

STATE LICENSING BOARD FOR CONTRACTORS
RESIDENTIAL CONTRACTORS SUBCOMMITTEE

MEETING MINUTES

August 16, 2017

The regular meeting of the Residential Building Contractors Subcommittee was called to order by the Chairman, Kenneth W. Jones, on Wednesday, August 16, 2017 at 9:30 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Subcommittee present:

	Lloyd "Chip" Badeaux, Chairman
	William J. Clouatre
	Jim Fine
	Jody Guidry
	Rob Hamilton
	Frank 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; Stephanie Laborde, Board Attorney; and from the staff, Nathan Rawls, Leann Evans, Brent Templet, Emma Payne, Elaine Riggins, Lowana Cola, John Dixon; Brad Hassert, Compliance Director; compliance investigators, Todd Brady, Scott Corley, Bobbie Hughes, Charmel Peterson, Ashleigh Scott, Marianne Sullivan, William Valentine and Dylan Bourg; and Tarah Revette recording the minutes.

Mr. Fine led the Pledge of Allegiance.

Judge Darrell White gave the invocation.

Mr. Wyman made a motion to accept the Minutes of the July 19, 2017, Residential Building Subcommittee Meeting. Mr. Hamilton seconded. The motion passed.

Mr. Hassert introduced guests James Henry and Rudolph 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 ABSOLUTE COMFORT HOME SERVICES, LLC; DANIEL HUMBERTO PASTRANA; FRESH LOOK EXTERIORS LLC; FQR, LLC; LL CUSTOM HOMES, LLC; PETER LEE GREEN CONSTRUCTION, INC.; PIZZATI ENTERPRISES, INC. and UPKEEP MAINTENANCE, LLC from the agenda. Ms. Riggins also confirmed service for the remaining entities listed on the agenda.

Espy Cornin was present on behalf of B.C. ENTERPRISE GROUP, INC. and was sworn in. Mr. Cornin affirmed that there was a lapse in insurance coverage and gave a statement. Ms. Riggins provided testimony to the board. Mr. Wyman made a motion to suspend the license back to the date of last insurance coverage, to issue a cease and desist order, and assess \$250 in administrative cost. Mr. Guidry seconded, and the motion passed unanimously.

EDUARDO FLORES was present and was sworn in. Mr. Flores affirmed that there was a lapse in insurance coverage and gave a statement. Ms. Riggins provided testimony to the board. Mr. Wyman made a motion to suspend the license back to the date of last insurance coverage allowing staff to reinstate the license or registration if proof of no lapse is provided, 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.

Gary Catalinotto was present on behalf of G.L. CATALINOTTO ENTERPRISES, LLC and was sworn in. Mr. Catalinotto affirmed that there was a lapse in insurance coverage and gave a statement. Ms. Riggins provided testimony to the board. Mr. Wyman made a motion to allow the company 30 days to provide the correct coverage on the insurance certificates and if the insurance certificates are not provided within 30 days the company will be brought back before the board . Mr. Morse seconded, and the motion passed unanimously.

Derrick Varnado was present on behalf of IRON TRIANGLE DEVELOPMENT and was sworn in. Ms. Riggins provided testimony to the board. Mr. Varnado affirmed that there was a lapse in insurance coverage and gave a statement. Mr. Wyman made a motion to assess \$250 in administrative cost. Mr. Guidry seconded, and the motion passed unanimously.

Christa Pollard was present on behalf of POLLARD ROOFING, L.L.C. and was sworn in. Ms. Riggins provided testimony to the board. Ms. Pollard affirmed that there was a lapse in insurance coverage and gave a statement. Mr. Guidry made a motion to assess \$250 in administrative cost. Mr. Hamilton seconded, and the motion passed unanimously.

Willie Gaines was present on behalf of TITAN II CONTRACTORS LLC and was sworn in. Ms. Riggins provided testimony to the board. Mr. Gaines gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Wyman made a motion to assess \$250 in administrative cost. Mr. Hamilton seconded, and the motion passed unanimously.

