

STATE LICENSING BOARD FOR CONTRACTORS
RESIDENTIAL BUILDING CONTRACTORS SUBCOMMITTEE MINUTES

November 18, 2015

The regular meeting of the Residential Building Contractors Subcommittee was called to order by the Chairman, Kenneth W. Jones, on Wednesday, November 18, 2015 at 9:33 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Subcommittee present:

	Kenneth W. Jones, Chairman
	Lee Mallett
	Nick Castjohn
	Karon "Kay" Gibson
	Billy Ward
	Wesley L. "Wes" Wyman, Jr.

Member Jodi Penn was absent. There being a quorum present, the regular order of business was called.

Also attending the meeting were: Michael McDuff, Executive Director; Judy Dupuy, Board Administrator; Judge Darrell White, Retired, Hearing Officer; Jennifer Sims, Board Attorney; and from the staff, Nathan Rawls, Marianne Sullivan, Bobbie Hughes, Brent Templet, Emma Payne, Elaine Riggins, John Dixon,; compliance investigators, Carl Bourque, Leann Evans, Frank Vaughn, Tommy Mimnaugh, Jesse Wells, William Valentine, Jeanette Raffray, Charmel Peterson, Sabina Miller, Bobby Abraham, Dylan Bourg; and Tarah Revette recording the minutes.

Mr. Jones led the Pledge of Allegiance.

A moment of silence was given to honor the victims of the Paris attacks.

Judge Darrell White gave the invocation.

Mr. Castjohn made a motion to accept the Minutes of the October 14, 2015, Residential Building Committee Meeting, and Mr. Ward seconded. The motion passed.

Mr. McDuff introduced guests Jimmy Mallett, Lynda Evans with the Capital Region Builders Association; James Henry and Rudy Babin with the Department of Insurance; and Ronald Burrough with the Attorney General's office.

NEW BUSINESS

C. INSURANCE HEARING(S):

RESIDENTIAL BUILDING, HOME IMPROVEMENT, AND MOLD REMEDIATION; GENERAL LIABILITY & WORKERS' COMPENSATION – La. R.S. 2150–2192, 2186(B)(6), 2189(A)(7) and Rules and Regulations Sec. 1503(D)

Ms. Sims requested an amendment to the agenda to change Blue State Builders, LLC to Blue Star Builders, LLC. Mr. Castjohn made a motion to amend the agenda to reflect this change. Mr. Ward seconded. The motion passed unanimously.

Emma Payne was called to the stand and sworn in to give testimony regarding the documentation of general liability and workers' compensation and confirmed service for those entities listed on the agenda. Ms. Emma stated that this was a first offense for those companies except JOSEPH HARDY CONSTRUCTION, INC., which was their second offense.

AMBIANCE CABINETS & DESIGNS, L.L.C. and HAYWARD CANTRELLE were removed from the agenda.

Ephrain Opara was present on behalf of BRIDGESTONE CONSTRUCTION CO., INC. and was sworn in. Mr. Opara gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Ward made a motion to suspend the license back to the date of last insurance coverage, to issue a cease and desist order, assess \$250 in administrative cost allowing the administrative costs to be waived if the company obtains proof of insurance coverage and obtains a license/registration within 90 days, and to allow the company's license/registration to be reissued upon proof of insurance coverage. Mr. Castjohn seconded, and the motion passed unanimously.

Andre Thompson was present on behalf of HT BUILDERS, LLC and was sworn in. Mr. Thompson gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Ward made a motion to suspend the license back to the date of last insurance coverage, to issue a cease and desist order, assess \$250 in administrative cost, and to allow the company's license/registration to be reissued upon proof of insurance coverage. Mr. Castjohn seconded, and the motion passed unanimously.

Joseph Hardy was present on behalf of JOSEPH HARDY CONSTRUCTION, INC. and was sworn in. Mr. Hardy gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Castjohn made a motion to suspend the license back to the date of last insurance coverage, to issue a cease and desist order, assess \$250 in administrative cost, to allow the company's license/registration to be reissued upon proof of insurance coverage, and to require the qualifying party to retake the Business and Law exam within 90 days allowing that if the exam is not taken and passed within the timeframe the matter will be brought back before the board. Mr. Ward seconded, and the motion passed unanimously.

