

STATE LICENSING BOARD FOR CONTRACTORS
RESIDENTIAL CONTRACTORS SUBCOMMITTEE

MEETING MINUTES

April 18, 2018

The regular meeting of the Residential Building Contractors Subcommittee was called to order by the Chairman, Lloyd “Chip” Badeaux, on Wednesday, April 18, 2018 at 9:36 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Subcommittee present:

Lloyd “Chip” Badeaux, Chairman
William J. Clouatre
James C. “Jim” Fine
Jody S. Guidry
Robert J. “Rob” Hamilton
Frank W. 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; Kevin Landreneau, Board Attorney; and from the staff, Leann Evans, Brent Templet, Elaine Riggins, John Dixon, Wendy Loup, Emma Payne, Lowana Cola; Brad Hassert, Compliance Director; compliance investigators, Todd Brady, Jessie Wells, James Franklin, Williams Collins, William Valentine, Scott Corley, Ashleigh Scott, Marianne Sullivan and Bobbie Hughes; and Tarah Revette recording the minutes.

Mr. Guidry led the Pledge of Allegiance.

Judge Darrell White gave the invocation.

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

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

NEW BUSINESS

Leann Evans 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 the following companies from the agenda: A & W MATTHEWS CONSTRUCTION, LLC; K & M PROPERTIES & PRESERVATION, INC.; MCM ENTERPRISE CONTRACTORS, LLC and TITAN OF LOUISIANA INC. Ms. Riggins also confirmed service for the remaining entities listed on the agenda under C. Insurance Hearings.

Brandon Brummel was present on behalf of B & B BUILDERS, LLC and was sworn in. Ms. Riggins provided testimony to the board. Mr. Brummel gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Wyman made 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 and rescind the administrative costs if proof of no lapse is provided. Mr. Hamilton seconded, and the motion passed unanimously.

Brad Canova was present on behalf of BRAD CANOVA DESIGN & CONSTRUCTION, LLC and was sworn in. Ms. Riggins provided testimony to the board. Mr. Canova 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 and to allow the company's license/registration to be reissued upon proof of insurance coverage. Mr. Hamilton seconded, and the motion passed unanimously.

Rachel Daigrepoint was present on behalf of DAIGREPONT CONTRACTING LLC and was sworn in. Ms. Riggins provided testimony to the board. Mr. Daigrepoint gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Guidry 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, 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.

STAFFORD DESHOTEL was present and was sworn in. Ms. Riggins provided testimony to the board. Mr. Deshotel gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Morse 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 and to allow the company's license/registration to be reissued upon proof of insurance coverage. Mr. Guidry seconded, and the motion passed unanimously.

No one was present on behalf of ACCU-BUILDERS, INC.; ALL IN ONE WOODWORKS LLC; ALLEGIANCE HOME DESIGN; BAP CONTRACTING, LLC; BARKLEY CONSTRUCTION & CONTRACTING, LLC; BEL-AIR BUILDING ENTERPRISES, L.L.C.; BROOKLAND REALTY LLC; CEA BUILDERS LLC; DESTINY DEVELOPERS LLC; GAUDIN INC.; GEAR ENTERPRISES, LLC; IRON WORKS OF BATON ROUGE, LA, INC.; JOE DUHON CONSTRUCTION LLC; L J FLOORING LLC; M. J. WILLIAMS HOME IMPROVEMENT LLC; MGN CAPITAL ENTERPRISES LLC; MICHAEL CUMMINGS; MICHAEL WAYNE NIXON; OLIVA CONSTRUCTION LLC; READ CONSTRUCTION, LLC; ROBERT CHAULSETT; and ROOF RIGHT INC. Ms. Riggins provided testimony to the board. 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, 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. Hamilton seconded. The motion passed unanimously.

The remaining entities listed under C. Insurance Hearings previously had one or more insurance violations. No one was present on behalf of ACCU-BUILDERS, INC.; HAYWOOD PROPERTY MANAGEMENT LLC; PINEDA CONSTRUCTIONS LLC and WELCOME HOME CONSTRUCTION, LLC. Ms. Riggins provided testimony to the board regarding these entities. Mr. Wyman made a motion to revoke the license/registration for aforementioned entities, to issue a cease and desist order, and to assess a \$250 fine plus \$250 in administrative cost. Mr. Morse seconded, and the motion passed unanimously.

