

STATE LICENSING BOARD FOR CONTRACTORS
RESIDENTIAL CONTRACTORS SUBCOMMITTEE

MEETING MINUTES

February 19, 2020

The regular meeting of the Residential Building Contractors Subcommittee was called to order by the Chairman, Lloyd “Chip” Badeaux, on Wednesday, February 19, 2020, at 9:32 a.m. at 600 North Street, Baton Rouge, Louisiana.

Members of the Subcommittee present:

Lloyd “Chip” Badeaux, Chairman
Rob Hamilton
Jim Fine
Frank Morse, Jr.
Wesley L. “Wes” Wyman, Jr

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

Also attending the meeting were: Michael McDuff, Executive Director; Judge Darrell White, Retired, Hearing Officer; Kevin Landreneau, Board Attorney; and from the staff, Carrie Morgan, Leann Evans, Brent Temple, Lowana Cola, Maranda Legaux, Brad Hassert, Compliance Director; compliance investigators, Jessie Wells, William Collins, Frank Vaughn, William Valentine, Johnny Rogers, Sean Beavers, Bobbie Hughes, Nathan Rawls; and Tarah Revette recording the minutes.

Mr. Morse led the Pledge of Allegiance.

Judge Darrell White gave the invocation.

Mr. Wyman made a motion to accept the Minutes of the January 15, 2020, Residential Building Subcommittee Meeting. Mr. Morse seconded. The motion passed.

Mr. Hassert introduced guests Alex Reinboth with the Louisiana Attorney General’s Office and Dwayne Lawson with the Louisiana Workforce Commission.

PUBLIC COMMENT

No requests were received from the public to address the Licensing Board.

NEW BUSINESS

Carrie Morgan and Brad Hassert with the Compliance Department for the board were sworn in.

D. COMPLIANCE HEARINGS:

1. **LARRY D. GRAHAM D/B/A GRAHAM CENTRAL CONSTRUCTION, LLC**, Keithville, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Morgan gave a summary of the allegations. No one was present on behalf of LARRY D. GRAHAM D/B/A GRAHAM CENTRAL CONSTRUCTION, LLC. Investigator William Valentine was called to the stand and was sworn in. Mr. Valentine reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Morse made a motion to find LARRY D. GRAHAM D/B/A GRAHAM CENTRAL CONSTRUCTION, LLC to be in violation, to assess the maximum fine plus \$1000 in administrative costs and to issue a cease and desist order. Mr. Wyman seconded. The motion passed.

2. **TRES BEAU HOMES, LLC**, Shreveport, Louisiana – La. R.S. 37:2167(A), 5 counts

Ms. Morgan gave a summary of the allegations and read the settlement offer presented by TRES BEAU HOMES, LLC. Homeowner John Eatman was present and was sworn in. Mr. Eatman provided testimony to the board. Brad Hassert, Compliance Director, also provided testimony to the board. Mr. Wyman made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Morse seconded. After discussion, the motion passed.

3. **VIRGIL L. DAVIS D/B/A J-H POOL SERVICE**, Jonesboro, Louisiana – La. R.S. 37:2167(A)

Ms. Morgan gave a summary of the allegations. Virgil Davis was present on behalf of VIRGIL L. DAVIS D/B/A J-H POOL SERVICE and was sworn in. Mr. Davis entered a denial plea. Investigator William Collins was called to the stand and was sworn in. Mr. Collins reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Landreneau questioned Mr. Davis. Mr. Davis gave a statement to the board. Mr. Wyman made a motion to find VIRGIL L. DAVIS D/B/A J-H POOL SERVICE to be in violation and to assess an administrative penalty of \$500 in administrative costs. Mr. Morse seconded. The motion passed.

4. **BRANDON CHASE MEYERS D/B/A ARK-LA-TEX FOUNDATION SOLUTIONS**, Keithville, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Morgan gave a summary of the allegations. No one was present on behalf of BRANDON CHASE MEYERS D/B/A ARK-LA-TEX FOUNDATION SOLUTIONS. Investigator William Collins, who was previously sworn, was called to the stand. Mr. Collins reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Morse made a motion to find BRANDON CHASE MEYERS D/B/A ARK-LA-TEX FOUNDATION SOLUTIONS to be in violation, to assess the maximum fine plus \$1000 in administrative costs and to issue a cease and desist order. Mr. Fine seconded. The motion passed.

5. a) **STURLESE CONSTRUCTION, INC.**, Creole, Louisiana – La. R.S. 37:2167(A), 4 counts

Ms. Morgan gave a summary of the allegations and read the settlement offer presented by STURLESE CONSTRUCTION, INC. Mr. Morse made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Hamilton seconded. The motion passed.

