

STATE LICENSING BOARD FOR CONTRACTORS

RESIDENTIAL BUILDING SUBCOMMITTEE

MEETING MINUTES

July 19, 2017

The regular meeting of the Residential Building Contractors Subcommittee was called to order by the Chairman, Lloyd “Chip” Badeaux, on Wednesday, July 19, 2017 at 9:32 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Subcommittee present: Lloyd “Chip” Badeaux, Chairman
 Rob Hamilton
 Frank Morse, Jr.
 Wesley L. “Wes” Wyman, Jr

Members Jaclyn S. Hotard, Jim Fine and Jody Guidry 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; Larry Bankston, Board Attorney; and from the staff, Leann Evans, Brent Templet, Lowana Cola, Emma Payne, Elaine Riggins, John Dixon; Brad Hassert, Compliance Director; compliance investigators, Carl Bourque, Dylan Bourg; Bobbie Hughes, William Valentin, Ashleigh Scott, Brad Domingue, Marianne Sullivan and Tarah Revette recording the minutes.

Mr. Hamilton led the Pledge of Allegiance.

Judge Darrell White gave the invocation.

Mr. Hamilton made a motion to accept the Minutes of the June 14, 2017, Residential Building Subcommittee Meeting. Mr. Morse seconded. The motion passed.

Mr. Hassert introduced guest Rudy Babin with the Department of Insurance.

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 B & R HOME SERVICES, LLC; BLACK DIAMOND BUILDERS, LLC; D&A ENTERPRISES, INC.; IRON CAT CONSTRUCTION, LLC; JOHN WESLEY HAYNES; MAJESTIC HOMES OF LAKE CHARLES LLC; ST. MARY COMMUNITY ACTION COMMITTEE ASSOCIATIONS, INC.; TOMMY W. MANCHESTER; TONY K. FRANK; WHEELER CONSTRUCTION, INC.; WHITFIELD CONSTRUCTION, INC.; and XK8 L.L.C. from the agenda.

Tanveer Chaudhry was present on behalf of ALPHA CONSTRUCTION & PROPERTY MANAGEMENT (LLC) and was sworn in. Ms. Riggins provided testimony to the board and affirmed that this was the company’s first offense. Mr. Chaudhry gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Wyman 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. Morse seconded, and the motion passed unanimously.

David Price was present on behalf of DMK RENOVATIONS, LLC and was sworn in. Ms. Riggins provided testimony to the board. Mr. Price gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Wyman made a motion to suspend the license back to the date of last insurance coverage, 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.

Michael Glaser was present on behalf of G&S CONSTRUCTION SERVICES, L.L.C. and was sworn in. Ms. Riggins provided testimony to the board. Mr. Glaser gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Morse made a motion to suspend the license back to the date of last insurance coverage, 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.

Travis Harris was present on behalf of HARRIS CONSTRUCTION OF LOUISIANA, L. L .C. and was sworn in. Ms. Riggins provided testimony to the board. Mr. Harris affirmed that there was a lapse in insurance coverage in general liability only, but does currently have workers' compensation. Mr. Harris gave a statement regarding this matter. Mr. Wyman made a motion to suspend the license back to the date of last insurance coverage, to issue a cease and desist order, assess \$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 unanimously.

Mark Martinez was present on behalf of MAX PRO WINDOW SOLUTIONS, L.L.C. and was sworn in. Ms. Riggins provided testimony to the board. Mr. Martinez gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Wyman 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. Morse seconded, and the motion passed unanimously.

Cross Richard was present on behalf of RED STICK CONSTRUCTION, LLC and was sworn in. Ms. Riggins provided testimony to the board and stated that there should be a correction on the agenda. Ms. Riggins stated that this matter is regarding General Liability. Mr. Richard gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Wyman 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. Hamilton seconded, and the motion passed unanimously.

ROBERT D. MAGEE was present and was sworn in. Ms. Riggins provided testimony to the board. Mr. Magee gave a statement regarding this matter. Mr. Wyman 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. Hamilton seconded, and the motion passed unanimously.

Rico Guillory was present on behalf of RPG INVESTMENTS, L.L.C. and was sworn in. Ms. Riggins provided testimony to the board. Mr. Guillory gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Wyman 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. Hamilton seconded, and the motion passed unanimously.

Travis Swanson was present on behalf of WELCOME HOME CONSTRUCTION, LLC and was sworn in. Ms. Riggins provided testimony to the board. Mr. Swanson gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Wyman 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, 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.

