

**STATE LICENSING BOARD FOR CONTRACTORS**  
**RESIDENTIAL BUILDING COMMITTEE MEETING MINUTES**

January 14, 2015

The regular monthly meeting of the Residential Building Committee was called to order by the Chairman at 9:38 a.m. in Conference Room of the Board's offices, Baton Rouge, Louisiana.

Members of the Committee present:                   Lloyd "Chip" Badeaux, Chairman  
  Lee Mallett  
  Karon "Kay" Gibson  
  Billy Ward  
  Wesley L. "Wes" Wyman, Jr.

Members Jodi Penn and Nick Castjohn were 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 and Leann Evans; and Tarah Barbier recording the minutes.

Mr. Ward led the Pledge of Allegiance.

Judge Darrell White gave the invocation.

Ms. Gibson made a motion to accept the Minutes of the December 17, 2014, Residential Building Committee Meeting, and Mr. Wyman seconded. The motion passed.

Mr. McDuff introduced guests Jeannie Dodd and Peter Young with the Louisiana Home Builders Association.

**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)

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 and that this was a first offense for those companies.

Ricky Boles was present on behalf of BOLES CONSTRUCTION, LLC and was sworn in. Mr. Boles gave a statement affirming that there was a lapse in insurance coverage and entered a letter from insurance company into evidence. The letter was admitted. Mr. Ward made a motion to revoke 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, and to allow the company to reapply for license/registration in 30 days if there was a lapse in coverage. Ms. Gibson seconded, and the motion passed.

Merlin Joe Martinez was present on behalf of HANDY MAN HOME IMPROVEMENT and was sworn in. Mr. Martinez gave a statement affirming that there was a lapse in insurance coverage. Mr. Ward made a motion to find HANDY MAN HOME IMPROVEMENT to be in violation. Ms. Gibson seconded. The motion passed. Mr. Ward made a motion to revoke 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, assess \$500 in administrative costs, to issue a cease and desist order, and also add to today's agenda and approve home improvement registration application for HANDY MAN IMPROVEMENT. Ms. Gibson seconded, and the motion passed unanimously.

No one was present on behalf of ADVANTAGE LLC; ALPHA ENTERPRISES I LLC; BRANDON DANYELLE DAVIS; BRITTANY DAVIDSON; CRESCENT CITY CONTRACTORS, L.L.C.; CUELLAR CONSTRUCTION LLC; DARRYL RENE FARRIS; GRASSO CONSTRUCTION, LLC; HARRY LUCAS DEVELOPMENT, LLC; HOME REPAIR AND REMODELING OF BATON ROUGE, LLC; HOWARD LEWING; L H THOMPSON, LTD; LUKE CONSTRUCTION LLC; MASON TRENDSETTERS DEVELOPMENT CO., LLC; QRS MAINTENANCE LLC; ROGERS ENTERPRISE CONSTRUCTION LLC; TRI PARISH CONSTRUCTION, LLC; WILLIAM KEITH COOK JR. 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, to issue a cease and desist order, and to assess a fine of \$500 plus \$500 in administrative costs allowing staff to reinstate the license or registration if proof of no lapse is provided, and to allow the company to reapply for license/registration in 30 days. Mr. Ward seconded, and the motion passed.

**D. COMPLIANCE HEARING(S):**

1. **ELIZONDO CONSTRUCTION, LLC**, Thibodaux, Louisiana – La. R.S. 37:2158 (A)(3) and Rules and Regulations Section 101

Mr. Rawls gave a summary of the allegations. No one was present on behalf of ELIZONDO CONSTRUCTION, LLC. Investigator Carl Bourque was called to the stand and was sworn in. Mr. Bourque reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Ms. Gibson made a motion to find ELIZONDO CONSTRUCTION, LLC to be in violation. Mr. Ward seconded. The motion passed. Ms. Gibson made a motion to assess a fine of \$1000 plus \$1000 in administrative costs, revoke the home improvement registration, and to issue a cease and desist order.

2. **FRANK'S CONSTRUCTION COMPANY, INC.**, Lafayette, Louisiana – La. R.S. 37:2167 (A)

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by FRANK'S CONSTRUCTION COMPANY, INC, which was a no contest plea and \$1000 fine plus \$500 in administrative costs. Mr. Wyman made a motion to accept the settlement offer with the amendment of a \$500 fine plus \$1000 administrative costs. Mr. Ward seconded. The motion passed.

3. **O.B.G.C. INVESTMENTS, LLC D/B/A O.B.G.C. INC.**, Harvey, Louisiana – La. R.S. 37:2167 (A); 37:2160 (A)(2)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of O.B.G.C. INVESTMENTS, LLC D/B/A O.B.G.C. INC. Investigator Carl Bourque, who was previously sworn in, was called to the stand and reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Ward made a motion to

find O.B.G.C. INVESTMENTS, LLC D/B/A O.B.G.C. INC to be in violation. Ms. Gibson seconded. The motion passed. Mr. Ward made a motion to assess the maximum fine plus \$1000 in administrative costs, to issue a cease and desist order, and to refer this matter to the District Attorney's office of Orleans Parish. Mr. Wyman seconded. The motion passed.

4. **OSPINA BROTHERS GENERAL CONTRACTORS, LLC**, New Orleans, Louisiana – La. R.S. 37:2167 (A)

Mr. Rawls gave a summary of the allegations. Mr. Rawls gave a summary of the allegations. No one was present on behalf of OSPINA BROTHERS GENERAL CONTRACTORS, LLC. Investigator Carl Bourque, who was previously sworn in, was called to the stand and reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Ms. Gibson made a motion to find OSPINA BROTHERS GENERAL CONTRACTORS, LLC to be in violation. Mr. Wyman 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 order, and to refer this matter to the District Attorney's office of Orleans Parish and the Office of Workmen's Compensation. Mr. Ward seconded. The motion passed.

