walton**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Dyer, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** **Chowdhuri, the Board's hearing officer was not present and did not vote.**

**In the matter of Consent Order File Number 2012-02846 Board v. Matt T Hardy t/a Matt Hardy Electric;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2012-02846**  
**Matt T Hardy t/a**  
**Matt Hardy Electric**

**Matt T Hardy t/a Matt Hardy Electric** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$ 500.00
Board Costs		\$ 150.00
Total		\$ 650.00
In addition the Board shall waive \$200.00 of the monetary penalty for Count 1 provided Matt T Hardy reimburses \$200.00 to Mary Jo Walpole and provides the Board with proof of the payment within ninety days of the effective date of this order. If Matt T Hardy fails to comply with these conditions, then the full monetary penalty will be		

automatically imposed. Further, for violation of Count 1, **Matt T Hardy t/a Matt Hardy Electric** agrees to have a member of responsible management successfully complete a Board approved remedial education class.

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

**In the matter of Consent Order File Number 2013-01514 Board v. Wat-Co Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-01514**  
**Wat-Co Inc**

**Wat-Co Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-20-260 B 9	\$350.00
Count 2:	18 VAC 50-20-260 B 31	\$400.00
Count 3:	18 VAC 50-20-260 B 15	\$1,550.00
Board Costs		\$ 150.00
Total		\$2,450.00
In addition, for violation of Count 3, <b>Wat-Co Inc</b> agrees to revocation of his license. Further the Board voted to waive <b>\$2,300.00</b> in monetary penalties for Counts 1 and 3.		

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

**In the matter of Consent Order File Number 2013-01508 Board v. Broad Run Painting Company LLP;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the

**File Number**  
**2013-01508**  
**Broad Run Painting**

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

**Company LLP**

**Broad Run Painting Company LLP** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 22	\$00.00
Count 2;	18 VAC 50-22-260 B 23	\$700.00
Board Costs		\$150.00
Total		\$850.00

Further, for violation of Counts 1 and 2, **Broad Run Painting Company LLP** agrees to have a member of Responsible Management successfully complete a two year probation, **Broad Run Painting Company LLP** agrees to:

1. Comply with the regulations of the Board for Contractors; and
2. Not to be convicted in any state or city of any felony, misdemeanor, or federal, state or local ordinance.

If **Broad Run Painting Company LLP** violates any terms of this probation, its license may be revoked pending review by the Board or any of its agents.

Upon a motion by **Mr. Chowdhuri** seconded by **Mr. Walton**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen. Dyer, the Board's hearing officer was not present and did not participate in this vote.**

In the matter of Consent Order File Number 2013-01373 Board v. **G & S Contractor LLC**; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-01373**  
**G & S Contractor**  
**LLC**

**G & S Contractor LLC** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Board for Contractors Meeting Minutes

June 4<sup>th</sup>, 2013

Page 69 of 90

Count 1:	18 VAC 50-22-260 B 22	\$ 00.00
Count 2:	18 VAC 50-22-260 B 23	\$ 700.00
Board Costs		\$ 150.00
Total		\$850.00
Further, for violation of Count 2, <b>G &amp; S Contractor LLC</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

**In the matter of Consent Order File Number 2013-01255 Board v. Quality Construction of South West Virginia Incorporated;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-01255  
Quality Construction  
of  
South West Virginia  
Incorporated**

**Quality Construction of South West Virginia Incorporated** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$700.00
Count 2:	18 VAC 50-22-260 B 9	\$350.00
Count 3:	18 VAC 50-22-260 B 9	\$400.00
Count 4:	18 VAC 50-22-260 B 9	\$2,000.00
Count 5:	18 VAC 50-22-260 B 9	\$1,850.00
Count 6:	18 VAC 50-22-260 B 9	\$400.00
Board Costs		\$150.00
Total		\$5,500.00
Also, for violation of Counts 1 through 6, <b>Quality Construction of South West Virginia Incorporated</b>		

**agrees** to revocation of its license.

In addition, the Board shall waive imposition of \$3,500.00 in monetary penalties for violation of Counts 1 through 4 and 6.