Brady Juneau was present on behalf of ROOF N'REPAIR SPECIALTIES L.L.C. and was sworn in. Mr. Juneau gave a statement and affirmed that there was a lapse in insurance coverage. Ms. Gibson made a motion to suspend the license back to the date of last insurance coverage, to issue a cease and desist order, assess \$250 in administrative cost, and to allow the company's license/registration to be reissued upon proof of insurance coverage. Mr. Wyman seconded, and the motion passed unanimously.

Tommy Means was present on behalf of TOMMY MEANS, LLC and was sworn in. Mr. Means gave a statement and affirmed that there was a lapse in insurance coverage. Ms. Gibson made a motion to suspend the license back to the date of last insurance coverage allowing staff to reinstate the license or registration if proof of no lapse is provided, to issue a cease and desist order, assess \$250 in administrative cost, and to allow the company's license/registration to be reissued upon proof of insurance coverage. Mr. Castjohn seconded, and the motion passed unanimously.

Henry Tourere was present on behalf of TOURERE REMODELING CO., L.L.C. and was sworn in. Mr. Tourere gave a statement and affirmed that there was a lapse in insurance coverage. Ms. Gibson made a motion to suspend the license back to the date of last insurance coverage allowing staff to reinstate the license or registration if proof of no lapse is provided, to issue a cease and desist order, assess \$100 in administrative cost, and to allow the company's license/registration to be reissued upon proof of insurance coverage. Mr. Castjohn seconded, and the motion passed unanimously.

No one was present on behalf of A CUT ABOVE CONSTRUCTION, LLC; BLUE STAR BUILDERS, LLC; CHISELED ENTERPRISE, L.L.C.; CHUCK PIERSON CONSTRUCTION, LLC; COBALT ROOFING & CONSTRUCTION, LLC; CRAIG JOSEPH OSTARLY; FLEUR DE FLOORS & MORE, LLC; J & H CUSTOM POOLS AND SPAS, L.L.C.; KENDRA'S PROFESSIONAL, INC.; LELAND HAMM; LOPEZ RODRIGUEZ CONSTRUCTION CORPORATION; PERKINS ELECTRIC LLC; R C BUILDERS, LLC; RKRT REAL ESTATE INVESTORS LLC; SERVANT CONSTRUCTION, LLC, THE; WATER TIGHT CONSTRUCTION LLC; WOODLAND FLOORING & MORE, LLC; and ZENITH CONSTRUCTION LLC. Ms. Gibson made a motion to suspend the license or registration of the aforementioned companies and individuals back to the date of last insurance coverage allowing staff to reinstate the license or registration if proof of no lapse is provided, to issue a cease and desist order, to assess a fine of \$500 plus \$500 in administrative cost, and to allow the company's license/registration to be reissued upon proof of insurance coverage. Mr. Ward seconded, and the motion passed.

D. COMPLIANCE HEARINGS:

1. **GILCHRIST INVESTMENTS, LLC**, Mandeville, Louisiana – La. R.S. 37:2167 (A); and 37:2175.3 (A)(2)

Mr. Rawls gave a summary of the allegations. Jeremy Gilchrist was present on behalf of GILCHRIST INVESTMENTS, LLC and was sworn in. Mr. Gilchrist entered a no contest plea for both violations. Mr. Castjohn made a motion to accept the plea. Mr. Ward seconded. The motion passed. Mr. Gilchrist gave a statement. Mr. Ward made a motion to fine GILCHRIST INVESTMENTS, LLC \$2000 plus \$1000 in administrative costs and to allow the fine to be reduced to \$500 plus \$1000 in administrative costs if the company obtains a license within ninety (90) days. Mr. Wyman seconded. The motion passed.

2. **SUPREME ENTERPRISE SERVICES, INC.**, Baton Rouge, Louisiana – La. R.S. 37:2175.2 (A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of SUPREME ENTERPRISE SERVICES, INC. Investigator Carl Bourque was called to the stand and was sworn in. Homeowner Juanita Spann was present and was sworn in. Mr. Bourque reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Ms. Spann testified regarding the matter. Mr. Castjohn made a motion to find SUPREME ENTERPRISE SERVICES, INC. to be in violation, to assess the maximum fine plus \$1000 in administrative costs, to issue a cease and desist order, and to refer the matter to the local sheriff's office and District Attorney's office.

