

STATE LICENSING BOARD FOR CONTRACTORS
RESIDENTIAL CONTRACTORS SUBCOMMITTEE

MEETING MINUTES

June 20, 2018

The regular meeting of the Residential Building Contractors Subcommittee was called to order by the Chairman, Lloyd “Chip” Badeaux, on Wednesday, June 20, 2018 at 9:33 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Subcommittee present:

Lloyd “Chip” Badeaux, Chairman
James C. “Jim” Fine
Jody S. Guidry
Robert J. “Rob” Hamilton
Frank W. Morse, Jr.
Wesley L. “Wes” Wyman, Jr

Vice-Chairman William J. Cloutre was 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, Leann Evans, Brent Templet, Elaine Riggins, John Dixon, Wendy Loup, Lowana Cola; Brad Hassert, Compliance Director; compliance investigators, Marianne Sullivan, Jessica Jones, William Valentine, William Collins, Bobbie Hughes, John LeBlanc, Jessie Wells 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 May 16, 2018, Residential Building Subcommittee Meeting. Mr. Fine 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: HONDO RIOS TRADES LLC; ROBERSON BUILDERS, L.L.C.; TERRY PERKINS. Ms. Riggins also confirmed service for the remaining entities listed on the agenda under C. Insurance Hearings.

Judge White read aloud the remaining entities listed under C. Insurance Hearings and asked the entities to make an appearance.

DARRICK L. ROBERSON was present and was sworn in. Ms. Riggins provided testimony to the board. Mr. Roberson gave a statement, affirmed that there was a lapse in insurance coverage and stated he was on active duty for the military. After discussion Mr. Wyman made a motion a motion to dismiss this matter. Mr. Guidry seconded, and the motion passed unanimously.

George White was present on behalf of GWJ INDUSTRIAL SUPPLIES AND CONSTRUCTION, LLC and was sworn in. Ms. Riggins provided testimony to the board. Mr. White 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 costs, 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. Morse seconded, and the motion passed unanimously.

KENNETH V. BATTLES was present and was sworn in. Ms. Riggins provided testimony to the board. Mr. Battles 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 costs, 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. Fine seconded, and the motion passed unanimously.

Jean Mechleb was present on behalf of MECHLEB BUILDERS, LLC and was sworn in. Ms. Riggins provided testimony to the board. Ms. Riggins provided testimony to the board. Mr. Mechleb 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, assess \$250 in administrative costs and to allow the company's license/registration to be reissued upon proof of insurance coverage. Mr. Hamilton seconded, and the motion passed unanimously.

Mark Bess was present on behalf of CB CONSTRUCTION AND DEVELOPMENT LLC and was sworn in. Ms. Riggins provided testimony to the board. Mr. Bess 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 costs, 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. Morse seconded, and the motion passed unanimously.

Eric Thompson was present on behalf of I G H CONTRACTING SERVICES LLC and was sworn in. Ms. Riggins provided testimony to the board. Mr. Thompson 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 costs, 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. Morse seconded, and the motion passed unanimously.

Ricky McNemar was present on behalf of R.L. MCNEMAR CONSTRUCTION COMPANY and was sworn in. Ms. Riggins provided testimony to the board. Mr. McNemar 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 costs, 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.

BRETT MARCEL BABINEAUX was present and was sworn in. Mr. Babineaux was sent a notice of hearing; however, service could not be confirmed and staff removed him from agenda. Because Mr. Babineaux was present, the hearing was held. Ms. Riggins provided testimony to the board. Mr. Babineaux gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Wyman made a motion a motion to assess \$250 in administrative costs; 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. Morse seconded, and the motion passed unanimously.

The following entity listed under C. Insurance Hearings previously had one or more insurance violations.

No one was present on behalf of THEOTOKAS ENTERPRISES, LLC. Ms. Riggins provided testimony to the board. 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, to assess a \$500 fine plus \$500 in administrative costs, 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. Morse seconded. The motion passed unanimously.