No one was present on behalf of ANTONIO RENOVATION LLC; APEX EXTERIORS LLC; BIGGS CONSTRUCTION SERVICES, L.L.C.; BRADLEY SITE SERVICES, L.L.C.; BROOKLAND REALTY LLC; BUTLER CONSTRUCTION SOLUTIONS LLC; CLASS A REMODELING OF NORTH LA, LLC; CMH CONSTRUCTORS, LLC; DAUZAT CONTRACTORS, LLC; DELTA ENTERPRISES, INC.; DISCOUNTED ROOFING, CARPORTS, AND METAL BUILDINGS, LLC; FONTENOT INSULATION LLC; HUMPHREY RESTORATION, INC.; J C POOL & SPA LLC; JAY BRIGGS CONTRACTOR, INC.; LAWHON MYERS BUILDERS, L.L.C.; MALDONADO CONSTRUCTION, LLC; MULTI-CONCEPTS CORPORATION; PITTMAN CLEANING & RESTORATION, LLC; ROSALES CONSTRUCTION LLC; RYDER & RYDER, LTD; STS BUILDING SERVICES, LLC; STUCCO PAZ, LLC; TASCH, L.L.C.; VISIONARY HOMES LLC; and WESTCO TRUCKING & CONT., 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 allowing staff to reinstate the license or registration if proof of no lapse is provided, to issue a cease and desist order, to assess a fine of \$500 plus \$500 in administrative cost, and to allow the company's license/registration to be reissued upon proof of insurance coverage. Mr. Wyman seconded, and the motion passed.

No one was present on behalf of HAUSS BUILDERS, INC.; LEWTECH PRODUCTS & SERVICES, INC. and ROYAL CONTRACTORS, 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. Hamilton seconded, and the motion passed unanimously.

D. COMPLIANCE HEARINGS:

Nathan Rawls, Compliance Supervisor, was sworn in.

1. CLASSIQUE RENOVATION COMPANY, New Orleans, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of CLASSIQUE RENOVATION COMPANY. Investigator Charmel Peterson was called to the stand and was sworn in. Ms. Peterson reviewed the exhibit packet and additional documents recently received.

Ms. Laborde entered the exhibit packet and the additional documents into evidence and they 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 the matter to the local permit office. Mr. Morse seconded. The motion passed.

2. **TB INDUSTRIES, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2167(A), 2185(A), 3175.3(A)(1)

Mr. Rawls gave a summary of the allegations. Trey Fournier was present on behalf of TB INDUSTRIES, LLC and was sworn in. Investigator Bobbie Hughes was called to the stand and was sworn in. Ms. Laborde asked Mr. Fournier if he would like to waive notice and have the board hear additional alleged violations related to La. R.S. 37:2167(A) located at 15410 Woodlore Dr., Baton Rouge, Louisiana and La. R.S. 37:2185(A) located at 9625 Darryl Pkwy, Baton Rouge, Louisiana. Mr. Fournier agreed to waive service and hear the alleged violation in relation to La. R.S. 37:2167(A) but not to La. R.S. 37:2185(A). Mr. Fournier entered a no contest plea for these matters. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Fournier gave a statement regarding these matters. Ms. Hughes provided testimony to the board. Mr. Wyman made a motion to assess a \$5000 fine plus \$1000 in administrative costs 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 in 90 days. Mr. Morse seconded. The motion passed.

3. **CORE CONSTRUCTION & REAL ESTATE SERVICES, INC.**, New Orleans, Louisiana – La. R.S. 37:2167(A), 2185(A)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of CORE CONSTRUCTION & REAL ESTATE SERVICES, INC. Investigator Marianne Sullivan was called to the stand and was sworn in. Ms. Sullivan reviewed the exhibit packet and provided testimony to the board. Ms. Laborde entered the exhibit packet into evidence and it was admitted. Homeowner Karen Gaines was also present and was sworn in. Ms. Gaines provided testimony to the board. Mr. Wyman made a motion to find CORE CONSTRUCTION & REAL ESTATE SERVICES, INC. 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 the matter to the Attorney General's office. Mr. Hamilton seconded. The motion passed.