5. **AARON POOLS, LLC**, Houma, Louisiana – La. R.S. 37:2167 (A)

This matter was continued.

6. **DREW CONCRETE WORKS, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2175.2 (A)(1)

Mr. Rawls gave a summary of the allegations. Mr. Rawls also stated that the company has applied for a home improvement registration and is pending approval. Jason Drew was present on behalf of DREW CONCRETE WORKS, LLC and was sworn in. Mr. Drew entered a no contest plea. Mr. Ward made a motion to accept the plea. Mr. Wyman seconded. The motion passed. Mr. Drew gave a statement. Mr. Wyman made a motion to fine DREW CONCRETE WORKS, LLC \$1000 plus \$500 in administrative costs. If the company obtains a registration/license within 90 days the fine will be waived. Mr. Ward seconded. The motion passed.

7. **CHARLES BEAUDOIN D/B/A ALLIED ROOFING & HOME IMPROVEMENTS**, Alexandria, Louisiana – La. R.S. 37:2175.2 (A)(1); 37:2160 (A)(2)

Mr. Rawls gave a summary of the allegations. Charles Beaudoin was present on behalf of CHARLES BEAUDOIN D/B/A ALLIED ROOFING & HOME IMPROVEMENTS and was sworn in. Mr. Beaudoin entered a no contest plea. Mr. Ward made a motion to accept the plea. Mr. Wyman seconded. The motion passed. Mr. Beaudoin gave a statement. Mr. Ward made a motion to assess CHARLES BEAUDOIN D/B/A ALLIED ROOFING & HOME IMPROVEMENTS the maximum fine plus \$1000 in administrative costs, and to issue a cease and desist order. Ms. Gibson seconded. The motion passed.

## **OLD BUSINESS**

### **E. COMPLIANCE HEARING(S)/CONTINUANCES:**

1. **DONALD ZALESKI**, New Orleans, Louisiana – La. R.S. 37:2175.2 (A)(1)

Mr. Rawls gave a summary of the allegations. DONALD ZALESKI was not present. Investigator Carl Bourque, who was previously sworn in, was called to the stand and reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find DONALD ZALESKI to be in violation. Mr. Badeaux seconded. The motion passed. Mr. Wyman made a motion to assess a fine of \$5,463.28 plus \$1000 in administrative costs and to issue a cease and desist order. Mr. Badeaux seconded. The motion passed.

2. **JEREMY SANFORD D/B/A A + REMODEL**, Haughton, Louisiana – La. R.S. 37:2175.2 (A)(1)

Mr. Rawls gave a summary of the allegations. Jeremy Sanford was present on behalf of JEREMY SANFORD D/B/A A + REMODEL and was sworn in. Mr. Sanford entered a no contest plea. Mr. Ward made a motion to accept the plea. Mr. Wyman seconded. The motion passed. Mr. Sanford gave a statement. Mr. Ward made a motion to assess \$1000 in administrative costs, and to issue a cease and desist order. Mr. Wyman seconded. The motion passed.

3. **PBG HOMES OF LA, LLC F/K/A PROVIDENT HOMES, LLC** Denham Springs, Louisiana – La. R.S. 37:2158 (A)(9)

Mr. Rawls gave a summary of the allegations. Josh McCoy and attorney Trenton Grand was present on behalf of PBG HOMES OF LA, LLC F/K/A PROVIDENT HOMES, LLC. Mr. McCoy was sworn in and entered a no contest plea. Mr. Ward made a motion to accept the plea. Mr. Wyman seconded. The motion passed. Mr. Grand and Mr. McCoy gave a statement. Homeowners Cindy Ray and Loren Bozeman were also present and sworn in. Ms. Ray and Ms. Bozeman gave a statement. Mr. Wyman made a motion to revoke the residential license of PBG HOMES OF LA, LLC F/K/A PROVIDENT HOMES, LLC. Mr. Ward seconded. The motion passed. Mr. Wyman also made a motion for the company to surrender their commercial license, assess \$1000 in administrative costs, and to issue a cease and desist order. Mr. Ward seconded. The motion passed.

F. CONSIDERATION OF LICENSURE EXEMPTION(S):

Mr. Wyman made a motion to approve the exemption as listed on the agenda, and Mr. Ward seconded. The motion passed.

- G. Consideration of new applications for residential building construction license to be approved pending as listed on the agenda. (Pages 4-5)

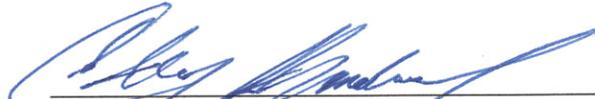
Mr. Wyman made a motion to approve the new residential building license applications as listed on the agenda. Mr. Ward seconded. The motion passed.

- H. Consideration of new applications for home improvement registration as listed on the agenda. (Pages 6-7)

Mr. Wyman made a motion to approve the new home improvement registration applications as listed on the agenda, and Mr. Ward seconded. The motion passed. Mr. Ward made a motion to amend today's agenda to add and approve HANDY MAN IMPROVEMENT, LLC to the list of new home improvement registration applications. Mr. Wyman seconded. The motion passed unanimously.

**ADJOURNMENT**

Mr. Wyman made a motion to adjourn at 11:01 a.m., and Mr. Badeaux seconded. The motion passed.



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Lloyd "Chip" Badeaux, Chairman



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Lee Mallett, Vice Chairman