Further, the Board shall waive imposition of the \$1,850.00 monetary penalty for count 5 provided **Quality Construction of South West Virginia Incorporated** satisfies the judgment and provides the Board with proof of the satisfaction within ninety days of the effective date of the Order. If Quality Construction of south West Virginia Incorporated fails to comply with these conditions, then the full monetary penalty will be automatically imposed.

Lastly for violation of Count 1 through 6, **Quality Construction of South West Virginia Incorporated** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the Order.

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

**In the matter of Consent Order File Number 2013-01213 Board v. Davis Brothers Construction Co Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-01213**  
**Davis Brothers**  
**Construction**  
**Co Inc**

**Davis Brothers Construction Co Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Board Costs		\$150.00
Total		\$500.00
Further for violation of Count 1, <b>Davis Brothers Construction Co Inc</b> agrees to have a member of Responsible Management successfully complete a Board-		

approved remedial education class.

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

**In the matter of Consent Order File Number 2013-01039 Board v. Russell Rowe, t/a Rusty's HBAC & Sheetmetal;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-01039**  
**Russell Rowe, t/a**  
**Rusty's HBAC &**  
**Sheetmetal**

**Russell Rowe, t/a Rusty's HBAC & Sheetmetal** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B 9	\$350.00
Count 2:	18 VAC 50-22-260 B 9	\$750.00
Count 3:	18 VAC 50-22-260 B 9	\$1,150.00
Count 4:	18 VAC 50-22-260 B 9	\$2,000.00
Board Costs		\$150.00
Total		\$4,400.00

Further, the board shall waive imposition of the \$4,250.00 monetary penalty for Counts 1 through 4 provided Russell Rowe obtains the required building permit, replaces and/or repairs the contracted work, passes a final inspection and provides the Board with proof of inspection within sixty days of the effective date of the Board Order. If Russell Rowe fails to comply with these conditions, then the full monetary penalty will be automatically imposed.

In addition for violation of Counts 2 and 3, **Russell Rowe, t/a Rusty's HBAC & Sheetmetal** agrees to have a member Responsible Management successfully complete remedial education within ninety days of the effective date of the Boards Order.

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

**In the matter of Consent Order File Number 2013-01013 Board v. Chesterfield Interior Solution Inc.;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-01013**  
**Chesterfield Interior**  
**Solution Inc**

**Conrad Carnes on behalf of Chesterfield Interior Solution Inc** appeared at the Board meeting and addressed the Board. He requested that this case be remanded back to DPOR Board Staff for processing of an Informal Fact Finding Conference.

Upon a motion by **Mr. Dyer** seconded by **Mr. Gelardi**, the Board recommended case 2013-01013 be remanded to staff in order to conduct an Informal Fact Finding Conference. The motion passed with a unanimous vote. Members voting "Yes" were: **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Dyer, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

**In the matter of Consent Order File Number 2013-00998 Board v. Sherman Davis, t/a S & D Davis Assoc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-00998**  
**Sherman Davis, t/a S &**  
**D Davis Assoc**

**Sherman Davis, t/a S & D Davis Assoc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$ 200.00
Board Costs		\$ 150.00
Total		\$ 350.00
Further, for violation of Count 1, <b>Sherman Davis, t/a S &amp; D Davis Assoc</b> agrees to have a member of Responsible Management successfully complete remedial education.		



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

**In the matter of Consent Order File Number 2013-00932 Board v. Virginia Home Improvements Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-00932**  
**Virginia Home**  
**Improvements Inc**

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

Count 1:	18 VAC 50-22-260 B 9	\$ 350.00
Count 2:	18 VAC 50-22-260 B 31	\$ 800.00
Count 3:	18 VAC 50-22-260 B 9	\$ 750.00
Count 4:	18 VAC 50-22-260 B 9	\$ 500.00
Board Costs		\$ 150.00
Total		\$ 2,550.00
In addition, for violation of Counts, 1, 2, 3 and 4, <b>Virginia Home Improvements Inc</b> agrees to a member of Responsible Management complete a Board approved remedial education class.		

