

STATE LICENSING BOARD FOR CONTRACTORS
RESIDENTIAL CONTRACTORS SUBCOMMITTEE

MEETING MINUTES

March 14, 2018

The regular meeting of the Residential Building Contractors Subcommittee was called to order by the Chairman, Lloyd “Chip” Badaeux, on Wednesday, March 14, 2018 at 9:35 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Subcommittee present: Lloyd “Chip” Badaeux, Chairman
 Jim Fine
 Rob Hamilton
 Wesley L. “Wes” Wyman, Jr

Members William Clouatre, Jody Guidry and Frank Morse, 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; Kevin Landreneau, Board Attorney; and from the staff, Nathan Rawls, Leann Evans, Brent Temple, Elaine Riggins, John Dixon, Wendy Loup, Emma Payne; Brad Hassert, Compliance Director; compliance investigators, Charmel Peterson, James Franklin, Williams Collins, Johnny Rogers, Jessica Jones, William Valentine, Scott Corley, Ashleigh Scott, Marianne Sullivan and Bobbie Hughes; and Tarah Revette recording the minutes.

Mr. Fine led the Pledge of Allegiance.

Judge Darrell White gave the invocation.

Mr. Hamilton made a motion to accept the Minutes of the February 14, 2018, Residential Building Subcommittee Meeting. Mr. Wyman seconded. The motion passed.

Mr. Hassert introduced guest Alex Reinboth with the Louisiana Attorney General’s office.

NEW BUSINESS

Nathan Rawls with the Compliance Department, Elaine Riggins with the Applications Department and Brad Hassert with the Compliance Department for the board were sworn in.

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 Director Elaine Riggins was called to the stand to give testimony regarding the documentation of general liability and workers’ compensation insurance coverage. Ms. Riggins removed AMERICAN PROPERTY MANAGEMENT GROUP, L.L.C., L.L.C.; DOMINGUEZ CONSTRUCTION SERVICE, LLC; HOLOMON REPAIR & DRAIN BUSTERS, LLC; MAX A. FORD and O.C. REINOSO CONSTRUCTION, LLC from the agenda. Ms. Riggins also confirmed service for the remaining entities listed on the agenda.

Attorney Lloyd “Sonny” Shields was present on behalf of 1 PRIORITY ENVIRONMENTAL SERVICES, INC. Ms. Riggins provided testimony to the board and stated the issue with the current insurance certificate on record with the board. Mr. Shields gave a statement regarding this matter. Mr. Landreneau questioned Mr. Shields. Ms. Riggins gave an additional statement. The board questioned Mr. Shields. Mr. Wyman made a motion to give the company 30 days to resolve this matter or this matter will come back before the board. Mr. Hamilton seconded. The motion passed.

Attorney Keary Everitt was present on behalf of BARCLAY CONSTRUCTION L.L.C. Ms. Riggins provided testimony to the board. Mr. Everitt gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Wyman made a motion a motion to suspend the license/registration back to the date of last insurance coverage, to issue a cease and desist order, assess \$500 fine plus \$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.

Bobby Weathersby was present on behalf of BROTHERHOOD WAY GENERAL CONTRACTORS, LLC and was sworn in. Ms. Riggins provided testimony to the board and stated that this was the company's second offense. Mr. Weathersby gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Wyman made a motion a motion to suspend the license/registration back to the date of last insurance coverage, to issue a cease and desist order, assess \$250 in administrative cost, to allow the company's license/registration to be reissued upon proof of insurance coverage and to allow staff to reinstate the license or registration if proof of no lapse is provided. Mr. Fine seconded, and the motion passed unanimously.

Brad West was present on behalf of WEST BUILDERS, L.L.C. and was sworn in. Ms. Riggins provided testimony to the board. Mr. West gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Wyman made a motion a motion to suspend the license/registration back to the date of last insurance coverage, to issue a cease and desist order, assess \$250 in administrative cost, to allow the company's license/registration to be reissued upon proof of insurance coverage and to allow staff to reinstate the license or registration if proof of no lapse is provided. Mr. Hamilton seconded, and the motion passed unanimously.