3. **SANTANA BROWN**, Princeton, Louisiana – La. R.S. 37:2175.2 (A)(1)

This matter was continued.

4. **LARRY ALLEN D/B/A ALLEN'S CONSTRUCTION & PLUMBING**, New Orleans, Louisiana – La. R.S. 37:2175.2 (A)(1)

Mr. Rawls gave a summary of the allegations. Larry Allen was present on behalf of LARRY ALLEN D/B/A ALLEN'S CONSTRUCTION & PLUMBING and was sworn in. Mr. Allen gave a statement. Mr. Allen entered a no contest plea. Mr. Castjohn made a motion to accept the plea. Mr. Wyman seconded. The motion passed. Mr. Allen gave a statement. Mr. Ward made a motion to fine LARRY ALLEN D/B/A ALLEN'S CONSTRUCTION & PLUMBING \$500 plus \$500 in administrative cost and to allow the fine only to be waived if the company obtains a home improvement registration within ninety (90) days. Ms. Gibson seconded. The motion passed.

OLD BUSINESS

E. RECESSED HEARING:

1. **STRATEGIC SUPPORT CORPORATION, INC.**, New Orleans, Louisiana – La. R.S. 37:2167 (A)

Mr. Rawls gave a summary of the allegations. Greg Carter was present on behalf of STRATEGIC SUPPORT CORPORATION, INC. and was sworn in. Homeowners Odairyja and Latasha Long were present and sworn in. Mr. Carter gave a statement and maintained the denial plea given at the last hearing. An exhibit packet was reviewed and admitted at the last hearing. Mr. and Mrs. Long gave a statement. Eddie Harvey was called to the stand and was sworn in. Mr. Harvey gave a statement. Mr. Castjohn made a motion to dismiss the matter. Mr. Wyman seconded. The motion passed with one objection from Ms. Gibson.

F. REQUEST FOR INSURANCE RECONSIDERATIONS OF PENALTY:

1. **GMK CONSTRUCTION L.L.C.**, Slidell, Louisiana – La. R.S. 2150–2192, 2186(B)(6), 2189(A)(7) and Rules and Regulations Sec. 1503(D)

Ms. Emma Payne, previously sworn in, was called to the stand to submit the request for the insurance reconsideration of penalty for GMK CONSTRUCTION L.L.C. Vicky Kinder was present

on behalf of GMK CONSTRUCTION L.L.C. and was sworn in. Mrs. Kinder gave a statement. Mr. Wyman made a motion to reconsider the matter. Mr. Castjohn seconded. The motion passed. Mr. Castjohn made a motion to waive the \$500 fine and the \$500 administrative costs for GMK CONSTRUCTION L.L.C. Ms. Gibson seconded. The motion passed.

2. **STEVEN BLAKE JOHNSON**, Florien, Louisiana – La. R.S. 2150–2192, 2186(B)(6), 2189(A)(7) and Rules and Regulations Sec. 1503(D)

Ms. Emma Payne, previously sworn in, was called to the stand to submit the request for the insurance reconsideration of penalty for STEVEN BLAKE JOHNSON. Steven Blake Johnson was present and was sworn in. Ms. Gibson was made a motion to reconsider the matter. Mr. Castjohn seconded. The motion passed. Mr. Johnson gave a statement. Mr. Castjohn made a motion to waive the \$500 fine and to reduce the \$500 administrative costs to \$250. Mr. Wyman seconded. The motion passed.

G. CONSIDERATION OF LICENSURE EXEMPTIONS:

Mr. Ward made a motion to approve the exemptions as listed on the agenda with the exception of ROBERT T. EZELL, and Mr. Wyman seconded. The motion passed.

- H. Consideration of new applications for residential building construction license to be approved pending as listed on the agenda. (Pages 4-7)

Ms. Gibson made a motion to approve the new residential building license applications as listed on the agenda. Mr. Castjohn seconded. The motion passed.

- I. Consideration of new applications for home improvement registration as listed on the agenda. (Pages 8-10)

Ms. Gibson made a motion to approve the new home improvement registration applications as listed on the agenda, and Mr. Castjohn seconded. The motion passed.

ADJOURNMENT

Mr. Castjohn made a motion to adjourn at 10:55 a.m., and Mr. Ward seconded. The motion passed.

Kenneth W. Jones, Chairman

Lee Mallett, Vice Chairman