

STATE LICENSING BOARD FOR CONTRACTORS
RESIDENTIAL BUILDING CONTRACTORS SUBCOMMITTEE

MEETING MINUTES

May 17, 2017

The regular meeting of the Residential Building Contractors Subcommittee was called to order by the Chairman, Kenneth W. Jones, on Wednesday, May 17, 2017 at 9:30 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Subcommittee present:

Kenneth “Ken” W. Jones, Chairman
Lloyd “Chip” Badeaux
Jim Fine
Rob Hamilton
Frank Morse, Jr.
Wesley L. “Wes” Wyman, Jr

Member Jody Guidry was absent. There being a quorum present, the regular order of business was called.

Also attending the meeting were: Judy Dupuy, Board Administrator; Brad Hassert, Compliance Director; Judge Darrell White, Retired, Hearing Officer; Larry Bankston, Board Attorney; and from the staff, Nathan Rawls, Leann Evans, Brent Templet, Maranda Legaux, Emma Payne, Elaine Riggins, Doug Traylor, and John Dixon; Brad Hassert, Compliance Director; compliance investigators, Todd Brady, Johnny Rogers, Carl Bourque, William Collins, Jessie Wells, Ashleigh Scott, Bobbie Hughes and Marianne Sullivan; and Tarah Revette recording the minutes.

Mr. Badeaux led the Pledge of Allegiance.

Judge Darrell White gave the invocation.

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

Mr. Hassert introduced guests Ronald Burrough with the Louisiana Attorney General’s office; Jeannie Dodd with the Louisiana Home Builders Association; and 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 BOURGEOIS & ELISER INC.; DONALD L. VEAL SR.; J. P. WINDOWS & DOORS, INC.; MERCER AND COMPANY CONSTRUCTION, LLC; RED STICK REFINISHING LLC; RIVERVIEW CONSTRUCTION, LLC; and RONALD J. FONTENOT from the agenda.

Chris Breaux was present on behalf of CHRIS BREAUX CONSTRUCTION LLC and was sworn in. Ms. Riggins provided testimony to the board. Mr. Breaux gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Hamilton 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 fine if proof of no lapse is provided. Mr. Wyman seconded, and the motion passed unanimously.

EUSEBIO GOLBER FIGUEREDO was present and was sworn in. Ms. Riggins provided testimony to the board. Mr. Figueredo 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 staff to reinstate the license or registration if proof of no lapse is provided. Mr. Morse seconded, and the motion passed unanimously.

Carol Francois was present on behalf of J & B CONST., L.L.C. and was sworn in. Ms. Riggins provided testimony to the board. Ms. Francois 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.

Lee Edward Scott was present on behalf of L. SCOTT CONSTRUCTION COMPANY, INC. and was sworn in. Ms. Riggins provided testimony to the board. Mr. Scott gave a statement and affirmed that there was a lapse in insurance coverage. Mr. Scott admitted documents into evidence and they were admitted. 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.

No one was present on behalf of ARBOLEDA CONSTRUCTION LLC; BRIMMER CONSTRUCTION SERVICES, LLC; CERTIFIED HOME REPAIR, LLC; D & S JOHNSON, INC.; DAG BUILDERS LLC; DUDLEY & SONS, INC.; ECON LLC; EUSEBIO GOLBER FIGUEREDO; G & B CONTRACTOR SERVICES, INC.; LIBERTY RESTORATIONS, LLC; MW SOLUTIONS, LLC; MASTER STUCCO INC.; SAM STAUB ENTERPRISES, INC.; SCOTT BUMPUS; SHAKEITHA DATRICE; and TYSTER CONSTRUCTION LLC. Ms. Riggins also confirmed service for the remaining entities listed on the agenda. 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.

