

STATE LICENSING BOARD FOR CONTRACTORS
RESIDENTIAL BUILDING COMMITTEE MEETING MINUTES

January 8, 2014

The regular monthly meeting of the Residential Building Committee was called to order by the Chairman at 9:30 a.m. in Conference Room of the Board's offices, Baton Rouge, Louisiana.

Members of the Committee present: Lloyd "Chip" Badeaux, Chairman
 Karon "Kay" Gibson
 Jodi C. Penn
 William "Billy" Ward, Jr.
 Wesley L. "Wes" Wyman, Jr.

Lee Mallett and Nick Castjohn 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; John Andrishok, Board Attorney; and from the staff, Nathan Rawls, Bobbie Hughes, Emma Payne, John Dixon, Kristin Tullier, Tricia Wood, and Sharon Fabre; Compliance Director Marianne Sullivan; compliance investigators William Collins, Tommy Mimnaugh, Charmel Peterson, Leann Evans, Carl Bourque; and Kara Kearney, 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 December 4, 2013, Residential Building Committee Meeting, and Mr. Ward seconded. The motion passed.

Mr. McDuff introduced Rudy Babin and Norrie Falgoust with the Louisiana Department of Insurance.

NEW BUSINESS

C. INSURANCE HEARING(S):

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 of the Board Section 1503(D).

Emma Payne with LSLBC applications was sworn in and gave a statement on whether the listed companies had current general liability and/or workers' compensation.

CAPITAL CITY PROPERTY PRESERVATION, LLC; CHAMPION HOME IMPROVEMENT, LLC; COMPLETE DESIGN/BUILD CONTRACTORS, LLC; CORNERSTONE HOME DEVELOPMENT, INC.; 5-STAR INTEGRITY ROOFING AND EXTERIORS, LLC; JEB CONSTRUCTION AND ROOFING, LLC; MYERS & SONS ENTERPRISES, INC.; SYLVAN CONSTRUCTION INCORPORATED; and THERON LARROQUETTE were removed from the agenda.

The hearing officer asked whether a representative was present for the following: AAA+ PAINTING, LLC; ARCASIA, INC.; ALEX T. SIDER; BUILD NOW, LLC; BURKES CONSTRUCTION, LLC; CATO CONSTRUCTION, LLC; COUSHATTA ROOFING, LLC; DEPENDABLE FENCE, LLC; EAGLE SYSTEMS, INC.; ELITE EXTERIORS, LLC; GREEN COUNTRY ROOFTOPS & RESTORATION, LLC; KENTINT CONSTRUCTION, INC.; L. COLEMAN PROPERTIES, LLC; LOUISIANA DRYWALL, INC.; MECHLEB BUILDERS, LLC; MITCHELL BRIAN BRISCOE; NEW LOOK PAINTING & CONSULTING, LLC; PROFESSIONAL LABORERS, LLC; REAGAN CONSULTANTS, OF LEESVILLE, LLC; RED STICK REFINISHING, LLC; SHANNON-NICOLOSI, LLC; SHOW-ME QUALITY CONSTRUCTION, LLC; T'ENOLA, INC.; TRILOGY DEVELOPMENT & CONSTRUCTION, LLC; and VALDIVIA CONSTRUCTION, LLC.

MITCHELL BRIAN BRISCOE was present and sworn in. Mr. Briscoe gave a statement to the committee. Ms. Gibson made a motion to allow Mr. Briscoe to put his license on inactive status, and Mr. Wyman seconded. The motion passed.

No one was present for the remaining companies listed. Mr. Ward made a motion to find the companies without representatives to be in violation, and Mr. Wyman seconded. The motion passed. Mr. Ward made a motion to fine \$500 plus \$500 in administrative costs, issue a cease

and desist order, suspend the license or registration, and allow staff to reinstate the license or registration if the insurance coverage is proven to be sufficient with no lapse. Mr. Wyman seconded, and the motion passed.

D. COMPLIANCE HEARING(S):

1. **JANICE CORMIER CONTRACTING, LLC**, Washington, Louisiana - La. R.S. 37:2158(A)(4).

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by JANICE CORMIER CONTRACTING, LLC, which did not have a representative present. Ms. Penn made a motion to accept the settlement offer, and Ms. Gibson seconded. The motion passed.