No one was present on behalf of AUSTIN REDMOND; BRANDON O WILLIAMS CONSTRUCTION LLC; C.M. SERVICES, L.L.C.; CASCO REMODELING, LLC; JCL CONSTRUCTION LLC; KAMS CONSTRUCTION, LLC; MICHAEL LEE LAWLER; MNK, LLC; PARISH BUILDERS, LLC; PICOU CONSTRUCTION, INC.; PREMIERE AIR CONDITIONING & HEATING L.L.C.; RIVERSIDE BUILDERS LLC; ROOF RIGHT INC.; SHAWN ROBINSON CONSTRUCTION, INC. and TEX-SAN CONSTRUCTION, LLC. Ms. Riggins provided testimony to the board. 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, to issue a cease and desist order, to assess a \$500 fine plus \$500 in administrative cost, to allow the company's license/registration to be reissued upon proof of insurance coverage and to allow staff to reinstate the license or registration if proof of no lapse is provided. Mr. Fine seconded. The motion passed unanimously.

The remaining entity was listed as a second violation on the agenda. No one was present on behalf of R.E. WILLIAMS RENOVATIONS, LLC. Ms. Riggins provided testimony to the board. Mr. Wyman made a motion to revoke the license/registration for R. E. WILLIAMS RENOVATIONS, LLC, to issue a cease and desist order, and to assess a \$500 fine plus \$500 in administrative cost. Mr. Hamilton seconded, and the motion passed unanimously. Mr. Fine made a motion to allow staff to reinstate the company's license if the fine and administrative costs are paid. Mr. Wyman seconded. The motion passed.

D. COMPLIANCE HEARINGS:

1. CAD HOME BUILDERS, LLC, Mandeville, Louisiana – La. R.S. 37:2158(A)(9)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of CAD HOME BUILDERS, LLC. Homeowner Patrick Kennedy was also present and was sworn in. Investigator Brent Templet was called to the stand and was sworn in. Mr. Templet reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Homeowner Teryl Schexnayder was present and sworn in. Mr. Kennedy and Mr. Schexnayder provided testimony to the board. Mr. Wyman made a motion to find CAD HOME BUILDERS, LLC to be in violation. Mr. Hamilton seconded. The motion passed. Mr. Wyman made a motion to revoke the residential license for CAD HOME BUILDERS, LLC, to revoke the qualifying party's status for Brock Ventura, to issue a cease and desist order and to assess the maximum fine plus \$1000 in administrative costs. Mr. Fine seconded. The motion passed.

2. **JOHNNY MCINTIRE, III**, Thibodaux, Louisiana – La. R.S. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. JOHNNY MCINTIRE III was present and was sworn in. Mr. McIntire entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. McIntire gave a statement to the board regarding this matter. Investigator Ashleigh Scott was called to the stand and was sworn in. Ms. Scott provided testimony to the board. Mr. Wyman made a motion to assess \$500 in administrative costs and to issue a cease and desist order. Mr. Hamilton seconded. The motion passed.

3. **HOTTAN, LLC**, Gretna, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of HOTTAN, LLC. Investigator Ashleigh Scott, who was previously sworn in, was called to the stand. Ms. Scott reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find HOTTAN, LLC to be in violation. Mr. Fine 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. Fine seconded. The motion passed.

4. **PERKINS CONTRACTORS, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2167(A), 2185(A)

This matter was continued.

5. **STUTSMAN CONSTRUCTION, LLC**, Prairieville, Louisiana – La. R.S. 37:2167(A), 2185(A)

Mr. Rawls gave a summary of the allegations. Roy Stutsman was present on behalf of STUTSMAN CONSTRUCTION, LLC and was sworn in. Mr. Stutsman entered a plea of admission. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Atkins gave a statement to the board regarding this matter. Mr. Wyman made a motion to assess \$1000 in administrative costs. Mr. Hamilton seconded. The motion passed.