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

**In the matter of Consent Order File Number 2012-00908 Board v. Victor Eugene Tomlin;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-00908**  
**Victor Eugene Tomlin**

**Victor Eugene Tomlin;** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-30-190 .8	\$ 600.00
Count 2:	18 VAC 50-30-190.5	\$ 600.00
Board Costs		\$ 150.00
Total		\$ 1,350.00
In addition, for violation of count 2, Tomlin agrees to revocation of his license.		
Further, the Board shall waive imposition of the \$600.00 monetary penalty and license revocation for Count 2 provided Tomlin reimburses \$530.67 to Carolyn Peper and provides the Board with proof of the payment within ninety days of the effective date of this Order. If Tomlin fails to comply with the conditions, then the full monetary penalty and license revocation will be automatically imposed.		

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

**In the matter of Consent Order File Number 2013-00853 Board v. HPI Realty Group LLC;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-00853**  
**HPI Realty Group LLC**

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

Board for Contractors Meeting Minutes

June 4<sup>th</sup>, 2013

Page 75 of 90

Count 1:	18 VAC 50-22-260 B 9	\$ 350.00
Count 2:	18 VAC 50-22-260 B 31 ( 2 violations at \$400.00 each )	\$ 800.00
Count 3:	18 VAC 50-22-260 B 28	\$ 00.00
Board Costs		\$ 150.00
Total		\$ 1,300.00
<p>Further for violation of Counts 1 and 2, <b>HPI Realty Group LLC</b> agrees that a member of Responsible Management will successfully complete a Board approved remedial education class.</p> <p>In addition, for violation of Counts 1,2 and 3, <b>HPI Realty Group LLC</b> agrees to revocation of its license.</p> <p>Further, the Board shall waive imposition of the \$350.00 monetary penalty for count 1 and shall waive the imposition of the \$800.00 for Count 2.</p>		

Upon a motion by **Mrs. Tomlin** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Dyer, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

**In the matter of Consent Order File Number 2013-00817 Board v. Joseph A Zehala, t/a Joseph A Zehala Contractor;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-00817**

**Joseph A Zehala, t/a  
Joseph A Zehala  
Contractor**

**Joseph A Zehala, t/a Joseph A Zehala Contractor** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 550.00
<p>Further, for violation of Count 1, <b>Joseph A Zehala, t/a Joseph A Zehala Contractor</b> agrees that a member of Responsible Management shall successfully complete a Board-approved remedial education class within 90 days of</p>		

the order. If a member of responsible Management of **Joseph A Zehala, t/a Joseph A Zehala Contractor** fails to comply with this condition, then the license will be automatically suspended.

Upon a motion by **Mr. Williams** seconded by **Mrs. Tomlin**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Dyer, Oliver, Tomlin, Vander Pol, and Walton. Member absent was: Giesen.**

**In the matter of Consent Order File Number 2013-00807 Board v. Charles H Verburg, t/a Creative Design & Construction**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-00807  
Charles H Verburg, t/a  
Creative Design &  
Construction**

**Charles H Verburg, t/a Creative Design & Construction**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$ 350.00
Count 2:	18 VAC 50-22-260 B 6	\$ 750.00
Count 3:	18 VAC 50-22-260. B 27	\$ 650.00
Count 4:	18 VAC 50-22-260 B 31	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 2,300.00

Further, for violation of Counts 1, through 4, **Charles H Verburg, t/a Creative Design & Construction** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Boards order.

Upon a motion by **Mr. Walton** seconded by **Mr. Dyer**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton,**

**Smith, Dyer, Oliver, Tomlin, Vander Pol, and Walton. Member absent was: Giesen.**

**In the matter of Consent Order File Number 2013-00742 Board v. Generation Builders LLC;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-00742  
Generation Builders  
LLC**

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

Count 1:	18 VAC 50-22-260 B 58	\$ 1,300.00
Count 2:	18 VAC 50-22-260 B 6	\$ 1,200.00
Count 3:	18 VAC 50-22-260 B 31	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 3,050.00

In addition, for violation of Counts 1, 2, and 3, **Generation Builders LLC;** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety days of the effective date of this Order.

