

STATE LICENSING BOARD FOR CONTRACTORS
RESIDENTIAL BUILDING CONTRACTORS SUBCOMMITTEE

MEETING MINUTES

February 15, 2017

The regular meeting of the Residential Building Contractors Subcommittee was called to order by the Chairman, Kenneth W. Jones, on Wednesday, February 15, 2017 at 9:35 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, Lowana Cola, Emma Payne, Elaine Riggins, Doug Traylor, John Dixon; Brad Hassert, Compliance Director; compliance investigators, Carl Bourque, Dylan Bourg, Charmel Peterson, Jessie Wells, Marianne Sullivan, Brad Domingue, and Bobbie Hughes; and Tarah Revette recording the minutes.

Mr. Morse led the Pledge of Allegiance.

Judge Darrell White gave the invocation.

Mr. Morse made a motion to accept the Minutes of the January 18, 2017, Residential Building Subcommittee Meeting. Mr. Guidry seconded. The motion passed.

Mr. McDuff introduced guests Conrad Blanchard and Jeannie Dodd with the Louisiana Home Builders Association; Ronald Burrough with the Louisiana Attorney General’s office; James Henry and Rudolph Babin with the Department of Insurance; and Billy Ward, former Residential Subcommittee member.

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 NICK BLANC CONSTRUCTION LLC and SCOTT SANDAGE PROPERTIES & CONSTRUCTION LLC from the agenda.

Ms. Riggins also confirmed service for the remaining entities listed on the agenda. Ms. Riggins confirmed that this is the first violation for these companies except for JOSEPH A. BROUSSARD, which was their second violation.

Ray Rinardo was present on behalf of RAY RINARDO JR. HOME IMPROVEMENT, LLC and was sworn in. Mr. Rinardo gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Hamilton 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. Fine seconded, and the motion passed unanimously.

No one was present on behalf of ANDREW BUETTENER; ARCHITECTURAL ROOFING & HOME RENOVATIONS LLC; BLANDCO, L.L.C.; DOW DISASTER RESTORATION, LLC; GAUDIN INC.; GRID IRON CONSTRUCTION, LLC; KNOT JUST FLOORS, LLC; LAKESHORE CONTRACTORS, LLC; and MEASURE 37 DEVELOPMENT, INC. Mr. Guidry 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.

No one was present on behalf of JOSEPH A. BROUSSARD. Mr. Morse made a motion to revoke the license or registration of JOSEPH A. BROUSSARD back to the date of last insurance coverage for a period of one year, to issue a cease and desist order, to assess a \$500 fine plus \$500 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.

D. COMPLIANCE HEARINGS:

1. Matters 1a and 1b were consolidated.

- a) **MICHAEL WERCHOLUK D/B/A K&A CUSTOM BUILDERS, LLC**, Covington, Louisiana – La. R.S. 37:2158(A)(5)

Mr. Rawls gave a summary of the allegations. Michael Wercholak was present on behalf of MICHAEL WERCHOLUK D/B/A K&A CUSTOM BUILDERS, LLC and was sworn in. Mr. Wercholak entered a no contest plea. Mr. Guidry made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Wercholak gave a statement regarding this matter. Mr. Wyman made a motion to fine MICHAEL WERCHOLUK D/B/A K&A CUSTOM BUILDERS, LLC \$1000 plus \$1000 in administrative costs. Mr. Morse seconded. The motion passed.

- b) **LISA LASKE**, New Orleans, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. LISA LASKE was present and was sworn in. Ms. Laske entered a no contest plea. Mr. Guidry made a motion to accept the plea. Mr. Morse seconded. The motion passed. Ms. Laske presented documents to admit into evidence and they were admitted. Ms. Laske gave a statement to the board regarding this matter. Investigator Charmel Peterson was called to the stand and was sworn in. Ms. Peterson reviewed the exhibit packet and provided testimony to the board. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Ms. Laske gave an additional statement. Dave Mendrek was sworn in and provided testimony to the board on behalf of Ms. Laske. Mr. Wyman made a motion to fine LISA LASKE \$1000 plus \$1000 in administrative costs. Mr. Guidry seconded. The motion passed.

2. **G&S CONSTRUCTION SERVICES, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of G&S CONSTRUCTION SERVICES, LLC. Homeowner Jodi Peavoy was present and was sworn in. Mr. Peavoy provided testimony to the board. Investigator Bobbie Hughes was called to the stand and was sworn in. Ms. Hughes reviewed the exhibit packet and provided testimony to the board. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find G&S CONSTRUCTION SERVICES, LLC to be in violation. Mr. Morse seconded. The motion passed. Mr. Guidry made a motion to assess the maximum fine plus \$1000 in administrative costs and to refer this matter to the Commercial Board. Mr. Wyman seconded. The motion passed.