D. COMPLIANCE HEARINGS:

1. **INDEPENDENT SERVICES, LTD**, New Orleans, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. Emmanuel Christian was present on behalf of INDEPENDENT SERVICES, LTD and was sworn in. Mr. Christian entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Christian gave a statement regarding this matter. The board questioned Mr. Christian. Mr. Wyman made a motion to assess a \$3000 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 90 days. Mr. Hamilton seconded. The motion passed.

2. **CALVIN PAUL WILLIAMS**, Breaux Bridge, Louisiana – La. R.S. 37:2167(A) and 2175.2(A)(1)

Mr. Rawls gave a summary of the allegations. CALVIN PAUL WILLIAMS was not present. Investigator Carl Bourque was called to the stand and was sworn in. Mr. Bourque reviewed the exhibit packet. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find CALVIN PAUL WILLIAMS 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. **RYAN CASEY WATSON**, Calhoun, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. RYAN CASEY WATSON was not present. Investigator Jessie Wells was called to the stand and was sworn in. Mr. Wells reviewed the exhibit packet. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Hamilton made a motion to find RYAN CASEY WATSON 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 and to issue a cease and desist order. Mr. Morse seconded. The motion passed.

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

This matter was continued.

5. **DOMINGUE MASONRY, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. Brandon Domingue was present on behalf of DOMINGUE MASONRY, LLC and was sworn in. Mr. Domingue entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Domingue gave a statement regarding this matter. Ashley Domingue was also present on behalf of DOMINGUE MASONRY, LLC and was sworn in. Ms. Domingue gave a statement to the board. 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 to be reduced to only \$500 in administrative costs if the company obtains a proper license and/or registration within 90 days. Mr. Morse seconded. The motion passed.

6. **ORA WILLIAMS AND/OR ORA WILLIAMS PORTER**, Kentwood, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. Ora Williams was present on behalf of ORA WILLIAMS AND/OR ORA WILLIAMS PORTER. Ms. Williams entered a no contest plea. Mr. Hamilton made a motion to accept the plea. Mr. Morse seconded. The motion passed. Ms. Williams gave a statement regarding this matter. Mr. Morse made a motion to assess the maximum fine plus \$1000 in administrative costs, to issue a cease and desist order and to allow the fine to be reduced by 50% plus \$1000 in administrative costs if the company obtains a proper license and/or registration within 90 days. Mr. Hamilton seconded. The motion passed.

7. **CL DAIGLE CONSTRUCTION, LLC**, Plaquemine, Louisiana – La. R.S. 37:2175.2(A)(1) and 2160(A)(2)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of CL DAIGLE CONSTRUCTION, LLC. Homeowner Renee Haydel was present and was sworn in. Investigator Marianne Sullivan was called to the stand and was sworn in. Ms. Sullivan reviewed the exhibit packet. Investigator Carl Bourque was also called to the stand and provided testimony to the board. Ms. Haydel also provided testimony to the board. Mr. Wyman made a motion to find CL DAIGLE CONSTRUCTION, 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. Mr. Bankston entered the exhibit packet into evidence and it was admitted.

8. **CAN-DO CONSTRUCTION, INC. D/B/A CAN-DO CONSTRUCTION, LLC**, Bay St. Louis, Mississippi – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of CAN-DO CONSTRUCTION, INC. D/B/A CAN-DO CONSTRUCTION, LLC. Investigator Bobbie Hughes was called to the stand and was sworn in. Ms. Hughes reviewed the exhibit packet. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find CAN-DO CONSTRUCTION, INC. D/B/A CAN-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 and to issue a cease and desist order. Mr. Morse seconded. The motion passed.

9. **D & D GENERAL CONTRACTORS, INC.**, Jena, Louisiana – La. R.S. 37:2175.2(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of D & D GENERAL CONTRACTORS, INC. Investigator William Collins was called to the stand and was sworn in. Mr. Collins reviewed the exhibit packet and it was admitted. Mr. Morse made a motion to find D & D GENERAL CONTRACTORS, INC. 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. Fine seconded. The motion passed.