D. COMPLIANCE HEARINGS:

1. **AQUAMARINE POOLS OF HOUSTON, LLC**, Spring, Texas – La. R.S. 37:2167(A)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by AQUAMARINE POOLS OF HOUSTON, LLC. After discussion, Mr. Wyman made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Guidry seconded. The motion passed.

2. **STEVE BERTRAND D/B/A STEVE'S HOME IMPROVEMENTS**, Eunice, Louisiana – La. R.S. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of STEVE BERTRAND D/B/A STEVE'S HOME IMPROVEMENTS. Investigator Marianne Sullivan was called to the stand and was sworn in. Ms. Sullivan reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Ms. Sullivan provided testimony to

the board. Mr. Wyman made a motion to find STEVE BERTRAND D/B/A STEVE'S HOME IMPROVEMENTS to be in violation. Mr. Morse 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. Morse seconded. The motion passed.

3. **MARK TOMERLIN D/B/A ALL-STAR CONSTRUCTION**, Slidell, Louisiana – La. R.S. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. Mark Tomerlin was present on behalf of MARK TOMERLIN D/B/A ALL-STAR CONSTRUCTION and was sworn in. Mr. Tomerlin entered a plea of admission. Mr. Tomerlin gave a statement to the board regarding this matter. Mr. Wyman made a motion to accept the plea, assess \$250 in administrative costs and to issue a cease and desist order. Mr. Hamilton seconded. The motion passed.

4. **JOHN D. WILLIAMS, JR.**, Gonzales, Louisiana – La. R.S. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by JOHN D. WILLIAMS, JR. After discussion, Mr. Wyman made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Morse seconded. The motion passed.

5. **BLAKE SEBASTIEN D/B/A BPS CONSTRUCTION**, Breaux Bridge, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of BLAKE SEBASTIEN D/B/A BPS CONSTRUCTION. 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. Guidry made a motion to find BLAKE SEBASTIEN D/B/A BPS CONSTRUCTION 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.

6. **VU DO CONSTRUCTION, LLC**, Metairie, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of VU DO CONSTRUCTION, LLC. 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. Chris Zizzi was also present regarding this matter and was sworn in. Mr. Zizzi provided testimony to the board. Mr. Wyman made a motion to find VU DO CONSTRUCTION, LLC to be in violation. Mr. Hamilton 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. Hamilton seconded. The motion passed.

7. **PRIME TIME CONSTRUCTION & RESTORATION, LLC**, Ponchatoula, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. Brandon Johnson was present on behalf of PRIME TIME CONSTRUCTION & RESTORATION, LLC and was sworn in. After discussion, Mr. Johnson entered a plea of admission. Mr. Wyman made a motion to accept the plea. Mr. Guidry seconded. The motion passed. Mr. Johnson gave a statement to the board 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. Hamilton seconded. The motion passed. After discussion, Mr. Wyman amended his previous motion to only assess \$1000 in administrative costs. Mr. Hamilton seconded. The motion passed.

8. **TIMOTHY ANDREWS**, Denham Springs, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. TIMOTHY ANDREWS was present and was sworn in. Mr. Andrews entered a denial plea and entered documents into evidence. After discussion, Mr. Wyman made a motion to defer this matter. Mr. Morse seconded. The motion passed. Mr. Andrews also provided his contact information to staff.

9. **MASTER ROOF BUILDERS, LLC**, Prairieville, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of MASTER ROOF BUILDERS, LLC. Investigator James Franklin was called to the stand and was sworn in. Mr. Franklin reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Franklin also provided testimony to the board. Mr. Wyman made a motion to find MASTER ROOF BUILDERS, LLC 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, to issue a cease and desist order and to refer this matter to the Attorney General's office. Mr. Guidry seconded. The motion passed.

10. **JAMES M. ZEAGLER, JR.**, Ball, Louisiana – La. R.S. 37:2175.3(A)(1)(7)

This matter was continued.

11. **JOHNSON AND JOHNSON CONSTRUCTION, LLC**, Luling, Louisiana – La. R.S. 37:2175.3(A)(1), 2185(A)

Ms. Evans gave a summary of the allegations. No one was present on behalf of JOHNSON AND JOHNSON CONSTRUCTION, 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 JOHNSON AND JOHNSON CONSTRUCTION, LLC to be in violation. Mr. Morse seconded. The motion passed. Homeowner Sandy Breaux was present and was sworn in. Ms. Breaux provided testimony to the board. 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.