- b) **HUMBERTO LANDAVERDE**, Houston, Texas – La. R.S. 37:2167(A), 4 counts

Ms. Morgan gave a summary of the allegations and read the settlement offer presented by HUMBERTO LANDAVERDE. Mr. Morse made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Fine seconded. The motion passed. Mr. Hamilton made a motion to state that if Mr. Landaverde does not obtain the proper license within 120 days, Mr. Landaverde will be brought before the board. Mr. Morse seconded. The motion passed.

6. **SAMUEL W. CARTER D/B/A S. C. CUSTOM CONSTRUCTION**, Lake Charles, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Morgan gave a summary of the allegations. No one was present on behalf of SAMUEL W. CARTER D/B/A S. C. CUSTOM CONSTRUCTION. Investigator Frank Vaughn was called to the stand and was sworn in. Mr. Vaughn reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Morse made a motion to find SAMUEL W. CARTER D/B/A S. C. CUSTOM CONSTRUCTION to be in violation, to assess the maximum fine plus \$1000 in administrative costs and to issue a cease and desist order. Mr. Hamilton seconded. The motion passed.

7. **CHRISTOPHER FULLER**, Eros, Louisiana – La. R.S. 37:2167(A)

Ms. Morgan gave a summary of the allegations and read the settlement offer presented by CHRISTOPHER FULLER. Mr. Wyman made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Morse seconded. The motion passed.

8. **AUGUSTO MORA**, New Orleans, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Morgan gave a summary of the allegations. No one was present on behalf of AUGUSTO MORA. Compliance Director, Brad Hassert, who was previously sworn, was called to the stand. Mr. Hassert reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Morse made a motion to find AUGUSTO MORA to be in violation, to assess the maximum fine plus \$1000 in administrative costs and to issue a cease and desist order. Mr. Wyman seconded. The motion passed.

9. **NEXLEVEL NOLA CONSTRUCTION AND CONSULTANTS LLC**, New Orleans, Louisiana – La. R.S. 37: 2158(A)(3) and Rules and Regulations of the Board Section 135(A), 4 counts

Ms. Morgan gave a summary of the allegations. No one was present on behalf of NEXLEVEL NOLA CONSTRUCTION AND CONSULTANTS LLC. Investigator Sean Beavers was called to the stand and was sworn in. Mr. Beavers reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Morse made a motion to find NEXLEVEL NOLA CONSTRUCTION AND CONSULTANTS LLC to be in violation, to assess the maximum fine plus \$1000 in administrative costs, to give the company seven (7) days to produce the requested records satisfactory to staff and upon failure to do so within the time-frame given, allow staff to suspend the license. Mr. Morse continued the motion to state that if the license is suspended by staff, to allow staff to reinstate the license once the company produces the requested records satisfactory to staff. Mr. Hamilton seconded. The motion passed.

10. **TIMOTHY PROSSER D/B/A PROSSER CONTRACTING**, Parais, Louisiana – La. R.S. 37:2167(A)

Ms. Morgan gave a summary of the allegations and read the settlement offer presented by TIMOTHY PROSSER D/B/A PROSSER CONTRACTING. Mr. Fine made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Morse seconded. The motion passed.

11. **LASSEIGNE ESTATES, LLC**, Belle Chasse, Louisiana – La. R.S. 37:2158(A)(4), 2 counts

Ms. Morgan gave a summary of the allegations and read the settlement offer presented by LASSEIGNE ESTATES, LLC. Mr. Fine made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Morse seconded. The motion passed.

12. **KELVIN DALE GROS**, Montz, Louisiana – La. R.S. 37:2167(A)

Ms. Morgan gave a summary of the allegations. No one was present on behalf of KELVIN DALE GROS. Investigator Johnny Rogers was called to the stand and was sworn in. Mr. Rogers reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Morse made a motion to find KELVIN DALE GROS to be in violation, to assess the maximum fine plus \$1000 in administrative costs and to issue a cease and desist order. Mr. Fine seconded. The motion passed.

13. **ALBERT MOORE MASONRY, LLC**, Gramercy, Louisiana – La. R.S. 37:2167(A)

Ms. Morgan gave a summary of the allegations and read the settlement offer presented by ALBERT MOORE MASONRY, LLC. Mr. Morse made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Fine seconded. The motion passed.

14. **KELVIN ROBINS, JR.**, Baton Rouge, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Morgan stated that KELVIN ROBINS, JR. requested a continuance. Mr. Wyman made a motion to grant the continuance. Mr. Morse seconded. The motion passed.