3. **PARMS CONSTRUCTION, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of PARMs CONSTRUCTION, LLC. Investigator Todd Brady was called to the stand and was sworn in. Mr. Brady reviewed the exhibit packet and provided testimony to the board. Mr. Guidry made a motion to find PARMs CONSTRUCTION, LLC to be in violation. Mr. Hamilton seconded. The motion passed. Mr. Guidry made a motion to assess the maximum fine plus \$1000 in administrative costs, to issue a cease and desist order and to refer the matter to the Commercial Board. Mr. Hamilton seconded. The motion passed.

4. **ANTHONY’S ROOFING & CONSTRUCTION, LLC**, Prairieville, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. Attorney John Dale Powers and Anthony Granite were present on behalf of ANTHONY’S ROOFING & CONSTRUCTION, LLC. Mr. Granite was sworn in. Mr. Powers entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Guidry seconded. The motion passed. Mr. Powers gave a statement regarding this matter. Mr. Wyman made a motion to assess a \$2000 fine plus \$1000 in administrative costs and to issue a cease and desist order until the fine is paid. Mr. Hamilton seconded. The motion passed.

5. **PETER SANTOS D/B/A P&H CONSTRUCTION**, Metairie, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of PETER SANTOS D/B/A P&H CONSTRUCTION. Investigator Dylan Bourg was called to the stand and was sworn in. Mr. Bourg reviewed the exhibit packet and provided testimony to the board. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find PETER SANTOS D/B/A P&H CONSTRUCTION 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 order. Mr. Hamilton seconded. The motion passed.

6. **C. FREEMAN ENTERPRISES, LLC**, Metairie, Louisiana – La. R.S. 37:2167(A); 2185(A)

Mr. Rawls gave a summary of the allegations. Carl Freeman was present on behalf of C. FREEMAN ENTERPRISES, LLC and was sworn in. Mr. Freeman entered a denial plea to La. R.S. 37:2167(A) violation and a no contest plea to the La. R.S. 37:2185(A) violation. Investigator Marianne Sullivan was called to the stand and was sworn in. Ms. Sullivan reviewed the exhibit packet and provided testimony to the board. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Freeman gave a statement to the board regarding these matters. Mr. Freeman changed his initial denial plea to La. R.S. 37:2167(A) to a no contest plea. Mr. Wyman made a motion to accept the no contest plea. Mr. Morse seconded. The motion passed. Mr. Wyman made a motion to assess a \$1000 fine plus \$1000 in administrative costs and to allow the fine to be reduced to only the \$1000 in administrative costs if the company obtains a proper license within 90 days. Mr. Hamilton seconded. The motion passed.

7. **QUINTON MENARD D/B/A AFFORDABLE SERVICES**, Cankton, Louisiana – La. R.S. 37:2175.2(A)(1); 2175.3(A)(8)

Mr. Rawls stated that the company requested a continuance. Mr. Wyman made a motion to grant the continuance. Mr. Morse seconded. The motion passed.

8. **JERRY BERNARD CONTRACTOR, LLC**, Marrero, Louisiana – La. R.S. 37:2175.2(A)(1)

Mr. Rawls gave a summary of the allegations. Jerry Bernard was present on behalf of JERRY BERNARD CONTRACTOR, LLC and was sworn in. Mr. Bernard entered a no contest plea. Mr. Morse made a motion to accept the plea. Mr. Wyman seconded. The motion passed. Mr. Bernard gave a statement regarding this matter. 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.

9. **MICHAEL D. PINNER**, New Orleans, Louisiana – La. R.S. 37:2175.2(A)(1)

Mr. Rawls gave a summary of the allegations. MICHAEL D. PINNER was not present. Investigator Dylan Bourg, who was previously sworn in, was called to the stand and reviewed the exhibit packet. Mr. Bourg also provided testimony to the board. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Guidry made a motion to find MICHAEL D. PINNER to be in violation. Mr. Hamilton seconded. The motion passed. Mr. Guidry made a motion to assess the maximum fine plus \$1000 in administrative costs and to issue a cease and desist order. Mr. Hamilton seconded. The motion passed.

10. **JOHNNY BROWN D/B/A AFFORDABLE REPAIRS, LLC**, 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 JOHNNY BROWN D/B/A AFFORDABLE REPAIRS, LLC. Investigator Marianne Sullivan, who was previously sworn in, was called to the stand and reviewed the exhibit packet. Ms. Sullivan also provided testimony to the board. Mr. Guidry made a motion to find JOHNNY BROWN D/B/A AFFORDABLE REPAIRS, 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 Attorney General's office. Mr. Morse 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(S)/CONTINUANCES:

1. a) **RADIANT HOME IMPROVEMENT LLC**, Baton Rouge, Louisiana – La. R.S. 37: 2167(A); 2158(A)(3) and Rules and Regulations 1109(A), 105(A)(6)