Mr. Bankston stated that the agenda had an error in regards to CHISELED ENTERPRISES, L.L.C. Mr. Bankston stated that the company did not have a previous violation. Ms. Riggins also confirmed service for the remaining entities listed on the agenda.

No one was present on behalf of ADAM CONSTRUCTION LLC; B & K HOME IMPROVEMENT & CONSTRUCTION, L.L.C.; BD SCOPE & REMODELING LLC; C & C REPAIRS LLC; C & S ENTERPRISES, LLC; CHISELED ENTERPRISE, L.L.C.; DE LA LUZ CONSTRUCTION LLC; ERIK MOLLERBERG HOMES, LLC; GARY PAUL WILLIAMS; GD'S HOME IMPROVEMENT, LLC; HOME VALUE MANAGEMENT, INC; KENNETH MATTHEWS; LARRY PAUL DILLARD JR.; LAWSON RENOVATION AND CONSTRUCTION, LLC; MAD CONTRACTING, LLC; MONTGOMERY CONSTRUCTION LLC; PRECISION BUILDERS AND DESIGN, LLC; PRO COMM CONSTRUCTION GROUP, LLC; RAGIN CAJUN HOME RENOVATIONS, LLC; STEVENSON DESIGN/BUILD, LLC; STS CONTRACTING LLC; TDB CONSTRUCTION SERVICES LLC; W.T. WEEKS CONSTRUCTION, L.L.C. and WALKER DESIGN BUILD LLC. Mr. Morse 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 fine of \$500 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 and rescind the fine plus administrative costs if proof of no lapse is provided. Mr. Wyman seconded, and the motion passed.

No one was present on behalf of CHRISTOPHER WADE WAGUESPACK; ELEGANT HARDWOOD FLOORS OF LOUISIANA, L.L.C.; HALLMARK HOMES, INC.; and LA BEST LLC. Mr. Wyman made a motion to revoke the licenses or registrations of the aforementioned companies back to the date of last insurance coverage for a period of one year, to issue a cease and desist order, and to assess a \$500 fine plus \$500 in administrative cost. Mr. Morse seconded, and the motion passed unanimously.

D. COMPLIANCE HEARINGS:

Leann Evans, Administrative Compliance Director, was sworn in.

1. **TWG, LLC**, Prairieville, Louisiana – La. R.S. 37:2167(A); 2185(A); 2175.3(A)(2)(A)(7)

Ms. Evans gave a summary of the allegations. No one was present on behalf of TWG, 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. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find TWG, LLC to be in violation. Mr. Morse seconded. The motion passed. Mr. Wyman made a motion to assess the maximum plus \$1000 in administrative costs, to revoke the company's commercial license, residential license and home improvement registration and to refer this matter to the Attorney General's office. Mr. Hamilton seconded. Mr. Morse amended the motion to assess 50% of the maximum plus \$1000 in administrative costs, to revoke the company's commercial license, residential license and home improvement registration and to refer this matter to the Attorney General's office. Mr. Hamilton seconded. The motion passed. Homeowners Mark Tibbetts was present and was sworn in. Mr. Tibbetts provided testimony to the board regarding this matter. Homeowner Brian Burns was also present and was sworn in. Mr. Burns provided testimony to the board regarding this matter.

2. **KNOCK OUT BUILDING IMPROVEMENT, INC.**, Baker, Louisiana – La. R.S. 37:2167(A), 2185(A)

Ms. Evans gave a summary of the allegations. Derek Williams was present on behalf of KNOCK OUT BUILDING IMPROVEMENT, INC. and was sworn in. Mr. Williams entered a plea of admission regarding violation La. R.S. 37:2167(A) and denied violation La. R.S. 37:2185(A). 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. Williams gave a statement to the board regarding this matter. Homeowner Aaron Jones provided testimony to the board. Mr. Wyman made a motion to find KNOCK OUT BUILDING IMPROVEMENT, INC. to be in violation of La. R.S. 37:2185(A). Mr. Wyman made a motion to assess \$5000 plus \$1000 in administrative costs. Mr. Hamilton seconded. The motion passed.

3. **KELVIN ROBINS, JR. D/B/A CTC HOME IMPROVEMENTS**, Baton Rouge, Louisiana – La. R.S. 37:2167(A), 2185(A)

Ms. Evans gave a summary of the allegations. No one was present on behalf of KELVIN ROBINS, JR. D/B/A CTC HOME IMPROVEMENTS. 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. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Hamilton made a motion to find KELVIN ROBINS, JR. D/B/A CTC HOME IMPROVEMENTS to be in violation. Mr. Morse seconded. The motion passed. Mr. Hamilton made a motion to assess the maximum fine plus \$1000 in administrative costs. Mr. Wyman seconded. The motion passed.