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

**In the matter of Consent Order File Number 2013-00681 Board v. Jesse Belving Jr, t/a Industrial Welding & Maint;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-00681  
Jesse Belving Jr, t/a  
Industrial Welding  
& Maint**

**Jesse Belving Jr, t/a Industrial Welding & Maint;** acknowledges an understanding of the charges and hereby admits to the violation(s) of the

Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 350.00
Count 2:	18 VAC 50-22-260 B 27	\$ 650.00
Count 3:	18 VAC 50-22-260 B 27	\$ 650.00
Count 4:	18 VAC 50-22-260 B 29	\$ 500.00
Count 5:	18 VAC 50-22-260 B 9	\$ 750.00
Board Costs		\$ 150.00
Total		\$ 3,050.00
In addition, for violation of Counts 1 through 5, <b>Jesse Belving Jr, t/a Industrial Welding &amp; Maint</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety days of the effective date of the Order.		

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

**In the matter of Consent Order File Number 2013-00666 Board v. Beddie Home Improvements Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-00666**  
**Beddie Home**  
**Improvements Inc**

**Beddie Home Improvements Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$ 350.00
Count 2:	18 VAC 50-22-260 B 15	\$ 1,550.00
Count 3:	18 VAC 50-22-260 B 9	\$ 1,850.00
Count 4:	18 VAC 50-22-260 B 9	\$1,850.00

Board for Contractors Meeting Minutes

June 4<sup>th</sup>, 2013

Page 79 of 90

Board Costs		\$ 150.00
Total		\$ 5,750.00
<p>In addition, for violation of Counts 1 through 4, <b>Beddie Home Improvements Inc</b> agrees to revocation of its license.</p> <p>Further, the Board shall waive imposition of the \$5,600.00 monetary penalty for Counts 1 through 4.</p>		

Upon a motion by **Mr. Dyer** seconded by **Mr. Chowdhuri**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Dyer, Oliver, Tomlin, Vander Pol, and Walton. Member absent was: Giesen.**

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

**In the matter of Consent Order File Number 2013-00516 Board v. Brooke Heuneman, t/a Dare Air** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-00516**  
**Brooke Heuneman,**  
**t/a**  
**Dare Air**

**Brooke Heuneman, t/a Dare Air** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230 A	\$ 350.00
Count 2:	18 VAC 50-22-260 B 9	\$ 350.00
Count 3:	18 VAC 50-22-260 B 9	\$ 750.00
Board Costs		\$ 150.00
Total		\$ 1,600.00
<p>Further for violation of Counts 1, 2 and 3, <b>Brooke Heuneman, t/a Dare Air</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order.</p>		

Upon a motion by **Mrs. Tomlin** seconded by **Mr. Walton**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Dyer, Oliver, Tomlin, Vander Pol, and Walton. Member absent was: Giesen.**

**In the matter of Consent Order File Number 2013-00473 Board v. Dember Heating & Cooling Inc** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-00473  
Dember Heating &  
Cooling Inc**

**Dember Heating & Cooling Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$ 750.00
Board Costs		\$ 150.00
Total		\$ 900.00
In addition, for violation of Counts 1, <b>Dember Heating &amp; Cooling Inc</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

**In the matter of Consent Order File Number 2013-00409 Board v. T & T Contracting LLC;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-00409  
T & T Contracting  
LLC**

**T & T Contracting LLC** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:



Board for Contractors Meeting Minutes

June 4<sup>th</sup>, 2013

Page 81 of 90

Count 1:	18 VAC 50-22-260 B 9	\$ 00.00
Count 2:	18 VAC 50-22-260 B 10	\$ 500.00
Count 3:	18 VAC 50-22-260 B 9	\$ 500.00
Board Costs		\$ 150.00
Total		\$ 1,150.00
In addition, for violation of Counts 1, 2, and 3, <b>T &amp; T Contracting LLC</b> agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the effective date of the Order.		

Upon a motion by **Mrs. Tomlin** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Dyer, Oliver, Tomlin, Vander Pol, and Walton. Member absent was: Giesen.**

**In the matter of Consent Order File Number 2013-00268 Board v. Evergreen Design Build LLC;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2013-00268  
Evergreen Design  
Build LLC**

**Evergreen Design Build LLC;** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 17	\$ 1,350.00
Count 2:	18 VAC 50-22-260 B 27 (two violations at \$650.00 each)	\$ 1,300.00
Count 3:	18 VAC 50-22-260 B 27	\$ 350.00
Count 4:	18 VAC 50-22-260 B 31	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 3,550.00
For Counts 1 through 4, <b>Evergreen Design Build LLC</b> agrees to have a member of Responsible Management		

successfully complete a Board-approved remedial education class within 90 days of the Order.

