

STATE LICENSING BOARD FOR CONTRACTORS
RESIDENTIAL BUILDING CONTRACTORS SUBCOMMITTEE MINUTES

October 19, 2016

The regular meeting of the Residential Building Contractors Subcommittee was called to order by the Chairman, Kenneth W. Jones, on Wednesday, October 19, 2016 at 9:30 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Subcommittee present:

	Kenneth “Ken” W. Jones, Chairman
	Lloyd “Chip” Badaeux
	Jim Fine
	Jody Guidry
	Rob Hamilton
	Frank Morse, Jr.
	Wesley L. “Wes” Wyman, Jr.

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; Larry Bankston, Board Attorney; and from the staff, Nathan Rawls, Leann Evans, Brent Templet, Debbie Belyeu, Lowana Cola, Doug Traylor, Emma Payne, Elaine Riggins, John Dixon,; Compliance Director, Brad Hassert; Compliance investigators, Bobbie Abraham; Carl Bourque, Dylan Bourg; Bobbie Hughes; William Valentine; Brad Domingue; Scott Corley; and Marianne Sullivan; and Tarah Revette recording the minutes.

Mr. Jones led the Pledge of Allegiance.

New Residential Building Contractors Subcommittee Members Jim Fine, Jody Guidry, Rob Hamilton and Frank Morse, Jr. were sworn in by Judge Darrell White.

Judge Darrell White gave the invocation.

Mr. Wyman made a motion to accept the Minutes of the September 14, 2016, Residential Building Committee Meeting. Mr. Guidry seconded. The motion passed.

Mr. McDuff introduced guests Ronald Burrough with the Attorney General’s office and Denise Emmons and Krystalin Ensminger with the Capital Region Builders Association.

NEW BUSINESS

C. INSURANCE HEARINGS:

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)

Applications Supervisor Elaine Riggins was called to the stand and sworn in to give testimony regarding the documentation of general liability and workers’ compensation insurance coverage. Ms. Riggins removed CUSTOM FINISHES PAINTING AND DRYWALL, L.L.C.; FIVE STARS ELECTRICAL, INC; LUXURY COUNTERTOPS, LLC; MARCHAND BROTHERS CONSTRUCTION LLC; NAUTICAL COMPANIES, LLC; SIMPATICO BUILDING SERVICES, L.L.C. and SOUTHEAST ROOFING & CONSTRUCTION, INC. from the agenda due to proof of insurance coverage being provided with no lapse.

Ms. Riggins also confirmed service for the remaining entities listed on the agenda except for JOHN FREEMAN BUILDERS, L.L.C. and MECHANICAL CONSULTANTS, LLC, which were removed from the agenda.

Mayelen Martinez was present on behalf of SIGFREDO CONSTRUCTION, INC. and was sworn in. Ms. Martinez gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Wyman 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. Guidry seconded, and the motion passed unanimously.

Anthony Julien was present on behalf of ECO REMODELERS, LLC and was sworn in. Mr. Julien gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Wyman 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. Hamilton seconded, and the motion passed unanimously.

Carlos Enamorado was present on behalf of ABC CONSTRUCTION & REMODELING SERVICES LLC and was sworn in. Mr. Enamorado gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Wyman 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. Fine seconded, and the motion passed unanimously.

No one was present on behalf of BRAD BERGERON CUSTOM HOMES, L.L.C.; CLASSIC SOUTHERN HOME RENOVATIONS, INC.; DUGGAN GENERAL SERVICES CONTRACTOR, INC.; JSS MASONRY CONSTRUCTION L.L.C.; MARLER CONSTRUCTION COMPANY, L.L.C.; R. PRIDE L.L.C.; and TECHE RENOVATED HOMES, L.L.C. Mr. Wyman 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. Morse seconded, and the motion passed.

D. COMPLIANCE HEARING(S):

1. a) **GOODSON CONSTRUCTION, LLC**, Darrow, Louisiana – La. R.S. 37: 2167 (A)

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by GOODSON CONSTRUCTION, LLC. Mr. Wyman made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Hamilton seconded. The motion passed.