10. **WILLIAM MARTINEZ**, Houston, Texas – La. R.S. 37:2175.3(A)(1)

This matter was continued.

11. **DUGA, LLC D/B/A DUGA CONSTRUCTION & DESIGN, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by DUGA, LLC D/B/A DUGA CONSTRUCTION & DESIGN, LLC. In the settlement offer the company also stated that it would obtain a proper license and/or registration. Mr. Wyman made a motion to accept the settlement offer as presented, which included a no contest plea, with the stipulation that the company will obtain a proper license and/or registration within 90 days or the matter will come back before the board. Mr. Fine seconded. The motion passed.

12. **GATES FARMS, LLC**, Wiggins, Mississippi – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of GATES FARMS, LLC. Investigator Bobbie Hughes, who was previously sworn, was called to the stand. Ms. Hughes reviewed the exhibit packet. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Rawls stated that on the agenda the correct address where the violation occurred is 16931 Ashton Avenue, Greenwell Springs, LA. Mr. Morse made a motion to find GATES FARMS, LLC 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. Fine seconded. The motion passed.

13. **WILLIAM JEFFREY AND/OR CHASE JEFFREY D/B/A JEFFREY CONSTRUCTION**, Schriever, Louisiana – La. R.S. 37:2175.3(A)(1)

This matter was continued.

14. **NEIL VERON, JR.**, Denham Springs, Louisiana – La. R.S. 37:2185(A)

Mr. Rawls gave a summary of the allegations. NEIL VERON, JR. was present and was sworn in. Mr. Veron also stated his name was misspelled on the agenda and that it should be NEIL VERON JR. Morris Meyer was also present on behalf of Mr. Veron and was sworn in. Mr. Veron entered a denial plea. 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. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Veron and Mr. Meyer gave a statement to the board regarding this matter. Mr. Veron changed his initial denial plea to a no contest plea. Mr. Morse made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Veron entered documents into evidence and they were admitted. Mr. Veron gave an additional statement to the board. Mr. Fine made a motion to assess \$1000 in administrative costs and to issue a cease and desist order. Mr. Wyman seconded. The motion passed.

15. **SOUTHERN RESTORATIONS HOME, LLC**, Sharpsburg, Georgia – La. R.S. 37:2185(A)

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by SOUTHERN RESTORATIONS HOMES, LLC. Mr. Wyman made a motion to accept the settlement offer with the stipulation that the fine amount be moved to administrative costs. The settlement offer included a no contest plea. Mr. Morse seconded. The motion passed.

16. **ROBERT PALMER D/B/A SON BRIGHT SYSTEMS, INC.**, Clearwater, Florida – La. R.S. 37:2185(A)

Mr. Rawls gave a summary of the allegations. No one was present on behalf ROBERT PALMER D/B/A SON BRIGHT SYSTEMS, INC. Investigator Marianne Sullivan, who was previously sworn in, was called to the stand. Ms. Sullivan reviewed the exhibit packet. Mr. Bankston entered the exhibit packet into evidence and it was admitted. Mr. Hamilton made a motion to find ROBERT PALMER D/B/A SON BRIGHT SYSTEMS, INC. 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 and to issue a cease and desist order. Mr. Morse seconded. The motion passed.

17. **GARCO HOME IMPROVEMENTS, LLC**, Baton Rouge, Louisiana – La. R.S. 37: 2167 (A); 2175.2(A)(1); 2185(A)

Mr. Rawls requested this item to be moved to the Statutory Citations section on the agenda.

E. STATUTORY CITATIONS:

Mr. Rawls presented the statutory citations including GARCO HOME IMPROVEMENTS, LLC. Mr. Morse made a motion to accept the statutory citations as presented. Mr. Wyman seconded. The motion passed.