6. **EMET SERVICES, LLC**, Tickfaw, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of EMET SERVICES, LLC. Attorney Craig Kaster was present on behalf of the homeowner in this matter. Investigator Scott Corley was called to the stand and was sworn in. Mr. Corley reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find EMET SERVICES, LLC to be in violation. Mr. Hamilton seconded. The motion passed. Mr. Kaster provided testimony to the board and entered documents into evidence. The documents were admitted. 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 Commercial Board. Mr. Fine seconded. The motion passed.

7. **JONATHAN L. FRANKLIN**, Wisner, Louisiana – La. R.S. 37:2167(A)

This matter was continued.

8. **NICHOLAS FOUNT PHILLIPS**, Baton Rouge, Louisiana – La. R.S. 37:2175.3(A)(1), 2160(A)(2)

Mr. Rawls gave a summary of the allegations. NICHOLAS FOUNT PHILLIPS was present and was sworn in. Mr. Phillips entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Phillips gave a statement regarding this matter. The board questioned Mr. Phillips. Mr. Wyman made a motion to assess a \$1000 fine plus \$1000 in administrative costs and to issue a cease and desist order. Mr. Hamilton seconded. The motion passed.

9. **WINSTON L. BRUMFIELD**, Baton Rouge, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. WINSTON L. BRUMFIELD was present and was sworn in. Mr. Brumfield entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Brumfield gave a statement regarding this matter. The board questioned Mr. Brumfield. Mr. Wyman made a motion to assess a \$1000 fine plus \$1000 in administrative costs, to issue a cease and desist order and to allow the fine and administrative costs from matter to be reduced to zero if Mr. Brumfield obtains a proper license/registration within 120 days. Mr. Hamilton seconded. The motion passed.

10. **GREGORY BALDWIN D/B/A BALDWIN CUSTOMS, INC.**, Baton Rouge, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. Attorney Erik Kjeldsen was present on behalf of GREGORY BALDWIN D/B/A BALDWIN CUSTOMS, INC. Mr. Kjeldsen requested a continuance for this matter. Mr. Homeowner Ethel Faulk was also present. Mr. Wyman made a motion to grant the continuance. Mr. Wyman retracted his motion. After discussion, Mr. Wyman made a motion to grant the continuance to the April 18, 2018 Residential Subcommittee Meeting. Mr. Fine seconded. The motion passed.

11. **CLASS A REMODELING OF NORTH LA., LLC**, Shreveport, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of CLASS A REMODELING OF NORTH LA., LLC. 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. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find CLASS A REMODELING OF NORTH LA., LLC to be in violation. Mr. Fine 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.

12. **DAVE A. BODDEN D/B/A DEVITOS RENOVATIONS CORPORATION**, Marrero, Louisiana – La. R.S. 37:2175.3(A)(1)(3)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of DAVE A. BODDEN D/B/A DEVITOS RENOVATIONS CORPORATION. Investigator Ashleigh Scott, who was previously sworn in, was called to the stand. Ms. Scott reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Hamilton made a motion to find DAVE A. BODDEN D/B/A DEVITOS RENOVATIONS CORPORATION to be in violation. Mr. Fine seconded. The motion passed. Mr. Hamilton made a motion 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. **CUSTOM BUILT WOODWORKS, LLC**, Slidell, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. Attorney Bruce Betzer and William Lisewski were present on behalf of CUSTOM BUILT WOODWORKS, LLC. Mr. Lisewski was sworn in. Mr. Betzer entered a denial plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Investigator Ashleigh Scott, who was previously sworn in, was called to the stand. Ms. Scott reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence. Mr. Betzer objected to one item in the exhibit packet. Ms. Scott provided clarification to the item in the exhibit packet. After discussion, Judge White admitted the exhibit packet. Ms. Scott provided additional testimony. Mr. Betzer questioned Ms. Scott. Mr. Betzer changed the initial denial plea to a no contest plea. Mr. Hamilton made a motion to accept the plea. Mr. Wyman seconded. The motion passed. Mr. Betzer gave a statement to the board. Mr. Wyman made a motion to assess \$500 in administrative costs and to issue a cease and desist order. Mr. Hamilton seconded. The motion passed.