2. **KENDRA'S PROFESSIONAL, INC.**, Harvey, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. Ysabel Carvajal and Claudio Ascension were present on behalf of KENDRA'S PROFESSIONAL, INC. and sworn in. Ms. Carvajal entered a denial plea. Investigator Carl Bourque was called to the stand and sworn in for review of the exhibits. The exhibit packet was filed and admitted into evidence. Ms. Carvajal gave a statement. Mr. Wyman made a motion to find KENDRA'S PROFESSIONAL, INC. to be in violation, and Ms. Gibson seconded. The motion passed. Mr. Wyman made a motion to fine KENDRA'S PROFESSIONAL, INC. \$100 in administrative costs only, and Mr. Ward seconded. The motion passed.

3. **PATRICK C. KREIG BUILDERS, LLC**, Houma, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. Patrick Kreig was present on behalf of PATRICK C. KREIG BUILDERS, LLC and sworn in. Mr. Kreig entered a no contest plea. Ms. Gibson made a motion to accept the plea, and Ms. Penn seconded. The motion passed. Mr. Kreig gave a statement. Mr. Wyman made a motion to fine PATRICK C. KREIG BUILDERS, LLC \$500 plus \$500 in administrative costs, and Mr. Ward seconded. The motion passed.

4. **C. TODD TERRELL D/B/A JUGE BUILDERS, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2175.2(A)(1)/ La. R.S. 37:2175.3(A)(8)

Mr. Rawls gave a summary of the allegations. C. Todd Terrell was present and sworn in. Mr. Terrell asked for a continuance. Ms. Gibson made a motion to continue this matter to the February meeting, and Mr. Wyman seconded. The motion passed.

5. **JASON DAVIS D/B/A JD RENOVATIONS & CARPENTRY**, LaPlace, Louisiana – La. R.S. 37:2175.2(A)(1)

Mr. Rawls gave a summary of the allegations. Jason Davis and Dionne Varnado were present on behalf of JASON DAVIS D/B/A JD RENOVATIONS & CARPENTRY and sworn in. Mr. Davis entered a no contest plea. Mr. Wyman made a motion to accept the plea, and Ms. Gibson seconded. The motion passed. Mr. Davis gave a statement. Mr. Wyman made a motion to fine JASON DAVIS D/B/A JD RENOVATIONS & CARPENTRY \$500 plus \$500 in administrative costs, reduced to administrative costs only if registered or licensed within 90 days. Ms. Gibson seconded, and the motion passed.

6. **JCC CONCRETE AND CONSTRUCTION, LLC**, New Orleans, Louisiana – La. R.S. 37:2175.2(A)(1)

Mr. Rawls gave a summary of the allegations. Dedrick Johnson was present on behalf of JCC CONCRETE AND CONSTRUCTION, LLC and sworn in. Mr. Johnson entered a no contest plea. Mr. Wyman made a motion to accept the plea, and Mr. Ward seconded. The motion passed. Mr. Johnson gave a statement. Mr. Wyman made a motion to fine JCC CONCRETE AND CONSTRUCTION, LLC \$500 plus \$500 in administrative costs, reduced to administrative costs only if registered or licensed within 90 days. Ms. Gibson seconded, and the motion passed.

7. **KEVIN ROMERO D/B/A KEVIN'S RENOVATORS**, New Iberia, Louisiana – La. R.S. 37:2175.2(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of KEVIN ROMERO D/B/A KEVIN'S RENOVATORS. Mr. Bourque was called to the stand to review the exhibit packet. The exhibits were filed and admitted into evidence. Ms. Gibson made a motion to find KEVIN ROMERO D/B/A KEVIN'S RENOVATORS to be in violation, and Ms. Penn seconded. Ms. Gibson made a motion to fine KEVIN ROMERO D/B/A KEVIN'S RENOVATORS the maximum fine plus administrative costs and issue a cease and desist order. Ms. Penn seconded, and the motion passed.

8. **LIFE FORCE DISTRIBUTING, INC. D/B/A TEXWIN CARPORTS**, Wills Point, Texas – La. R.S. 37:2175.2(A)(1)

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by LIFE FORCE DISTRIBUTING, INC. D/B/A TEXWIN CARPORTS, which did not have a representative present. Ms. Gibson made a motion to accept the settlement offer, and Mr. Wyman seconded. The motion passed.