- b) **DELTA GOLF, LLC**, Baton Rouge, Louisiana – La. R.S. 37: 2167 (A) and/or 2175.2 (A)(1)

Mr. Rawls gave a summary of the allegations. Dudley Gattis was present on behalf of DELTA GOLF, LLC and was sworn in. Mr. Gattis entered a denial plea. Investigator Bobbie Hughes was called to the stand and was sworn in. Ms. Hughes provided testimony to the board regarding this matter and reviewed the exhibit packet. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Gattis gave a statement regarding the alleged violation. The board and Mr. Bankston questioned Mr. Gattis. Mr. Wyman made a motion to find DELTA GOLF, LLC to be in violation. Mr. Guidry seconded. The motion passed. Mr. Wyman made a motion to assess a \$1000 fine plus \$1000 in administrative costs and to issue a cease and desist order. Mr. Morse seconded. The motion passed.

2. **MARVIN ARNAUD D/B/A ARNAUD IMPROVEMENTS**, Church Point, Louisiana – La. R.S. 37:2175.2 (A)(1) and 37:2160 (A)(2)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of MARVIN ARNAUD D/B/A ARNAUD IMPROVEMENTS. Investigator Marianne Sullivan was called to the stand and was sworn in. Ms. Sullivan reviewed the exhibit packet and gave provided testimony to the board. Mr. Bankston entered the exhibit packet into evidence and it was

admitted. Mr. Wyman made a motion to find MARVIN ARNAUD D/B/A ARNAUD IMPROVEMENTS to be in violation. Mr. Morse seconded. The motion passed. Mr. Wyman made a motion to assess the maximum fine plus \$1000 in administrative costs and to issue a cease and desist. Mr. Hamilton seconded. The motion passed.

3. **ACTION CONSTRUCTION OF LA, LLC**, Greenwell Springs, Louisiana – La. R.S. 37:2175.2 (A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of ACTION CONSTRUCTION OF LA, LLC. Investigator Marianne Sullivan, who was previously sworn in, reviewed the exhibit packet and gave provided testimony to the board. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find ACTION CONSTRUCTION OF LA, LLC to be in violation. Mr. Hamilton seconded. The motion passed. Mr. Wyman made a motion to assess the maximum fine plus \$1000 in administrative costs and to issue a cease and desist. Mr. Hamilton seconded. The motion passed.

4. **ARMADILLO REMODELING AND CONSTRUCTION, LLC**, New Iberia, Louisiana – La. R.S. 37:2175.2 (A)(1)

Mr. Rawls gave a summary of the allegations. John Ellison was present on behalf of ARMADILLO REMODELING AND CONSTRUCTION, LLC and was sworn in. Mr. Ellison entered a no contest plea. Mr. Morse made a motion to accept the plea. Mr. Wyman seconded. The motion passed. Mr. Ellison gave a statement to the board regarding the alleged violation. Mr. Wyman made a motion to assess \$500 in administrative costs and to issue a cease and desist order. Mr. Morse seconded. The motion passed.

5. **DAVID J. FRYOUX**, Jonesville, Louisiana – La. R.S. 37:2175.2 (A)(1)

Mr. Rawls gave a summary of the allegations. DAVID J. FRYOUX was present and was sworn in. Mr. Fryoux entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Fryoux gave a statement to the board regarding the alleged violation. Mr. Wyman made a motion to fine DAVID FRYOUX \$500 plus \$500 in administrative costs, to issue a cease and desist, and to allow the fine to be reduced to only \$500 in administrative costs if Mr. Fryoux obtains a license within 90 days. Mr. Morse seconded. The motion passed.

6. **DONALD DUDLEY D/B/A DUDLEY'S ROOFING, REPAIR & REMODELING**, Tickfaw, Louisiana – La. R.S. 37:2175.2 (A)(1)

Mr. Rawls gave a summary of the allegations. Donald Dudley was present on behalf of DONALD DUDLEY D/B/A DUDLEY'S ROOFING, REPAIR & REMODELING and was sworn in. Mr. Dudley entered a denial plea. Investigator Carl Bourque was called to the stand and was sworn in. Mr. Bourque reviewed the exhibit packet and provided testimony to the board. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Dudley questioned Mr. Bourque. Mr. Dudley gave a statement to the board regarding the alleged violation. Mr. Dudley changed his initial plea to a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Wyman made a motion to fine DONALD DUDLEY D/B/A DUDLEY'S ROOFING, REPAIR & REMODELING \$500 plus \$500 in administrative costs, to issue a cease and desist, and to allow the fine to be reduced to only \$500 in administrative costs if Mr. Dudley obtains a license within 90 days. Mr. Morse seconded. The motion passed.