<Under agenda item C. INSURANCE HEARINGS Brimmer Construction Services, LLC and Tyster Construction LLC requested to be reconsidered.>

Mr. Wyman made a motion to reconsider this matter previously heard in the meeting. Mr. Morse seconded. The motion passed. Charles Brimmer was present on behalf of BRIMMER CONSTRUCTION SERVICES, LLC and was sworn in. Ms. Riggins provided testimony to the board regarding this matter. Mr. Brimmer 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. Wyman seconded, and the motion passed unanimously.

Mr. Fine made a motion to reconsider this matter previously heard in the meeting. Mr. Morse seconded. The motion passed. Tyrone Sterling was present on behalf of TYSTER CONSTRUCTION LLC and was sworn in. Ms. Riggins provided testimony to the board regarding this matter. Mr. Sterling 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 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. Hamilton seconded, and the motion passed unanimously.

OLD BUSINESS

F. REQUEST FOR REHEARING:

1. **PARMS CONSTRUCTION, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations and stated that the company had requested a rehearing. Mr. Rawls also gave a summary of the board's actions from February 15, 2017. Willie Parms was present on behalf of PARMS CONSTRUCTION, LLC and was sworn in. Mr. Wyman made a motion to grant the rehearing request. Mr. Hamilton seconded. The motion passed. Mr. Parms entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Parms gave a statement to the board regarding this matter. Homeowner Kenneth Jefferson was sworn in and provided testimony to the board. Mr. Parms gave an additional statement. 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.

2. **KASI LYNN GOODMAN D/B/A K&B CONSTRUCTION, LLC**, Mt. Herman, Louisiana – La. R.S. 37:2175.2(A)(1); 2185(A)

Mr. Rawls stated that the company had requested a rehearing. No one was present on behalf of KASI LYNN GOODMAN D/B/A K&B CONSTRUCTION, LLC. Mr. Wyman made a motion to deny the rehearing request. Mr. Morse seconded. The motion passed.

G. REQUEST FOR RECONSIDERATION OF PENALTY:

1. **BARDELL ENTERPRISES, LLC**, New Orleans, 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 reconsideration of penalty. Mr. Rawls also gave a summary of the board's actions from June 17, 2015. Stacey Bardell and Kemon Bardell were present on behalf of BARDELL ENTERPRISES, LLC and were sworn in. Mr. Wyman made a motion to grant the reconsideration of the penalty. Mr. Hamilton seconded. The motion passed. Ms. Bardell 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 \$1000 in administrative costs only if the company obtains a proper license and/or registration within 90 days. Mr. Hamilton seconded. The motion passed.

H. REQUEST FOR INSURANCE RECONSIDERATION OF PENALTY:

1. **RONNIE HOWARD CONSTRUCTION, INC.**, Prairieville, Louisiana – La. R.S. 2150–2192, 2186(B)(6), 2189(A)(7) and Rules and Regulations Sec. 1503(D).

Ronnie Howard was present on behalf of RONNIE HOWARD CONSTRUCTION, INC. and was sworn in. Mr. Howard requested a reconsideration of insurance penalty. Mr. Hamilton made a motion to grant the reconsideration of insurance penalty. Mr. Wyman seconded. The motion passed. Ms. Riggins provided testimony to the board regarding this matter and gave a summary of the board's actions from April 19, 2017. Mr. Howard gave a statement to the board regarding this matter. Mr. Wyman made a motion to rescind the revocation and to dismiss this matter. Mr. Morse seconded. The motion passed.

- I. 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. Hamilton seconded. The motion passed.

- J. 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. Hamilton seconded. The motion passed.

- K. 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. Hamilton seconded. The motion passed.

Mr. Hassert, Compliance Director, made a late introduction of the new compliance investigator James Franklin for the St. Tammany area.

ADJOURNMENT

Mr. Wyman made a motion to adjourn at 11:43 a.m., and Mr. Morse seconded. The motion passed.

Kenneth W. Jones, Chairman

Lloyd "Chip" Badeaux, Vice Chairman