STATE LICENSING BOARD FOR CONTRACTORS
RESIDENTIAL BUILDING COMMITTEE MEETING MINUTES

February 18, 2015

The regular monthly meeting of the Residential Building Committee was called to order by the Chairman at 9:32 a.m. in Conference Room of the Board's offices, Baton Rouge, Louisiana.

Members of the Committee present:

Lloyd "Chip" Badeaux, Chairman
Lee Mallett
Nick Castjohn
Karon "Kay" Gibson
Billy Ward
Wesley L. "Wes" Wyman, Jr.

Members Jodi Penn and Wesley L. "Wes" Wyman, Jr. 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, Todd Brady, Emma Payne, Elaine Riggins, John Dixon,; compliance investigators, Toddy Brady, Carl Bourque, Charmel Peterson, and Jeanette Raffray; and Tarah Barbier recording the minutes.

Ms. Gibson led the Pledge of Allegiance.

Judge Darrell White gave the invocation.

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

Mr. McDuff introduced guests Ronald Burrough with the Attorney General's office and Peter Young with the Louisiana Home Builders Association. Mr. McDuff also introduced two compliance investigators for the board Jeanette Raffray and Robert Guesnon.

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)

DUGGAN GENERAL SERVICES CONTRACTOR, INC. was removed from the Agenda for Worker's Compensation only.

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.

Lloyd Harris was present on behalf of HARRIS BUILDERS L.L.C. and was sworn in. Mr. Harris gave a statement affirming that there was a lapse in insurance coverage. Ms. Gibson 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 to allow the company to reapply for license/registration in 30 days if there was a lapse in coverage. Mr. Castjohn seconded, and the motion passed unanimously.

Ivan Varnado was present on behalf of INSPECTOR 12 SERVICES, LLC and was sworn in. Mr. Varnado gave a statement affirming that there was a lapse in insurance coverage. 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 to allow the company to reapply for license/registration in 30 days if there was a lapse in coverage. Mr. Castjohn seconded, and the motion passed.

Jeffrey Karam was present on behalf of JEFFREY N. KARAM CONSTRUCTION, L.L.C. and was sworn in. Mr. Karam gave a statement affirming 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 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 to allow the company to reapply for license/registration in 30 days. Mr. Ward seconded, and the motion passed.

Tara Watson was present on behalf of NOSTAW TRUCKING AND CONSTRUCTION, L.L.C. and was sworn in. Ms. Watson gave a statement affirming that there was a lapse in insurance coverage. 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, to allow the company to reapply for license/registration in 30 days if there was a lapse in coverage and to waive the fine and administrative costs. Mr. Castjohn seconded, and the motion passed.

Larry Dinh was present on behalf of TRIPLE D'S HOMES, LLC and was sworn in. Mr. Dinh gave a statement affirming that there was a lapse in insurance coverage. 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 to allow the company to reapply for license/registration in 30 days if there was a lapse in coverage. Mr. Castjohn seconded, and the motion passed.

No one was present on behalf of A. GUILLORY & SONS HOUSE MOVING, INCORPORATED; BLUE LAGOON POOL AND SPA LLC; CUTTING EDGE CABINETS, LLC; DAVID L. CHANDLER BUILDERS, L.L.C.; DOW DISASTER RESTORATION, LLC; ELITE PAINTING COMPANY, L.L.C.; H C B ENTERPRISE, LLC; HAUSS BUILDERS, INC.; JOE'S PAINTING & REPAIR, LLC; K.C. BUILDERS, INC.; LAWRENCE OATIS; MAX A. FORD; ON-SITE CONTRACTING L.L.C.; P&SW, LLC; PATRICK LEE SHELTON; PHILLIP MARK SWINNEA; REDDING CONSTRUCTION, INC.; REDIRON CONSTRUCTION, LLC; SARTIN BUILDERS, LLC; SCHELLO MANAGEMENT CONSULTANTS, INC.; SIMS PAINTING; T & T BUILDING SPECIALTIES, LLC; TERRELL PROPERTIES, L.L.C.; TRI SQUARE SERVICES LLC; TRICHE CONSTRUCTION L.L.C.; ULTIMATE CONSTRUCTION INC.; VULCAN INVESTMENTS, LLC; and WAYNE T. DELAUNE. Mr. Castjohn 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. Ms. Gibson seconded, and the motion passed.

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

1. **DGC CONTRACTORS, LLC,** Lafayette, Louisiana – La. R.S. 37:2167 (A) and 2175.2 (A)(1)

   No one was present on behalf of DGC CONTRACTORS, LLC. Investigator Carl Bourque was called to the stand and sworn in. Mr. Bourque reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Castjohn made a motion to find DGC CONTRACTORS, LLC to be in violation, to assess the maximum fine plus $1000 in administrative costs, and to issue a cease and desist order. Mr. Ward seconded. The motion passed.