9. **LOUISIANA CUSTOM POOLS, LLC**, Morgan City, Texas – La. R.S. 37:2175.2(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of LOUISIANA CUSTOM POOLS, LLC. Mr. Bourque was called to the stand to review the exhibits. The exhibits were filed and admitted. Ms. Gibson made a motion to find LOUISIANA CUSTOM POOLS, LLC to be in violation, and Mr. Wyman seconded. The motion passed. Ms. Gibson made a motion to fine LOUISIANA CUSTOM POOLS, LLC the maximum fine plus \$500 administrative costs and issue a cease and desist order. Mr. Wyman seconded, and the motion passed.

10. **MARLAND HUNTER**, Walker, Louisiana – La. R.S. 37:2175.2(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of MARLAND HUNTER. Homeowner Mike Benson was present and sworn in. Investigator Leanne Evans was called to the stand and sworn in to review the exhibits. The exhibits were filed and admitted into evidence. Mr. Benson gave a statement. Mr. Ward made a motion to find MARLAND HUNTER to be in violation, and Mr. Wyman seconded. The motion passed. Mr. Ward made a motion to issue a cease and desist order, issue the maximum fine plus \$1000 in administrative costs, and forward the case to the La. Attorney General's Office. Ms. Gibson seconded, and the motion passed.

11. **MESHELL CONSTRUCTION, LLC**, Keatchie, Louisiana – La. R.S. 37:2175.2(A)(1)

Mr. Rawls gave a summary of the allegations. Joe Meshell was present on behalf of MESHELL CONSTRUCTION, LLC and sworn in. Mr. Meshell entered a no contest plea. Ms. Penn made a motion to accept the plea, and Mr. Ward seconded. The motion passed. Mr. Meshell gave a statement. Mr. Wyman made a motion to fine MESHELL CONSTRUCTION, LLC \$500 plus \$500 in administrative costs, reduced to administrative costs only if registered in 90 days. Mr. Ward seconded, and the motion passed.

12. **NOLA SERVICE PROS, LLC**, Gretna, Louisiana – La. R.S. 37:2175.2(A)(1)

This matter was continued.

13. **RANDALL WALLACE D/B/A CONSTRUCTION PLUS**, Oak Grove, Louisiana – La. R.S. 37:2175.2 (A)(1)

Mr. Rawls gave a summary of the allegations. Randall and Amy Wallace were present on behalf of RANDALL WALLACE D/B/A CONSTRUCTION PLUS and sworn in. Mr. Wallace entered a no contest plea. Ms. Penn made a motion to accept the plea, and Mr. Wyman seconded. The motion passed. Mr. Wallace gave a statement. Ms. Gibson made a motion to issue a cease and desist order and fine RANDALL WALLACE D/B/A CONSTRUCTION PLUS \$500 plus \$500 in administrative costs, reduced to administrative costs only if registered within one year. Mr. Wyman seconded, and the motion passed.

14. **VALOR CONSTRUCTION, LLC**, Crowley, Louisiana – La. R.S. 37:2175.2(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of VALOR CONSTRUCTION, LLC. Mr. Bourque was called to the stand to review the exhibits. The exhibits were filed and admitted. Mr. Ward made a motion to find VALOR CONSTRUCTION, LLC to be in violation, and Ms. Gibson seconded. The motion passed. Mr. Ward made a motion to issue a cease and desist order and fine VALOR

CONSTRUCTION, LLC the maximum fine plus \$1000 in administrative costs. Ms. Gibson seconded, and the motion passed.

OLD BUSINESS

E. COMPLIANCE HEARING/CONTINUANCE(S):

1. **CORNERSTONE GENERAL CONTRACTORS, LLC**, Ruston, Louisiana – La. R.S. 37:2158(A)(5)
2. **ELLIOT JONES**, Grambling, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. Tracy and Jesse Witt were present on behalf of CORNERSTONE GENERAL CONTRACTORS, LLC, Elliot Jones was present and attorney Ivan Daigs was present on behalf of both ELLIOT JONES and CORNERSTONE GENERAL CONTRACTORS, LLC. All parties were sworn in. Mr. Daigs entered a denial plea for both of his clients.