4. **BAYOU STATE CONSTRUCTION GROUP, LLC**, Shreveport, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. Matt Varnell was present on behalf of BAYOU STATE CONSTRUCTION GROUP, LLC and was sworn in. Mr. Varnell entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Varnell gave a statement regarding this matter. Investigator Marianne Sullivan, who was previously sworn, was called to the stand. Ms. Sullivan provided testimony to the board. Mr. Wyman made a motion to dismiss this matter. Mr. Morse seconded. The motion passed.

5. **FIX IT NOLA, LLC**, New Orleans, Louisiana – La. R.S. 37:2175.3(A)(2)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of FIX IT NOLA, LLC. Investigator Bobbie Hughes, who was previously sworn, was called to the stand. Ms. Hughes reviewed the exhibit packet. Ms. Laborde entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find FIX IT NOLA, 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 and to issue a cease and desist order. Mr. Morse seconded. The motion passed.

6. **ALLEN CONSTRUCTION OF NEW ORLEANS, LLC**, New Orleans, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of ALLEN CONSTRUCTION OF NEW ORLEANS, LLC. Investigator Bobbie Hughes, who was previously sworn, was called to the stand. Ms. Hughes reviewed the exhibit packet and additional documents recently submitted. Ms. Laborde entered the exhibit packet and the additional documents into evidence and they were admitted. Mr. Guidry made a motion to find ALLEN CONSTRUCTION

OF NEW ORLEANS, LLC to be in violation. Mr. Morse seconded. The motion passed. Mr. Guidry 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.

7. **OMNI ENTERPRISES OF LOUISIANA, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2175.3(A)(1)(4), 2175.2(A)(2), 2160(A)(2), 2185(A)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of OMNI ENTERPRISES OF LOUISIANA, LLC. Investigator Marianne Sullivan, who was previously sworn, was called to the stand. Ms. Sullivan reviewed the exhibit packet. Ms. Laborde entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find OMNI ENTERPRISES OF LOUISIANA, 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. Fine seconded. The motion passed.

8. **MICHAEL J. HARTFORD, JR. D/B/A INNOVATIVE DESIGN BUILD GROUP, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. Michael Hartford was present on behalf of MICHAEL J. HARTFORD, JR. D/B/A INNOVATIVE DESIGN BUILD GROUP, LLC and was sworn in. Mr. Hartford entered a plea of admission. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Hartford gave a statement regarding this matter. Investigator Marianne Sullivan, who was previously sworn, was called to the stand and provided testimony to the board. Mr. Guidry made a motion to assess the maximum fine plus \$1000 in administrative costs, to issue a cease and desist order, to refer this matter to the Attorney General's office and the local District Attorney's office. Mr. Morse seconded. The motion passed.

9. **NEW IMAGE CONTRACTORS, INC.**, Patterson, Louisiana – La. R.S. 37:2175.3(A)(1)(8)

Mr. Rawls gave a summary of the allegations. Terry Lacost was present on behalf of NEW IMAGE CONTRACTORS, INC. and was sworn in. Mr. Lacost entered a plea of admission for La. R.S. 37:2175.3(A)(1) and a no contest plea for La. R.S. 37:2175.3(A)(8). Mr. Wyman made a motion to accept the pleas. Mr. Hamilton seconded. The motion passed. Mr. Lacost gave a statement regarding these matters. Homeowners Cindy and Henry Kessler were present and were sworn in. Mr. and Mrs. Keesler provided testimony to the board. Mr. Lacost gave an additional statement. Mr. Guidry made a motion to find NEW IMAGE CONTRACTORS, INC. to be in violation. Mr. Morse seconded. The motion passed. Mr. Guidry 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.