2. **LAWRENCE FAYE D/B/A FAYE BUILDING CONTRACTORS,** Houma, Louisiana – La. R.S. 37:2167 (A) and 2175.2 (A)(1)

   No one was present on behalf of LAWRENCE FAYE D/B/A FAYE BUILDING CONTRACTORS. Investigator Robert Guesnon was called to the stand and sworn in. Mr. Guesnon reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Ward made a motion to find LAWRENCE FAYE D/B/A FAYE BUILDING CONTRACTORS to be in violation, 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. Mr. Castjohn seconded. The motion passed.

3. **PREMIER PROPERTY & CONSTRUCTION, LLC,** Metairie, Louisiana – La. R.S. 37:2167 (A)

   Mr. Rawls gave a summary of the allegations. Jeffrey Long was present on behalf of PREMIER PROPERTY & CONSTRUCTION, LLC and was sworn in. Mr. Long entered a denial plea. Investigator Charmel Peterson was called to the stand and was sworn in. Ms. Peterson reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Long gave a statement. Mr. Rawls was sworn in and gave a statement. Mr. Ward made a motion to find PREMIER PROPERTY & CONSTRUCTION, LLC to be in violation. Mr. Castjohn seconded. The motion passed. Mr. Castjohn made a motion to assess a fine of $25,000 plus $1000 in administrative costs allowing the fine to be reduced to $7500 plus $1000 in administrative costs if a payment plan is entered into within 30 days for the outstanding fine owed and continue to enforce the previously issued cease and desist order. Mr. Ward seconded. The motion passed.

4. **LARIVE CONSTRUCTION AND RENOVATION, LLC,** New Orleans, Louisiana – La. R.S. 37:2175.2 (A)(1)

   Mr. Rawls gave a summary of the allegations and read the settlement offer presented by LARIVE CONSTRUCTION AND RENOVATION, LLC. Ms. Gibson made a motion to accept the settlement offer with the amendment that the $750 settlement offer is for administrative costs. Mr. Castjohn seconded. The motion passed.

5. **QUINTON FITZHUGH,** Walker, Louisiana – La. R.S. 37:2175.2 (A)(1)

   No one was present on behalf of QUINTON FITZHUGH. Mr. 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. Castjohn made a motion find QUINTON FITZHUGH to be in violation, to assess the maximum fine plus

$1000 in administrative costs, and to issue a cease and desist order. Ms. Gibson seconded. The motion passed.

6. **ARISTILE RENOVATION, LLC D/B/A C.C. RENOVATION,** LaPlace, Louisiana – La. R.S. 37:2175.2 (A)(1)

   No one was present on behalf of ARISTILE RENOVATION, LLC D/B/A C.C. RENOVATION. Investigator Todd Brady was called to the stand and was sworn in. Mr. Brady reviewed the exhibit packet. Ms. Sims entered the exhibit packet into evidence and it was admitted. Mr. Castjohn made a motion to find ARISTILE RENOVATION, LLC D/B/A C.C. RENOVATION to be in violation, to assess the maximum fine plus $1000 administrative costs, and to issue a cease and desist order. Mr. Ward seconded. The motion passed.

E. **STATUTORY CITATIONS:**

The staff reported that all statutory citations have been resolved.

OLD BUSINESS

F. **COMPLIANCE HEARING(S)/CONTINUANCES:**

1. **NEXLEVEL CONSTRUCTION & CONSULTANTS, LLC D/B/A HUNTER ENTERPRISES,** New Orleans, Louisiana – La. R.S. 37:2167 (A) and/or 2175.2 (A)(1)

   Mr. Rawls gave a summary of the allegations. Dent Hunter was present on behalf of NEXLEVEL CONSTRUCTION & CONSULTANTS, LLC D/B/A HUNTER ENTERPRISES and was sworn in. Mr. Hunter entered a no contest plea. Mr. Castjohn made a motion to accept the plea. Mr. Ward seconded. The motion passed. Mr. Hunter gave a statement. Mr. Castjohn made a motion to assess a fine of $5000 plus $1000 administrative costs allowing the fine to be reduced to $500 if the company obtains a residential license within 120 days and to issue a cease and desist order. Mr. Ward seconded. The motion passed.

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

   Mr. Rawls gave a summary of the allegations. Shanon Coon and attorney Jerald Block were present on behalf of AARON POOLS, LLC. Ms. Coon was sworn in. Mr. Block entered a no contest plea. Mr. Castjohn made a motion to accept the plea. Mr. Ward seconded. The motion passed. Mr. Block and Ms. Coon gave a statement. Ms. Gibson made a motion to assess a fine of $500 plus $500 in administrative costs allowing the fine to be waived if proof of continuous insurance coverage can be provided and the company obtains a residential license within 90 days.

G. CONSIDERATION OF LICENSURE EXEMPTION(S):

Ms. Gibson made a motion to approve the exemption as listed on the agenda, and Mr. Castjohn seconded. The motion passed.

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

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 6-7)

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 11:19 a.m., and Mr. Badeaux seconded. The motion passed.

Lloyd "Chip" Badeaux, Chairman

Lee Mallett, Vice Chairman