12. **INTERGRATED MANAGEMENT SOLUTIONS, LLC**, LaPlace, Louisiana – La. R.S. 37:2175.3(A)(1), 2185(A)

Ms. Evans gave a summary of the allegations. Emile Lee was present on behalf of INTERGRATED MANAGEMENT SOLUTIONS, LLC and was sworn in. Investigator Ashleigh Scott was called to the stand and was sworn in. After discussion, Mr. Lee entered a denial plea to La. R.S. 37:2175.3(A)(1) and a plea of admission for La. R.S. 2185(A). Mr. Wyman made a motion to accept the pleas. Mr. Morse seconded. The motion passed. Ms. Scott provided testimony to the board and reviewed the exhibit packet. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Landreneau and the board questioned Mr. Lee regarding this matter. After discussion, Mr. Wyman made a motion to find INTERGRATED MANAGEMENT SOLUTIONS, LLC to be in violation of La. R.S. 37:2175.3(A)(1), to assess a \$500 fine plus \$500 in administrative costs, to allow the fine to be reduced to \$500 in administrative costs only if the company obtains a proper license/registration within 90 days and to issue a cease and desist order. Mr. Morse seconded. The motion passed.

13. Matters 13a and 13b were consolidated.

- a) **SAM GREEN**, Zachary, Louisiana – La. R.S. 37:2158(A)(5)
- b) **DT & R, INC.**, Baker, Louisiana – La. R.S. 37:2175.3(A)(1), 2185(A)

Ms. Evans gave a summary of the allegations. SAM GREEN was present and was sworn in. Timothy Flowers was present on behalf of DT & R, INC. and was sworn in. Mr. Green entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Flowers entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Green and Mr. Flowers both gave statements to the board regarding these matters. Mr. Wyman made a motion to assess a \$1000 fine plus \$1000 in administrative costs for SAM GREEN. Mr. Morse seconded. The motion passed. Mr. Wyman made a motion to assess a \$1000 fine plus \$1000 in administrative costs for DT & R, INC. Mr. Hamilton seconded. The motion passed.

14. Matters 14a and 14b were consolidated.

- a) **KRW CONSTRUCTION, LLC**, Angie, Louisiana – La. R.S. 37:2167(A)
- b) **M & J EXTREME RENOVATION, LLC**, Metairie, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of KRW CONSTRUCTION, LLC and M & J EXTREME RENOVATION, LLC. Homeowner Mary Cormier was present and was sworn in. Investigator Bobbie Hughes was called to the stand and sworn in. Ms. Hughes reviewed the exhibit packets for both matters and provided testimony to the board for both matters. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Ms. Cormier provided testimony to the board regarding these matters. Mr. Guidry made a motion to find KRW CONSTRUCTION, LLC to be in violation, to assess the maximum fine plus \$1000 in administrative costs, to refer this matter to the Commercial Board, to issue a cease and desist order and to refer this matter to the Attorney General's office. Mr. Hamilton seconded. The motion passed. Mr. Guidry made a motion to find M & J EXTREME RENOVATION, LLC 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 Attorney General's office. Mr. Morse seconded. The motion passed.

OLD BUSINESS

E. STATUTORY CITATIONS:

Ms. Evans presented the statutory citations. Mr. Wyman made a motion to accept the statutory citations as presented. Mr. Morse seconded. The motion passed.

F. COMPLIANCE HEARINGS/CONTINUANCES:

1. **JEFFREY RAYBURN**, Deville, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. JEFFREY RAYBURN was present and was sworn in. Mr. Rayburn entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Rayburn gave a statement regarding this matter. Mr. Wyman made a motion to assess a \$1000 fine plus \$1000 in administrative costs, to allow the fine to be reduced to \$500 in administrative costs only if Mr. Rayburn obtains a proper license/registration within 90 days and to issue a cease and desist order. Mr. Morse seconded. The motion passed.

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

Ms. Evans gave a summary of the allegations. Attorney Erik Kjeldsen and Gregory Baldwin were present on behalf of GREGORY BALDWIN D/B/A BALDWIN CUSTOMS, INC. Mr. Baldwin was sworn in. Homeowner Ethel Faulk was also present and was sworn in. Mr. Kjeldsen entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Kjeldsen gave a statement to the board regarding this matter. Mr. Landreneau entered the exhibit packet into evidence and it was admitted without objection. Ms. Faulk provided testimony regarding this matter. Mr. Baldwin gave a statement. Mr. Wyman made a motion to assess a \$2000 fine plus \$1000 in administrative costs, to allow the fine to be reduced \$500 plus \$500 in administrative costs only if Mr. Rayburn obtains a proper license/registration within 90 days and to issue a cease and desist order. Mr. Morse seconded. The motion passed.