10. **ACADIAN CABINETS AND FLOORS, LLC**, Plaquemine, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. Drexel Johnson was present on behalf of ACADIAN CABINETS AND FLOORS, LLC and was sworn in. Mr. Johnson entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Johnson gave a statement regarding this matter. Mr. Guidry made a motion to assess \$1000 in administrative costs, to issue a cease and desist order and allowing the administrative costs to be reduced to zero if the company obtains a proper license and/or registration within 90 days. Mr. Hamilton seconded. The motion passed.

11. **HARD WILSON**, Baton Rouge, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. HARD WILSON was present and was sworn in. Mr. Wilson entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Wilson gave a statement regarding this matter. Homeowner Leaser Crockett was present and was sworn in. Ms. Crockett provided testimony to the board. Mr. Guidry 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.

12. **TOMMY JEFF, SR. D/B/A SKILLED HANDS CARPENTRY**, Houma, Louisiana – La. R.S. 37:2175.2(A)(1)

Mr. Rawls gave a summary of the allegations. Tommy Jeff was present on behalf of TOMMY JEFF, SR. D/B/A SKILLED HANDS CARPENTRY and was sworn in. Mr. Jeff entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Guidry seconded. The motion passed. Mr. Jeff gave a statement regarding this matter. Mr. Wyman made a motion to assess a \$1000 fine plus \$1000 in administrative costs and to allow the fine to be reduced to \$500 plus \$500 in administrative costs if the company obtains a proper license and/or registration within 120 days. Mr. Guidry seconded. The motion passed.

OLD BUSINESS

E. COMPLIANCE HEARING(S)/CONTINUANCES:

1. **FOSTER HOMES, LLC**, Shreveport, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. Paul Malloy was present on behalf of FOSTER HOMES, LLC and was sworn in. Mr. Malloy entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Fine seconded. The motion passed. Mr. Malloy gave a statement regarding this matter. Mr. Wyman made a motion to assess \$1000 fine plus \$1000 in administrative costs. Mr. Morse seconded. The motion passed.

2. **LEO GALVAN D/B/A MODERN IMAGE RENOVATIONS**, Metairie, Louisiana – La. R.S. 37:2175.2(A)(1)

Mr. Rawls gave a summary of the allegations and stated that the company has requested a continuance. Mr. Morse made a motion to grant the continuance. Mr. Wyman seconded. The motion passed.

3. **DERRY LABORDE D/B/A LABORDE CONSTRUCTION**, Mansura, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. Derry Laborde was present on behalf of DERRY LABORDE D/B/A LABORDE CONSTRUCTION and was sworn in. Mr. Laborde entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Guidry seconded. The motion passed. Mr. Laborde gave a statement regarding this matter. Chris Lachney was present on behalf of Mr. Laborde and was sworn in. Mr. Lachney provided testimony to the board. Investigator Scott Corley was called to the stand and was sworn in. Mr. Corley provided testimony to the board. Mr. Wyman made a motion to assess \$1000 in administrative costs only. Mr. Guidry seconded. The motion passed.

4. **THE WAY CONSTRUCTION & FENCE, LLC**, Shreveport, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. Brandon Shaver was present on behalf of THE WAY CONSTRUCTION & FENCE, LLC and was sworn in. Mr. Shaver entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Guidry seconded. The motion passed. Mr. Shaver gave a statement 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. Guidry seconded. The motion passed.

F. REQUEST FOR INSURANCE RECONSIDERATION OF PENALTY:

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

Ms. Riggins stated that the company requested in writing a reconsideration of the penalty assessed on July 19, 2017. No one was present on behalf of STS CONTRACTING LLC. Mr. Wyman made a motion to reconsider the penalty for this matter. Mr. Guidry seconded. The motion passed. Mr. Wyman made a motion to assess \$250 in administrative costs. Mr. Guidry seconded. The motion passed.

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

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

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

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

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

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 12:19 p.m., and Mr. Guidry seconded. The motion passed.

Lloyd "Chip" Badeaux, Chairman

William J. Clouatre, Vice Chairman