4. **GREGORY JENKINS D/B/A GREG JENKINS CONSTRUCTION**, Basile, Louisiana – La. R.S. 37:2167(A)

Ms. Evans gave a summary of the allegations. Gregory Jenkins was present on behalf of GREGORY JENKINS D/B/A GREG JENKINS CONSTRUCTION and was sworn in. After discussion, Mr. Jenkins entered a no contest plea. Mr. Morse made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Jenkins gave a statement regarding this matter. Mr. Wyman made a motion to assess a \$5000 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 and/or registration within 120 days. Mr. Morse seconded. The motion passed.

5. **L&H RENOVATIONS, LLC**, Kenner, Louisiana – La. R.S. 37:2167(A)

Ms. Evans gave a summary of the allegations. Attorney Elizabeth Zavala was present on behalf of L & H Renovations, LLC. Ms. Zavala entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Ms. Zavala gave a statement regarding this matter. Homeowner Jessica Harris was also present and was sworn in. Ms. Harris provided testimony to the board. 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.

6. a) **JAMES EDWARD GLAZE D/B/A BRANDI'S HOME IMPROVEMENT & ROOFING**, Haughton, Louisiana – La. R.S. 37:2167(A)

Ms. Evans gave a summary of the allegations. James Glaze was present on behalf of JAMES EDWARD GLAZE D/B/A BRANDI'S HOME IMPROVEMENT & ROOFING and was sworn in. Mr. Glaze entered a no contest plea. Mr. Hamilton made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Glaze gave a statement regarding this matter. Attorney Steven Watterson, present on behalf of Humble & Associates, LLC, provided testimony regarding this matter. Homeowners Zahid Mohammed and Wendy Reed were present and were sworn in. Mr. Mohammed and Ms. Reed provided testimony to the board. The board questioned Mr. Glaze. Mr. Morse made a motion to assess the maximum fine plus \$1000 in administrative costs and to allow the fine to be reduced by 50% if the company obtains a proper license and/or registration within 120 days. Mr. Hamilton seconded. The motion passed.

- b) **HUMBLE & ASSOCIATES, LLC**, Shreveport, Louisiana – La. R.S. 37:2185(A)

Ms. Evans gave a summary of the allegations. Attorney Steven Watterson was present on behalf of HUMBLE & ASSOCIATES, LLC. Ms. Evans also read the settlement offer presented by HUMBLE & ASSOCIATES, LLC. Mr. Wyman made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Hamilton seconded. The motion passed.

7. **JIMMY'S CONTRACTORS, LLC**, Ventress, Louisiana – La. R.S. 37:2175.3(A)(1)

This matter has been continued.

8. **JOHN MCCOY D/B/A RESULTS UNLIMITED OF NEW ORLEANS, INC.,** New Orleans, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. John McCoy was present on behalf of JOHN MCCOY D/B/A RESULTS UNLIMITED OF NEW ORLEANS, INC. and was sworn in. Mr. McCoy entered a no contest plea. Mr. Hamilton made a motion to accept the plea. Mr. Wyman seconded. The motion passed. Mr. McCoy gave a statement regarding this matter. Investigator Carl Bourque was called to the stand and was sworn in. Mr. Bourque provided testimony to the board. Mr. Wyman made a motion to assess a \$5000 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 and/or registration within 120 days. Mr. Morse seconded. The motion passed.

9. **GULF COAST BUILDING CONTRACTORS, LLC,** Baton Rouge, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. No one was present on behalf of GULF COAST BUILDING CONTRACTORS, LLC. 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. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find GULF COAST BUILDING CONTRACTORS, 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 and to issue a cease and desist order. Mr. Morse seconded. The motion passed.

10. **WILLIAMS PAINTING & DRYWALL, LLC AND/OR SANTA CRUZ & WILLIAMS CONSTRUCTION GROUP, LLC,** Meraux, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. Timothy Williams was present on behalf of WILLIAMS PAINTING & DRYWALL, LLC AND/OR SANTA CRUZ & WILLIAMS CONSTRUCTION GROUP, LLC and was sworn in. Mr. Williams entered a no contest plea. Mr. Morse made a motion to accept the plea. Mr. Wyman seconded. The motion passed. Mr. Williams gave a statement regarding this matter. The board questioned Mr. Williams. Mr. Wyman made a motion to assess a \$2000 fine plus \$1000 in administrative costs, to issue a cease and desist order and to allow the fine to be reduced to \$1000 in administrative costs only if the company obtains a proper license and/or registration within 120 days. Mr. Morse seconded. The motion passed.