Upon a motion by **Mr. Vander Pol** seconded by **Mrs. Tomlin**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Dyer, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

**In the matter of Consent Order File Number 2013-00268 Board v. Robert Alan Hassinger;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2013-00268**  
**Robert Alan Hassinger**

**Robert Alan Hassinger;** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 150.00
Count 2:	18 VAC 50-22-260 B 27	\$ 350.00
Count 3:	18 VAC 50-22-260 B 6	\$ 400.00
Board Costs		\$ 150.00
Total		\$ 1,050.00

Further for violation of Counts 1-3, **Robert Alan Hassinger;** agrees to have a member of Responsible management successfully complete a Board-approved remedial education class within 90 days of the Order.

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

**In the matter of Consent Order File Number 2012-03124 Board v. Unstiffed Ambition LLC, t/a New Tradition Home Building;** the Board

**File Number**  
**2012-03124**

reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**Unstiffled Ambition LLC,  
t/a New Tradition Home  
Building**

**Unstiffled Ambition LLC, t/a New Tradition Home Building** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$ 350.00
Count 2:	18 VAC 50-22-260 B 9	\$ 350.00
Count 3:	18 VAC 50-22-260 B 27	\$ 650.00
Count 4:	18 VAC 50-22-260 B 16	\$ 800.00
Board Costs		\$ 150.00
Total		\$ 2,300.00
In addition, for violation of Count 1 through 4, <b>Unstiffled Ambition LLC, t/a New Tradition Home Building</b> agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the effective date of the Order.		

Upon a motion by **Mrs. Tomlin** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Middleton, Smith, Dyer, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

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

**In the matter of Consent Order File Number 2012-03843 Board v. W D Construction Management Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2012-03843  
W D Construction  
Management Inc**

**W D Construction Management Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Board for Contractors Meeting Minutes

June 4<sup>th</sup>, 2013

Page 84 of 90

Count 1:	18 VAC 50-22-260 B18	\$ 1,000.00
Count 2:	18 VAC 50-22-260-B 18	\$ 1,000.00
Board Costs		\$ 150.00
Total		\$ 2,150.00
In addition, for violation of Count 1-2, <b>W D Construction Management Inc</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mrs. Tomlin** seconded by **Mr. Pace**, the Board ratified the Consent Order with a unanimous vote: Members voting "Yes" were: **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Dyer, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

**In the matter of Consent Order File Number 2012-03707 Board v. B H Contracting LLC;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number  
**2012-03707**

**B H Contracting LLC**

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

Count 1:	18 VAC 50-22-260 B 27	\$ 650.00
Count 2:	18 VAC 50-22-260 B 27	\$ 650.00
Count 3:	18 VAC 50-22-260 B 6	\$ 750.00
Count 4:	18 VAC 50-22-260 B 13	\$ 1,250.00
Board Costs		\$ 150.00
Total		\$ 3,450.00
For violation of Count 3, <b>B H Contracting LLC</b> agrees to revocation of its license.		
Further, the Board shall waive imposition of the license revocation for Count 3 on condition that <b>B H Contracting LLC</b> pays the \$24,166.00 owed to ACM and provides the		

Board with the Order. If **B H Contracting LLC** fails to comply with these conditions, then the license revocation will be automatically imposed.

In addition, the Board agrees to waive the \$650.00 monetary penalty for Count 1 provided **B H Contracting LLC** to comply with this condition, then the full monetary penalty will be imposed.

Lastly, for violation of Counts 1, 2, and 4, **B H Contracting LLC** agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the effective date of the Order.

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

**In the matter of Consent Order File Number 2012-01452 Board v. Missouri C Land, t/a total Concrete & Masonry;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2012-01452**  
**Missouri C Land, t/a**  
**Total Concrete &**  
**Masonry**

**Missouri C Land, t/a Total Concrete & Masonry** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 15	\$ 1,000.00
Count 2:	18 VAC 50-22-260 B 9	\$ 2,500.00
Board Costs		\$ 150.00
Total		\$ 3,650.00

In addition, for violation of Count 1 and 2, **Missouri C Land, t/a total Concrete & Masonry** agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the effective date of the Order.