14. **ARMORGUARD ROOFING & RESTORATION, LLC**, Bossier City, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations and stated that the owner of the company is currently incarcerated. Mr. Hamilton made a motion to continue this matter. Mr. Fine seconded. The motion passed.

15. **RAY RATCLIFF D/B/A RAY RATCLIFF ROOFING & CONSTRUCTION**, Minden, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. Willie Ratcliff was present on behalf of RAY RATCLIFF D/B/A RAY RATCLIFF ROOFING & CONSTRUCTION and was sworn in. Mr. Ratcliff entered a plea of admission. Mr. Wyman made a motion to accept the plea and assess a \$250 in administrative costs. Mr. Hamilton seconded. The motion passed.

<Matters D. 16. And D. 17 were companion matters.>

16. **CHARLES BEAUDION D/B/A ALLIED ROOFING AND REMODELING**, Cloutierville, Louisiana – La. R.S. 37:2175.3(A)(1), 2160(A)(2)

17. **CHARLES BEAUDOIN D/B/A ALLIED ROOFING**, Cloutierville, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations and stated that Charles Beaudoin is currently incarcerated. Mr. Hamilton made a motion to continue matters D. 16. and D. 17. Mr. Wyman seconded. The motion passed.

18. **FRESH LOOK EXTERIOR, LLC**, Denham Springs, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of FRESH LOOK EXTERIOR, LLC. Investigator Marianne Sullivan, who was previously sworn in, was called to the stand. Ms. Sullivan reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find FRESH LOOK EXTERIOR, LLC to be in violation. Mr. Fine seconded. The motion passed. Mr. Wyman made a motion to assess the maximum fine and to issue a cease and desist order. Mr. Fine seconded. The motion passed.

19. **JACKIE WALL D/B/A WALL'S SOUTHERN SERVICES**, Walker, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of JACKIE WALL D/B/A WALL'S SOUTHERN SERVICES. Due to possible service issues, staff requested that this matter be continued. Mr. Wyman made a motion to continue this matter. Mr. Fine seconded. The motion passed.

20. **BUBBA'S CONSTRUCTION, LLC**, Tallulah, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of BUBBA'S CONSTRUCTION, LLC. Investigator Scott Corley, who was previously sworn, was called to the stand. Mr. Corley reviewed the exhibit packet and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find BUBBA'S CONSTRUCTION, LLC to be in violation. Mr. Fine 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. Fine seconded. The motion passed.

21. **PARIS STONE, LLC**, New Orleans, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. Pierre LaBeaud was present on behalf of PARIS STONE, LLC and was sworn in. Mr. LaBeaud entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Fine seconded. The motion passed. Mr. LaBeaud gave a statement to the board regarding this matter. Mr. Hamilton made a motion to assess \$250 in administrative costs if the company obtains a proper license/registration within 90 days and if the company does not comply then to assess a \$1000 fine plus \$1000 in administrative costs. Mr. Wyman seconded. The motion passed.