No one was present on behalf of A LITTLE OFF THE TOP; ALL THINGS NEW CONSTRUCTION LLC; B & R HOME SERVICES, LLC; CENTURY DEVELOPMENT, INC.; CITY WIDE CONSTRUCTION LLC; DONALD RAY DUDLEY; GO DAY ENTERPRISES LLC; GRAND TERRE LAND CO., LLC; JOSEPH SCOTT LAFLEUR; KNS SERVICES, INC.; R.P.B. CONSTRUCTION, LLC; REMARK PROPERTIES, LLC; RMR CONSTRUCTION INC.; SUPERIOR HOME IMPROVEMENTS, LLC; VA CONSTRUCTION LLC. 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 costs, 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. Morse seconded. The motion passed unanimously.

D. COMPLIANCE HEARINGS:

1. **FRAME-TO-FINISH LLC**, New Orleans, Louisiana – La. R.S. 37:2167(A)

Ms. Evans gave a summary of the allegations. No one was present on behalf of FRAME-TO-FINISH 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. Homeowners Kevin Paul and Deborah Paul were present. Both were sworn in and gave testimony. Mr. Wyman made a motion to find FRAME-TO-FINISH LLC 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, to issue a cease and desist order and to refer this matter to the Commercial Board for review. Mr. Morse seconded. The motion passed.

2. **ECLIF JOHN PESNELL**, Violet, Louisiana – La. R.S. 37:2167(A)

Ms. Evans gave a summary of the allegations. Eclif John Pesnell was present and was sworn in. Mr. Pesnell gave a statement to the board. Mr. Pesnell entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Pesnell gave a statement to the board. Mr. Wyman made a motion to assess a \$500 fine plus \$1,000 in administrative costs. Mr. Hamilton seconded. The motion passed.

3. **DON O'ROURKE, JR.**, Arnaudville, Louisiana – La. R.S. 37:2167(A)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by DON O'ROURKE, JR. Mr. Wyman made a motion to accept the no contest plea; settlement offer as presented with the stipulation Mr. O'Rourke obtains a proper license/registration within 90 days. Mr. Hamilton seconded. The motion passed.

4. **UNITED DRYING, LLC**, Murrieta, California – La. R.S. 37:2167(A)

No one was present on behalf of UNITED DRYING, LLC. Ms. Evans asked the board to remove the matter from the agenda. The matter was removed from the agenda.

5. **LEE'S CONSTRUCTION & TERMITE SERVICES, LLC**, Kenner, Louisiana – La. R.S. 37:2175.3(A)(1)(4) & 2185(A)

Ms. Evans gave a summary of the allegations. No one was present on behalf of LEE'S CONSTRUCTION & TERMITE SERVICES, LLC. Investigator Marianne Sullivan, who was

previously sworn, was called to the stand. Investigator William Collins was also called to the stand and sworn in. Ms. Sullivan reviewed the exhibit packet related to 7414 Jupiter Drive, and provided testimony to the board. Mr. Landreneau entered the exhibit packet into evidence and it was admitted. Mr. Collins reviewed the exhibit packet related to 13045 Norma Court 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 LEE'S CONSTRUCTION & TERMITE SERVICES, LLC to be in violation. Mr. Hamilton seconded. The motion passed. Mr. Wyman made a motion to assess the maximum fine plus \$1,000 in administrative costs, to suspend the Home Improvement registration and to issue a cease and desist order. Mr. Hamilton seconded. The motion passed.

6. **JOHN LEWIS D/B/A 2 BROTHERS CONSTRUCTION**, Opelousas, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. John Lewis was present and was sworn in. Mr. Lewis entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. Mr. Lewis gave a statement to the board. Mr. Wyman made a motion to assess a \$1,000 fine plus \$1,000 in administrative costs and to issue a cease and desist order. Mr. Morse seconded. The motion passed.