7. **JASON BRAZZEL**, Ruston, Louisiana – La. R.S. 37:2175.2 (A)(1)

Mr. Rawls gave a summary of the allegations. JASON BRAZZEL was not present. Investigator Bobbie Abraham was called to the stand and was sworn in. Mr. Abraham reviewed the exhibit packet and gave provided testimony to the board. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find JASON BRAZZEL to be in violation. Mr. Guidry seconded. The motion passed. Mr. Wyman made a motion to assess the maximum fine plus \$1000 in administrative costs and to issue a cease and desist. Mr. Guidry seconded. The motion passed.

8. **RILEY WILSON**, Monroe, Louisiana – La. R.S. 37:2175.2 (A)(1)

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by RILEY WILSON. Mr. Wyman made a motion to accept the plea as presented, which included a no contest plea. Mr. Hamilton seconded. The motion passed.

9. **JOSEPH MURRAY D/B/A J.M. CONSTRUCTION**, Lafayette, Louisiana – La. R.S. 37:2175.2 (A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of JOSEPH MURRAY D/B/A J.M. CONSTRUCTION. Investigator Scott Corley was called to the stand and was sworn in. Mr. Corley reviewed the exhibit packet and gave provided testimony to the board. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find JOSEPH MURRAY D/B/A J.M. CONSTRUCTION to be in violation. Mr. Hamilton seconded. The motion passed. Mr. Wyman made a motion to assess the maximum fine plus \$1000 in administrative costs, to issue a cease and desist, and to refer this matter to the local District Attorney's office. Mr. Hamilton seconded. The motion passed.

10. **GANTT'S METAL FABRICATION, LLC**, Haughton, Louisiana – La. R.S. 37:2175.2 (A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of GANTT'S METAL FABRICATION, LLC. Investigator William Valentine was called to the stand and was sworn in. Mr. Valentine reviewed the exhibit packet and gave provided testimony to the board. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find GANTT'S METAL FABRICATION, LLC to be in violation. Mr. Morse seconded. The motion passed. Mr. Wyman made a motion to assess the maximum fine plus \$1000 in administrative costs and to issue a cease and desist. Mr. Guidry seconded. The motion passed.

E. STATUTORY CITATIONS:

Mr. Rawls presented the statutory citations. Mr. Wyman made a motion to accept the statutory citations as presented. Mr. Morse seconded. The motion passed.

OLD BUSINESS

F. COMPLIANCE HEARING/CONTINUANCE:

1. **MICHAEL STERLING**, Anacoco, Louisiana – La. R.S. 37:2167 (A)

This matter was continued.

G. REQUESTS FOR REHEARING:

1. **PURE BUILDERS, LLC**, Metairie, Louisiana – La. R.S. 37:2167 (A)

Mr. Rawls presented the rehearing request to the board on behalf of PURE BUILDERS, LLC. Rusty Russo was present on behalf of PURE BUILDERS, LLC and was sworn in. Mr. Wyman made a motion to rehear this matter. Mr. Morse seconded. The motion passed. Mr. Rawls gave a summary of the allegations. Mr. Russo entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. Investigator Dylan Bourg was called to the stand and was sworn in. Mr. Bourg provided testimony to the board. Mr. Russo gave a statement to the board regarding the alleged violation. Mr. Wyman made a motion to fine PURE BUILDERS, LLC \$5000 plus \$1000 in administrative costs, to issue a cease and desist, and to allow the fine to be reduced to only \$1000 in administrative costs if the company obtains a license within 120 days.

2. **MICHAEL A. TREMONT**, Lake Charles, Louisiana – La. R.S. 37:2167 (A)

Mr. Rawls presented the rehearing request to the board on behalf of MICHAEL A. TREMONT and gave a summary of the allegations. Mr. Wyman made a motion to rehear this matter. Mr. Hamilton seconded. The motion passed. Mr. Rawls read the settlement offer on behalf of MICHAEL A.

TREMONT. Mr. Wyman made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Hamilton seconded. The motion passed.

- H. Consideration of additional classifications for residential licenses as listed and attached to the agenda. (Page 4)

Mr. Wyman made a motion to approve the additional classifications for residential licenses as listed on the agenda. Mr. Morse seconded. The motion passed.

- I. Consideration of new applications for residential building construction license to be approved pending as listed on the agenda. (Pages 5-21)

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

- J. Consideration of new applications for home improvement registration as listed on the agenda. (Pages 22-35)

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

ADJOURNMENT

Mr. Wyman made a motion to adjourn at 11:45 p.m., and Mr. Morse seconded. The motion passed.

Kenneth W. Jones, Chairman

Lloyd "Chip" Badeaux, Vice Chairman