OLD BUSINESS

E. COMPLIANCE HEARINGS/CONTINUANCES:

1. **LOUIS THOMPSON D/B/A LTI CONCRETE, LANDSCAPE, POOLS AND SPAS CONSTRUCTION**, Covington, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations and the previous action taken by the board regarding this matter. Attorney Frank White and Louis Thompson were present on behalf of LOUIS THOMPSON D/B/A LTI CONCRETE, LANDSCAPE, POOLS AND SPAS CONSTRUCTION and was sworn in. Homeowner Frank Tranchino and his Attorney Russell Price were present. Mr. Tranchino was sworn in. Mr. White entered a no contest plea and gave a statement to the board. Mr. Hamilton made a motion to accept the plea. Mr. Wyman seconded. The motion passed. Mr. Tranchino provided testimony to the board. Mr. White gave an additional statement and entered documents into evidence. The documents were admitted. Mr. White presented a settlement offer to the board. Mr. Wyman made a motion to accept the settlement offer. Mr. Fine seconded. The motion passed.

2. **WENDY CONSTRUCTION, LLC**, Shreveport, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations, the previous action taken by the board regarding this matter and the settlement offer presented by WENDY CONSTRUCTION, LLC. Attorney Timothy Pujol was present on behalf of WENDY CONSTRUCTION, LLC. Homeowner Dana Hernandez was present and was sworn in. Mr. Wyman made a motion to accept the settlement offer as presented, which included a no contest plea, and to issue a cease and desist order.. Mr. Hamilton seconded. The motion passed. Ms. Hernandez provided testimony to the board and entered photographs into evidence. The photographs were admitted.

F. REQUEST FOR REHEARINGS:

1. **JUSTIN NORRIS CONTRACTING, LLC**, Jena, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations and the previous action taken by the board regarding this matter. Justin Norris was present on behalf of JUSTIN NORRIS CONTRACTING, LLC and was sworn in. Mr. Norris gave a statement regarding the rehearing request. Mr. Wyman made a motion to grant the rehearing request for this matter. Mr. Fine seconded. The motion passed. Mr. Norris entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Fine seconded. The motion passed. Mr. Norris gave a statement regarding this matter. The board questioned Mr. Norris. Mr. Wyman made a motion to assess \$500 administrative costs and to issue a cease and desist order. Mr. Fine seconded. The motion passed.

2. **G & B CONTRACTOR SERVICES, INC.**, Baton Rouge, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations and the previous action taken by the board regarding this matter. Gus Butler Jr. was present on behalf of G & B CONTRACTOR SERVICES, INC. and was sworn in. Mr. Wyman made a motion to grant the rehearing request for this matter. Mr. Hamilton seconded. The motion passed. Mr. Butler entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Butler gave a statement regarding this matter. Attorney Angela Lockett was present on behalf of Mr. Butler and gave a statement to the board. Mr. Wyman made a motion to dismiss this matter and to issue a cease and desist order. Mr. Fine seconded. The motion passed.

G. REQUEST FOR INSURANCE RECONSIDERATION OF PENALTY:

1. ALFARO CONSTRUCTION, LLC, Chalmette, Louisiana – La. R.S. 2150–2192, 2186(B)(6), 2189(A)(7) and Rules and Regulations Sec. 1503(D)

Francisco Alfaro was present on behalf of ALFARO CONSTRUCTION, LLC and was sworn in. Emma Payne with the Applications Department was called to the stand and was sworn in. Mr. Wyman made a motion to grant the reconsideration request for this matter. Mr. Hamilton seconded. The motion passed. Ms. Payne provided testimony to the board and stated that the company has provided proof of insurance coverage without a lapse. Mr. Wyman made a motion to dismiss this matter. Mr. Hamilton seconded. The motion passed.

H. There were no public comments made.

- I. Consideration of residential applications as listed and attached to the agenda. (Pages 6-9)

Mr. Wyman made a motion to approve the new residential applications as listed on the agenda with the exception of G TEMPLE CONSTRUCTION LLC, which was not approved. Mr. Fine seconded. The motion passed.

- J. Consideration of home improvement applications as listed and attached to the agenda. (Pages 10-13)

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 12:15 p.m., and Mr. Fine seconded. The motion passed.

Lloyd “Chip” Badeaux, Chairman

William J. Cloutre, Vice Chairman