7. **LARIVE CONSTRUCTION AND RENOVATIONS, LLC**, New Orleans, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of LARIVE CONSTRUCTION AND RENOVATIONS, LLC. Investigator Jessica Jones was called to the stand and was sworn in. Ms. Jones 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 LARIVE CONSTRUCTION AND RENOVATIONS, LLC to be in violation. Mr. Hamilton seconded. The motion passed. Mr. Morse 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.

8. **ALBERT HERRERA**, Marrero, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of ALBERT HERRERA. Investigator Marianne Sullivan, who was previously sworn, 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. Hamilton made a motion to find ALBERT HERRERA to be in violation. Mr. Guidry seconded. The motion passed. Mr. Guidry made a motion to assess the maximum fine plus \$1,000 in administrative costs and to issue a cease and desist order. Mr. Hamilton seconded. The motion passed.

Matters 9. and 10. were consolidated.

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

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

Ms. Evans gave a summary of the allegations. Charles Beaudion was present on behalf of CHARLES BEAUDION D/B/A ALLIED ROOFING AND REMODELING and CHARLES BEAUDION D/B/A ALLIED ROOFING. Charles Beaudoin was sworn in. Mr. Beaudoin entered a no contest plea for both matters. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Beaudion gave a statement to the board. Mr. William Collins, who was previously sworn in, provided testimony to the board. Mr. Beaudion provided additional testimony. Mr. Wyman made a motion to assess a \$4,000 fine plus \$1,000 in administrative costs total, which included a previous fine owed, and to issue a cease and desist order. Mr. Morse seconded. The motion passed.

11. **FORTIFIED BUILDING SOLUTIONS, LLC**, Homer, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans stated that the company requested a continuance. Mr. Wyman made a motion to continue this matter. Mr. Fine seconded. The motion passed.

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

Ms. Evans gave a summary of the allegations. No one was present on behalf of ARMORGUARD ROOFING & RESTORATION, 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. Wyman made a motion to find ARMORGUARD ROOFING & RESTORATION, LLC to be in violation. Mr. Hamilton seconded. The motion passed. Mr. Wyman made a motion to assess the maximum fine plus \$1,000 in administrative costs and to issue a cease and desist order. Mr. Hamilton seconded. The motion passed.

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

Ms. Evans gave a summary of the allegations. No one was present on behalf of JACKIE WALL D/B/A/ WALL'S SOUTHERN SERVICES. Investigator Marianne Sullivan, who was previously sworn, 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. Morse made a motion to find JACKIE WALL D/B/A WALL'S SOUTHERN SERVICES to be in violation. Mr. Fine seconded. The motion passed. Mr. Morse made a motion to assess the maximum fine plus \$1,000 in administrative costs and to issue a cease and desist order. Mr. Fine seconded. The motion passed.

14. **JON ERIK MCCOY D/B/A AMAZING AND AFFORDABLE**, New Orleans, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of JON ERIK MCCOY D/B/A AMAZING AND AFFORDABLE. Investigator Dylan Bourg was called to the stand and sworn in. Mr. Bourg 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 JON ERIK MCCOY D/B/A AMAZING AND AFFORDABLE to be in violation. Mr. Fine seconded. The motion passed. Mr. Morse made a motion to assess the maximum fine plus \$1,000 in administrative costs and to issue a cease and desist order. Mr. Fine seconded. The motion passed.

OLD BUSINESS

E. STATUTORY CITATIONS:

Ms. Evans presented the statutory citation for K & W FREEMANS, LLC. Mr. Wyman made a motion to accept the citation. Mr. Hamilton seconded. The motion passed.

F. COMPLIANCE HEARINGS/CONTINUANCES:

1. **CARPENTER'S COMPLETE**, Metairie, Louisiana – La. R.S. 37:2175.3(A)(1)(4).