Also, for violation of Count 2, **Missouri C Land, t/a Total Concrete & Masonry** agrees to revocation of its license.

Further, the Board shall waive imposition of the \$1,000.00 monetary penalty for Count 1 and the \$2,500.00 monetary penalty and license revocation for Count 2, provided **Missouri C Land, t/a total Concrete & Masonry** reimburses \$1,200.00 to Winifred W. Washington and provides the board with proof of the payment within forty-five days of the date of the Order. If **Missouri C Land, t/a total Concrete & Masonry** fails to comply with these conditions, then the full monetary penalties and license revocation will be automatically imposed.

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

**The Board took a break for lunch from 11:35 to 11:55 am.**

**Lunch Break**

**Eric Olson** shared with the board members a Committee Report. He shared that the following Education Provider Applications were recommended for Board approval by the Committee on June 3<sup>rd</sup>, 2013.

**New Business**  
**Committee Report**

After discussion, and a motion by **Mr. Walker**, seconded by **Mr. Dowdy**, the Committee unanimously recommended the Board approve M C Dean Continuing Education (ELE) classroom course.

After discussion, and a motion by **Mr. Walker**, seconded by **Mr. Dowdy**, the Committee unanimously recommended the Board approve Surging Forward Continuing Education (HVA and GFC) classroom course.

After discussion, and a motion by **Mr. Walker**, seconded by **Mr. Dowdy**, the Committee unanimously recommended the Board approve JCR Productions Inc. Continuing Education (ELE) classroom course.

After discussion, and a motion by **Mr. Vander Pol**, seconded by **Mr. Walker**,

the Committee unanimously recommended the Board approve Associated Builders & Contractors Virginia Chapter Continuing Education (ELE Vocational Training) classroom course.

After discussion, and a motion by **Mr. Vander Pol**, seconded by **Mr. Dowdy**, the Committee unanimously recommended the Board approve American Ground Water Trust Continuing Education (WWP and PLB and HVA) classroom course.

After discussion by the Board a motion was offered by **Mr. Dyer** and seconded by **Mr. Smith** to approve as recommended by the Committee – the following Education Providers, M C Dean Continuing Education (ELE) classroom course, Surging Forward Continuing Education (HVA and GFC) classroom course, JCR Productions Inc. Continuing Education (ELE) classroom course, Associated Builders & Contractors Virginia Chapter Continuing Education (ELE Vocational Training) classroom course, and American Ground Water Trust Continuing Education (WWP and PLB and HVA) classroom course.

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

**Examination Statics Information** was shared with the Board members by Eric Olson pertaining to the fail and pass rate of Contractors and Tradesman examinations for selective specialties.

#### **Examination Statistics**

**The Board** was given a brief introduction by **Eric Olson** the Board’s Executive Director, to its speakers for the afternoon, **Chuk Bowles**, Technical Director and **Philip Agee**, Technical Manager of Earth Craft House Virginia. They facilitated a presentation on Residential Analysts. They provided us with an overview on Home Performance Contractors, Resnet Providers, Trainers and Certifications, Building Performance Institute Certifications, insurance and membership requirements.

#### **Residential Building Energy Analysts**

**Mr. Bowles** and **Mr. Agee** received questions at the end of their presentation.

After Board member discussion a motion was offered by **Mr. Walton** and

seconded by **Mr. Pace** to accept BPI and Resnet as the two authorized Certifications effective July 1, 2013 for BPI Analysts. The motion passed with a majority vote. **Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Dyer, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.** Member voting "no": **Chowdhuri.**

**Replacement of fixtures;** licensing requirements were discussed with the Board. Executive Director, Eric L. Olson shared that he and Mindy Spruill, Regulatory Board Administrator have met with several localities and licensing staff have received several inquiries regarding the licensing requirements for individuals who replace plumbing and electrical fixtures, such as toilets, electrical outlets/switches, faucets, etc. The majority of these inquiries have come from contractors holding the HIC specialty who are performing kitchen and bath renovations and do not desire to subcontract plumbing and electrical services. Additionally, since these activities do not generally require a permit, local building officials have, in some localities, indicated to these contractors that a trade-related license is not required as they consider fixture replacement in one and two-family homes to come under home improvement. After discussion and consideration of the Committee's recommendation, a motion was made by **Mr. Gelardi**, seconded by **Mr. Williams**, that the Board adopt the following policy with amended language being added to the regulations at a subsequent regulatory review:

***Persons performing work that is contained in a specific volume of the USBC (i.e. NEC, IPC, IMC, etc.) who do not meet any of the statutory exemptions from licensure, are required to hold the specialty identified with that volume of the USBC.***

**The** motion passed with a unanimous vote. **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Dyer, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

**Regulations for Residential Building Energy Analysts.** The Board discussed the Regulatory requirements for Residential Building Energy Analysts' training programs and a motion was offered by Mrs. Tomlin and seconded by Mr. Walton to adopt the Committee's recommendation and adopt as final implementation of the regulatory requirements for Residential Building Energy analysts' training programs effective July 1, 2013. The motion passed with a unanimous vote. **Chowdhuri, Gelardi, Dowdy, Walker, Williams, Pace, Murrow, Middleton, Smith, Dyer, Oliver, Tomlin, Vander Pol, and Walton.** Member absent was: **Giesen.**

### **Replacement of Fixtures**

### **July 1, 2013 Implementation of Regulations- Residential Building Energy Analysts**



**There was Board discussion** concerning licensing and grandfathering. Board Counsel, **Steven Jack** shared that the Board should consider a guidance document to provide its interpretation of the statute. Generally, if the language in a statute is clear, the Board should read the language and follow it; if literal interpretation leads to absurd results – you may interpret and can generate a guidance document to extend the Grandfather period and maintain legislative intent and allow people to get properly licensed. You must notify persons of this intent in advance and specify a specific reasonable time period.

### **Grandfather Period**

After Board member discussion **Mr. Vander Pol** offered a motion seconded by **Mr. Gelardi** to prepare a Guidance Document to allow persons to become properly licensed with the time period of July 1, 2013 to July 1, 2014 in cooperating the same criteria as preceding 3 year active documentation for grandfathering that ended last year.

The motion passed with a unanimous vote. Members voting “yes” were: **Chowdhuri, Gelardi, Walker, Williams, Pace, Middleton, Smith, Dyer, Oliver, Tomlin, Vander Pol, and Walton. Members absent were: Giesen, Murrow and Dowdy. Both Dowdy and Murrow left the meeting at 1:00 pm.**

**Steven Jack** Assistant Attorney General in the Office of the Attorney General (Board Counsel) was accompanied to the Board for Contractor’s meeting by his intern, Laura Sennewald.

### **Intern**

**The Board discussed** Examination Exemption regarding the use of the apprenticeship exemption from the examination and whether or not it could be used more than once, in the event that an individual allowed his license to lapse. After discussion, and a motion by **Mr. Dyer** seconded by **Mr. Gelardi**, the Board by majority vote adopted the following: that the exemption is limited to being used twice, once upon initial application, and once again the first time an individual allowed his license to lapse. After the second use, the individual would be required to complete the examination requirements. Members voting “yes” were: **Chowdhuri, Gelardi, Walker, Williams, Pace, Middleton, Smith, Dyer, Oliver, Tomlin, and Walton. Members absent were: Giesen, Murrow and Dowdy. Member voting “no”: Vander Pol.**

### **Examination Exemption**

The next Board meeting will be July 30<sup>th</sup>, 2013.

### **Next Board meeting**

The Board Chair asked all members to be certain to complete their Conflict of Interest Forms and Travel Vouchers and turn them in to Sheila Watkins prior to leaving the meeting. Also any members who have not completed their Financial Disclosure Statement please see Sheila Watkins today.

**Paperwork**

There being no further business to come before the Board, the meeting was adjourned at **02:09 p.m.** upon a motion by **Mr. Vander Pol** and seconded by **Mr. Pace**.

**Adjournment**

The motion was unanimously approved. Members voting "yes" were: **Chowdhuri, Gelardi, Walker, Williams, Pace, Middleton, Smith, Dyer, Oliver, Tomlin, Vander Pol, and Walton.** Members absent was: **Giesen, Murrow and Dowdy.**

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E.G. Middleton, III, Chairman

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Gordon N. Dixon, Secretary