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

Ms. Evans gave a summary of the allegations. JONATHAN L. FRANKLIN was present and was sworn in. Mr. Franklin entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Franklin gave a statement regarding this matter. Mr. Wyman made a motion to assess a \$2000 fine plus \$1000 in administrative costs, to allow the fine to be reduced \$1000 in administrative cost only if Mr. Franklin obtains a proper license/registration within 120 days and to issue a cease and desist order. Mr. Morse seconded. The motion passed.

4. **DAIGREPONT CONTRACTING, LLC**, Marksville, Louisiana – La. R.S. 37:2158(A)(3), Rules and Regulations of the Board Sec. 101

Ms. Evans gave a summary of the allegations. Rachel Daigrepoint was present on behalf of DAIGREPONT CONTRACTING, LLC. Ms. Daigrepoint was previously sworn in under C. Insurance Hearings. Mr. Wyman made a motion to dismiss this matter. Mr. Morse seconded. The motion passed.

G. REQUEST FOR REHEARINGS:

1. **TOMMIE J. DYER, JR. D/B/A SPECIAL HANDS**, Baton Rouge, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations and the previous action taken by the board regarding this matter. Ms. Evans also stated that there was a typo on the agenda and the name should read TOMMIE J. DYER, JR. D/B/A SPECIAL HANDS. Attorney Sonya Hall and Tommie Dyer were present on behalf of TOMMIE J. DYER, JR. D/B/A SPECIAL HANDS. Mr. Dyer was sworn in. Ms. Hall addressed the board regarding the rehearing request. Mr. Wyman made a motion grant the rehearing request. Mr. Hamilton seconded. The motion passed. Ms. Hall entered a no contest plea. Mr. Guidry made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Ms. Hall gave a statement to the board regarding this matter and presented a settlement offer to the board of \$750 fine plus \$250 administrative costs. Mr. Guidry made a motion to accept the settlement offer as presented, to issue a cease and desist order and to allow the fine to be reduced to \$500 plus \$250 in administrative costs if Mr. Dyer obtains a proper license/registration within 90 days. Mr. Fine seconded. The motion passed.

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

Ms. Evans gave a summary of the allegations and the previous action taken by the board regarding this matter. Chris Fink was present on behalf of EMET SERVICES, LLC and was sworn in. Mr. Wyman made a motion to grant the rehearing request. Mr. Guidry seconded. The motion passed. Mr. Fink entered a plea of admission. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Fink gave a statement to the board regarding this matter. Mr. Wyman made a motion to assess a \$2000 fine plus \$1000 in administrative costs and to allow the fine to be reduced \$1000 plus \$1000 in administrative cost if the company obtains a proper license/registration within 90 days. Mr. Fine seconded. The motion passed.

At this time, the floor was opened to Public Comment. Shondrell Perrilloux approached the stand and addressed the board. Ms. Perrilloux was sworn in. Ms. Perrilloux requested the board to reduce the fine assessed against DDS CONSTRUCTION, LLC on July 9, 2013 at the Residential Subcommittee Meeting. Ms. Evan and Mr. Hassert both addressed the board regarding the request and the compliance matter being referred to. Mr. Wyman made a motion to reduce the outstanding balance of the fine for DDS CONSTRUCTION, LLC to \$5000. Mr. Hamilton seconded. The motion passed. After discussion, Mr. Wyman also made a motion to allow staff to enter into a new Conditional License Agreement with the company for the outstanding fine. Mr. Morse seconded. The motion passed.

- H. Consideration of additional classifications for residential licenses as listed and attached to the agenda. (Page 6)

Mr. Wyman recused himself from this matter. Mr. Hamilton made a motion to approve the additional classifications for residential licenses as listed on the agenda. Mr. Morse seconded. The motion passed.

- I. Consideration of residential applications as listed and attached to the agenda. (Pages 7-10)

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

- J. Consideration of home improvement applications as listed and attached to the agenda. (Pages 11-14)

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

ADJOURNMENT

Mr. Wyman made a motion to adjourn at 12:18 p.m., and Mr. Morse seconded. The motion passed.

Lloyd "Chip" Badeaux, Chairman

William J. Clouatre, Vice Chairman