Investigator William Collins was called to the stand and sworn in for review of the exhibits. The exhibit packets for both CORNERSTONE GENERAL CONTRACTORS, LLC and ELLIOT JONES were filed and admitted.

Mr. Andrishok questioned both Mr. Jones and Mr. Witt. Each party gave a statement. Each Mr. Andrishok and Mr. Daigs filed additional documents into evidence. The documents were admitted. Mr. Daigs asked the committee for a continuance. Mr. Ward made a motion to continue the matter until the February hearing, and Ms. Gibson seconded. The motion passed.

3. **ALUMINUM & SCREEN CONSTRUCTION, LLC**, Mandeville, Louisiana – La. R.S. 37:2167(A)

This matter was continued.

4. **MICHAEL P. D'AGOSTINO D/B/A M.P.D. CONTRACTORS, INC.**, St. Clair Shores, Michigan – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of MICHAEL P. D'AGOSTINO D/B/A M.P.D. CONTRACTORS, INC. Ms. Evans was called to the stand to review the exhibits. The exhibits were filed and admitted into evidence. Mr. Ward made a motion to find MICHAEL P. D'AGOSTINO D/B/A M.P.D. CONTRACTORS, INC. to be in violation, and Ms. Gibson seconded. The motion passed. Mr. Ward made a motion to issue a cease and desist order and fine the maximum plus \$1000 in administrative costs. Mr. Wyman seconded, and the motion passed.

5. **DOUGLAS C. JOHNSON D/B/A CREATIVE RENOVATIONS, INC.**, Parks, Louisiana – La. R.S. 37:2175.2 (A)(1)

Ms. Gibson made a motion to move this item to the beginning of the agenda, and Mr. Wyman seconded. The motion passed, and this item was heard first. Mr. Rawls gave a summary of the allegations. Douglas Johnson was present on behalf of DOUGLAS C. JOHNSON D/B/A CREATIVE RENOVATIONS, INC. and sworn in. Mr. Johnson entered a no contest plea. Ms. Gibson made a motion to accept the plea, and Ms. Penn seconded. The motion passed. Mr. Johnson gave a statement. Ms. Gibson made a motion to issue a cease and desist order and fine DOUGLAS C. JOHNSON D/B/A CREATIVE RENOVATIONS, INC. \$500 plus \$500 in administrative costs. Mr. Ward seconded, and the motion passed.

F. REQUEST FOR RE-HEARING/RECONSIDERATION OF PENALTY:

1. **LAWRENCE OTIS D/B/A L&D CONCRETE AND MASONRY**, Slidell, Louisiana – La. R.S. 37:2175.2 (A)(1)

Mr. Rawls gave a summary of the case regarding LAWRENCE OTIS D/B/A L&D CONCRETE AND MASONRY. Lawrence Otis was present and sworn in. Mr. Wyman made a motion to reconsider the penalty, and Ms. Gibson seconded. The motion passed. Mr. Wyman made a motion to fine LAWRENCE OTIS D/B/A L&D CONCRETE AND MASONRY \$500 plus \$500 in administrative costs, reduced to administrative costs only if licensed within 90 days. Ms. Gibson seconded, and the motion passed.

G. CONSIDERATION OF LICENSURE EXEMPTIONS:

NEW APPLICATION EXEMPTIONS (Pending all Requirements Being Met)

Ms. Gibson made a motion to accept the new application exemptions for FRANK’S CONSTRUCTION COMPANY, INTEGRITY CONSTRUCTION GROUP, MICHAEL ALEXANDER MARTIN. Mr. Wyman seconded, and the motion passed.

- H. Consideration of new applications for residential building construction license to be approved pending as listed and attached to the agenda. (Pages 6 & 7)

Ms. Gibson made a motion to accept the new applications for residential building construction license as listed on the agenda, and Mr. Wyman seconded. The motion passed.

- I. Consideration of new applications for home improvement registration as listed and attached to the agenda. (Pages 8 & 9)

Ms. Penn made a motion to accept the new applications for home improvement registration as listed on the agenda, and Mr. Wyman seconded. The motion passed.

ADJOURNMENT

The meeting was adjourned at 12:11 p.m.

Chairman

Vice Chairman