Mr. Rawls gave a summary of the allegations. Attorney Steven Watterson and Tanweer Bhatti were present on behalf of RADIANT HOME IMPROVEMENT LLC. Mr. Bhatti was sworn in. Homeowner Tequila Aucoin was also present and was sworn in. Lynn Sanchez was also present on behalf of Mr. Bhatti and was sworn in. Mr. Watterson denied the alleged violations for La. R.S. 37:2167(A) and La. R.S. 37:2158(A)(3) and Rules and Regulations 1109(A). Mr. Watterson also entered a no contest plea to La. R.S. 37:2158(A)(3) and Rules and Regulations 105(A)(6). Mr. Wyman made a motion to accept the no contest plea. Mr. Hamilton seconded. The motion passed. Investigator Marianne Sullivan, who was previously sworn in, was called to the stand. Ms. Sullivan reviewed the exhibit packet for both Radiant Home Improvement LLC and Southern Remodelers & Kitchens LLC. Ms. Sullivan also provided testimony to the board. Mr. Bankston entered the exhibit packets into evidence and they were admitted. Mr. Watterson questioned Ms. Sullivan. Ms. Aucoin was called to the stand and provided testimony to the board. Mr. Bankston and Mr. Watterson questioned Ms. Aucoin. The board questioned Ms. Sullivan and Ms. Aucoin. Mr. Watterson called Mr. Sanchez to the stand as an expert witness on behalf of Mr. Bhatti. Mr. Watterson and Mr. Bankston questioned Mr. Sanchez. The board also questioned Mr. Sanchez. Mr. Watterson called Mr. Bhatti to the stand. The board questioned Mr. Bhatti. Mr. Watterson and Mr. Bankston questioned Mr. Bhatti. Mr. Bankston entered additional documents into evidence and they were admitted. Mr. Guidry made a motion to find RADIANT HOME IMPROVEMENT LLC to be in violation of La. R.S. 37:2167(A) and La. R.S. 37:2158(A)(3) and Rules and Regulations 1109(A). Mr. Wyman seconded. The motion passed. After discussion, Mr. Guidry made a motion to assess the maximum fine plus \$1000 plus administrative costs, to issue a cease and desist order until fine is paid and to refer this matter to the Attorney General's office. Mr. Morse seconded. The motion passed.

- b) **SOUTHERN REMODELERS & KITCHENS LLC**, Baton Rouge, Louisiana – La. R.S. 37:2167(A), 2158(A)(3) and Rules and Regulations 1109(A)

Mr. Rawls gave a summary of the allegations. Attorney Jerry Pepper and Hassan Akbar were present on behalf of SOUTHERN REMODELERS & KITCHENS LLC. Mr. Akbar was sworn in. Mr. Pepper entered a no contest plea for both allegations. Mr. Guidry made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Pepper gave a statement to the board regarding this matter. Mr. Wyman made a motion to assess a \$4000 fine plus \$1000 in administrative costs, to issue a cease and desist order and to allow the fine to be reduced to \$1000 plus \$1000 in administrative costs if the company obtains a proper license within 120 days. Mr. Morse seconded. The motion passed.

2. **RONNIE HOUCK D/B/A HOUCK BUILDING AND REMODELING**, Bastrop, Louisiana – La. R.S. 37:2175.2(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of RONNIE HOUCK D/B/A HOUCK BUILDING AND REMODELING. Investigator Jessie Wells was called to the stand and was sworn in. Mr. Wells reviewed the exhibit packet and provided testimony to the board. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Guidry made a motion to find RONNIE HOUCK D/B/A HOUCK BUILDING AND REMODELING to be in violation. Mr. Hamilton seconded. The motion passed. Mr. Guidry made a motion to assess a fine of \$8000 plus \$1000 in administrative costs and to issue a cease and desist order. Mr. Wyman seconded. The motion passed.

3. **H. BODDEN RENOVATIONS, LLC**, Gretna, Louisiana – La. R.S. 37:2185(A)

Mr. Rawls gave a summary of the allegations. Handford Bodden was present on behalf of H. BODDEN RENOVATIONS, LLC and was sworn in. Mr. Bodden entered a no contest plea. Mr. Guidry made a motion to accept the plea. Mr. Wyman seconded. The motion passed. Mr. Bodden gave a statement regarding this matter. Homeowners Amy Beard and Scott Brooks were also present and were sworn in. Ms. Beard and Mr. Brooks provided testimony to the board. Mr. Guidry made a motion to fine H. BODDEN RENOVATIONS, LLC \$1000 plus \$1000 in administrative costs and to issue a cease and desist order. Mr. Hamilton seconded. The motion passed.

- G. 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. Guidry seconded. The motion passed.

- H. Consideration of residential applications as listed and attached to the agenda. (Pages 5-9)

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

- I. Consideration of home improvement applications as listed and attached to the agenda. (Pages 10-14)

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

ADJOURNMENT

Mr. Wyman made a motion to adjourn at 12:54 p.m., and Mr. Hamilton seconded. The motion passed.

Kenneth W. Jones, Chairman

Lloyd “Chip” Badeaux, Vice Chairman