11. **PRESTIGE CARPET CLEANING AND JANITORAL SERVICES, LLC,** New Orleans, Louisiana – La. R.S. 37:2175.3(A)(1); 2185(A)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by PRESTIGE CARPET CLEANING AND JANITORAL SERVICES, LLC. Mr. Wyman made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Hamilton seconded. The motion passed.

12. **LESTER RICARD D/B/A L. RICARD CONSTRUCTION,** Baton Rouge, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. Lester Ricard was present on behalf of LESTER RICARD D/B/A L. RICARD CONSTRUCTION and was sworn in. Mr. Ricard entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Ricard gave a statement to the board regarding this matter. The board questioned Mr. Ricard. Mr. Wyman made a motion to reduce the outstanding fines to \$2000, to assess \$1000 in administrative costs if the company obtains a proper license and/or registration within 90 days. Mr. Morse seconded. The motion passed.

13. **D & H REMODELING, LLC**, Benton, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. Kyle Hart was present on behalf of D & H REMODELING, LLC and was sworn in. Mr. Hart entered a no contest plea. Mr. Morse made a motion to accept the plea. Mr. Wyman seconded. The motion passed. Mr. Hart 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. Morse seconded. The motion passed.

14. **SHAKIL U. RAJPUT**, Bossier City, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations. SHAKIL U. RAJPUT was present and was sworn in. Mr. Rajput entered a denial plea. Investigator Ashleigh Scott was called to the stand and was sworn in. Ms. Scott reviewed the exhibit packet and provided testimony to the board. Mr. Bankston entered the exhibit packet into evidence. Mr. Rajput objected to the exhibit packet. Judge White allowed the exhibit packet to be admitted. Mr. Rajput also entered documents into evidence and they were admitted. Mr. Wyman made a motion to find SHAKIL U. RAJPUT to be in violation. Mr. Hamilton seconded. The motion passed. 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.

15. **SIMONEAUX'S MOBILE HOME MOVING, LLC**, Pierre Part, Louisiana – La. R.S. 37:2175.3(A)(1)(8)

Ms. Evans gave a summary of the allegations. Jerry Landry and Yvette Landry were present on behalf of SIMONEAUX'S MOBILE HOME MOVING, LLC. Mr. and Mrs. Landry were sworn in. Mr. Landry entered a no contest plea for La. R.S. 37:2175.3(A)(1) and denial plea La. R.S. 37:2175.3(A)(8). Mr. Wyman made a motion to accept the no contest plea for La. R.S. 37:2175.3(A)(1). Mr. Hamilton seconded. The motion passed. Mr. Bankston asked the board to dismiss the alleged violation for La. R.S. 37:2175.3(A)(8). Mr. Wyman made a motion to dismiss the alleged violation for La. R.S. 37:2175.3(A)(8). Mr. Hamilton seconded. The motion passed. Mr. and Mrs. Landry gave statements to the board regarding this matter. Investigator Ashleigh Scott, who was previously sworn, was called to the stand. Ms. Scott provided testimony to the board. After discussion, Mr. Wyman made a motion to assess \$1000 in administrative costs and to allow the administrative costs to be reduced to \$250 if the company obtains a proper license and/or registration within 90 days. Mr. Hamilton seconded. The motion passed.

16. **AUTHER POWELL D/B/A A P CONCRETE**, 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 AUTHER POWELL D/B/A A P CONCRETE. 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. Morse made a motion to find AUTHER POWELL D/B/A A P CONCRETE to be in violation. Mr. Wyman 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.

17. **OLD WORLD CONCRETE DESIGN, LLC**, Crowley, Louisiana – La. R.S. 37:2175.3(A)(1)

Ms. Evans gave a summary of the allegations and read the settlement offer presented by OLD WORLD CONCRETE DESIGN, 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.

E. STATUTORY CITATIONS:

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

OLD BUSINESS

- F. 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.

- G. Consideration of residential applications as listed and attached to the agenda. (Pages 6-11)

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

- H. Consideration of home improvement applications as listed and attached to the agenda. (Pages 12-16)

Mr. Wyman 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 12:23 p.m., and Mr. Hamilton seconded. The motion passed.

Lloyd "Chip" Badeaux, Chairman

Jaclyn S. Hotard, Vice Chair