15. **L & C HOME IMPROVEMENTS LLC**, St. Rose, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Morgan gave a summary of the allegations and read the settlement offer presented by L & C HOME IMPROVEMENTS LLC. Mr. Wyman made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Morse seconded. The motion passed.

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

Ms. Morgan gave a summary of the allegations. No one was present on behalf of G&S CONSTRUCTION SERVICES, L.L.C. 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. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Morse made a motion to find G&S CONSTRUCTION SERVICES, L.L.C. to be in violation, to assess the maximum fine plus \$1000 in administrative costs and to issue a cease and desist order. Mr. Wyman seconded. The motion passed.

17. **SITAM QUIS CONSTRUCTION LLC**, Baton Rouge, Louisiana – La. R.S. 37:2167(A)

Ms. Morgan gave a summary of the allegations. Sean Barron was present on behalf of SITAM QUIS CONSTRUCTION LLC and was sworn in. Mr. Barron entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Investigator Nathan Rawls was called to the stand and was sworn in. Mr. Rawls reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Barron gave a statement to the board. The board questioned Mr. Barron. Mr. Wyman made a motion to assess an administrative penalty of a \$500 fine plus \$500 in administrative costs and to allow the administrative penalty to be reduced to only \$500 in administrative costs if the company obtains the proper license within 120 days. Mr. Fine seconded. The motion passed.

E. STATUTORY CITATIONS:

Ms. Morgan 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. Matters 1a – 1d were consolidated

- a) **JAMES WARWICK**, Doyline, Louisiana – La. R.S. 37:2167(A)
- b) **ARK-LA-TEX SHOP BUILDERS, INC.**, Haughton, Louisiana – La. R.S. 37:2167(A), 2 counts
- c) **ELIAS ENCINIA**, Shreveport, Louisiana – La. R.S. 37:2167(A), 2 counts
- d) **RYAN MATTINGLY**, Bossier City, Louisiana – La. R.S. 37:2167(A), 2 counts

Ms. Morgan gave a summary of the allegations. No one was present on behalf of JAMES WARWICK, ELIAS ENCINIA and RYAN MATTINGLY. Howard Prince was present on behalf of ARK-LA-TEX SHOP BUILDERS, INC. and was sworn in. Mr. Prince entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Prince gave a statement to the board. Brad Hassert, Compliance Director, also provided testimony to the board. Mr. Prince gave an additional statement to the board and presented a settlement offer. After discussion, Mr. Wyman made a motion to accept the settlement offer as presented for ARK-LA-TEX SHOP BUILDERS, INC. Mr. Hamilton seconded. The motion passed. Mr. Morse made a motion to dismiss the matter for JAMES WARWICK. Mr. Hamilton seconded. The motion passed. Mr. Morse made a motion to dismiss the matter for RYAN MATTINGLY. Mr. Hamilton seconded. The motion passed. Mr. Landreneau requested the board to continue matter 1c for ELIAS ENCINIA. Mr. Hamilton made a motion to continue the matter for ELIAS ENCINIA. Mr. Morse seconded. The motion passed.

2. **DONALD JORDAN**, Jackson, Mississippi – La. R.S. 37:2167(A)

Ms. Morgan gave a summary of the allegations. No one was present on behalf of DONALD JORDAN. Investigator Bobbie Hughes, who was previously sworn, was called to the stand. Ms. Hughes reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Carrie Morgan, who was previously sworn, also provided testimony to the board regarding service of the hearing notice Mr. Morse made a motion to find DONALD JORDAN to be in violation, to assess the maximum fine plus \$1000 in administrative costs and to issue a cease and desist order. Mr. Wyman seconded. The motion passed.

G. **REQUEST FOR REHEARING:**

1. **RAYMOND G. WILLIE**, Deridder, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Morgan stated that RAYMOND G. WILLIE requested a continuance of the rehearing request. Mr. Morse made a motion to grant the continuance of the rehearing request. Mr. Fine seconded. The motion passed.

H. Consideration of additional classifications for residential licenses as listed and attached to the agenda. (Page 5)

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

I. Consideration of residential applications as listed and attached to the agenda. (Pages 6-10)

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

J. Consideration of home improvement applications as listed and attached to the agenda. (Pages 11-15)

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

ADJOURNMENT

Mr. Wyman made a motion to adjourn at 10:48 a.m., and Mr. Hamilton seconded. The motion passed unanimously.

Lloyd “Chip” Badeaux, Chairman

Elliott Temple, Vice Chairman