Ms. Evans gave a summary of the allegations. Matthew Carpenter was present on behalf of CARPENTER'S COMPLETE and was sworn in. Mr. Carpenter entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Carpenter gave a statement to the board. The board questioned Mr. Carpenter. Mr. Wyman made a motion to assess a \$2,000 fine plus \$1,000 in administrative costs total, which included a previous fine owed, to allow the fine to be reduced to \$500 plus \$1,000 in administrative costs if the company obtains a

proper license/registration within 120 days and to issue a cease and desist order. Mr. Hamilton seconded. The motion passed.

2. **KING RENOVATIONS & SONS LLC**, New Orleans, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. Michael King was present on behalf of KING RENOVATIONS & SONS LLC and was sworn in. Mr. King entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. King gave a statement to the board. Homeowner Angelina Elder was called to the stand and sworn in. Ms. Elder provided testimony to the board. The board questioned Mr. King. Mr. Wyman made a motion to assess a \$2,000 fine plus \$1,000 in administrative costs, to allow the fine to be reduced to \$1,000 plus \$1,000 in administrative costs if the company obtains a proper license/registration within 120 days and to issue a cease and desist order. Mr. Hamilton seconded. The motion passed.

G. REQUEST FOR REHEARING:

1. **SABLE INTERNATIONAL, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2167(A), 2175.3(A)(4)

Ms. Evans gave a summary of the allegations and the previous action taken by the board regarding this matter. Isaiah Marshall was present on behalf of SABLE INTERNATIONAL, LLC and was sworn in. Mr. Wyman made a motion to grant the rehearing request. Mr. Hamilton seconded. Mr. Marshall entered a no contest plea for La. R.S. 37:2167(A) and a denial plea for La. R.S. 2175.3(A)(4). Mr. Wyman made a motion to accept the no contest plea. Mr. Guidry seconded. The motion passed. 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. Landreneau questioned Ms. Hughes. Mr. Marshall gave a statement to the board. The board questioned Mr. Marshall. Mr. Marshall changed his initial plea to a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Wyman made a motion to find SABLE INTERNATIONAL LLC to be in violation. Mr. Hamilton seconded. The motion passed. Mr. Wyman made a motion to assess a \$2,000 fine plus \$1,000 in administrative costs and to issue a cease and desist order. Mr. Hamilton seconded. The motion passed.

H. REQUEST FOR INSURANCE RECONSIDERATIONS OF PENALTY:

1. **FINISH ONE CONSTRUCTION, LLC**, Baton Rouge, Louisiana – La. R.S. 2150–2192, 2186(B)(6), 2189(A)(7) and Rules and Regulations Sec. 1503(D)

Ms. Riggins gave a summary of the allegations and the previous board action taken. Jay Nickisher was present on behalf of FINISH ONE CONSTRUCTION, LLC and was sworn in. Mr. Nickisher requested to have this matter reconsidered by the board. Mr. Wyman made a motion to grant the reconsideration request. Mr. Morse seconded. The motion passed. Mr. Nickisher gave a statement to the board. The board questioned Mr. Nickisher. 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 costs, 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. Morse seconded, and the motion passed unanimously.

2. **O. R. DIXON CONSTRUCTION, INC.**, Madisonville, Louisiana – La. R.S. 2150–2192, 2186(B)(6), 2189(A)(7) and Rules and Regulations Sec. 1503(D)

Ms. Riggins gave a summary of the allegations and the previous board action taken. Keith Dixon was present on behalf of O.R. DIXON CONSTRUCTION, INC. and was sworn in. Mr. Dixon requested to have this matter reconsidered by the board. Mr. Wyman made a motion to grant the reconsideration request. Mr. Hamilton seconded. The motion passed. Mr. Dixon gave a statement to the board. The board questioned Mr. Dixon. 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 costs, 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.

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

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

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

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

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

Mr. Hamilton 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. Hamilton made a motion to adjourn at 11:36 a.m., and Mr. Morse seconded. The motion passed.

Lloyd "Chip" Badeaux, Chairman

William J. Clouatre, Vice Chairman