

STATE LICENSING BOARD FOR CONTRACTORS
RESIDENTIAL CONTRACTORS SUBCOMMITTEE

MEETING MINUTES

October 18, 2017

The regular meeting of the Residential Building Contractors Subcommittee was called to order by the Chairman, Lloyd “Chip” Badeaux, on Wednesday, October 18, 2017 at 9:32 a.m. at 2525 Quail Drive, Baton Rouge, Louisiana.

Members of the Subcommittee present:

	Lloyd “Chip” Badeaux, Chairman
	William J. Cloutre
	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, Lowana Cola, Emma Payne, Elaine Riggins, John Dixon; Brad Hassert, Compliance Director; compliance investigators, Todd Brady, Charmel Peterson, Johnny Rogers, Jessica Jones, William Valentine, Bobbie Hughes, Scott Corley, Marianne Sullivan, and Dylan Bourg; and Tarah Revette recording the minutes.

Mr. Guidry led the Pledge of Allegiance.

Judge Darrell White gave the invocation.

Mr. Wyman made a motion to accept the Minutes of the **September 20, 2017**, Residential Building Subcommittee Meeting. Mr. Guidry 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. Laborde removed ALPHA-OMEGA ENVIRONMENTAL, INC.; CENTURY DEVELOPMENT, INC.; DONE RIGHT PAINTING & DRYWALL LLC; MASTER CARE SERVICES, LLC; TEX-SAN CONSTRUCTION, LLC and WEST BUILDERS, L.L.C. from the agenda.

Ms. Riggins also confirmed service for the remaining entities listed on the agenda. Ms. Riggins confirmed that this is the first violation for these companies except for DANIEL HUMBERTO PASTRANA and STEP BY STEP CONSTRUCTION & ROOFING LLC, which was their second violation.

Shane Bernard was present on behalf of BERNARD CONSTRUCTION COMPANY, INC. and was sworn in. Ms. Riggins provided testimony to the board. Mr. Bernard gave a statement regarding this matter and requested 30 days to resolve this matter. Mr. Wyman made a motion to give the company 30 days to provide proof of insurance coverage for general liability. Mr. Morse seconded, and the motion passed unanimously.

Drew Doucet was present on behalf of DOUCET BROS. CONSTRUCTION CO., LLC and was sworn in. Ms. Riggins provided testimony to the board. Mr. Doucet gave a statement and affirmed that there was a lapse in insurance coverage. After discussion, Mr. Doucet stated he would surrender the company's license. Mr. Wyman made a motion to allow the company to surrender the license. Mr. Guidry seconded, and the motion passed unanimously.

Laura Medlin was present on behalf of JEFF'S LAWN SERVICE, L.L.C. and was sworn in. Ms. Riggins provided testimony to the board. Ms. Medlin gave a statement and affirmed that there was a lapse in insurance coverage. Ms. Medlin also stated that the company has obtained and has current workers' compensation insurance coverage. Mr. Wyman made a motion to assess \$250 in administrative cost. Mr. Morse seconded, and the motion passed unanimously.

Ronnie Perkins was present on behalf of PERKINS CONTRACTOR'S, LLC and was sworn in. Ms. Riggins provided testimony to the board. Mr. Perkins 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.

No one was present on behalf of 4B CONSTRUCTION GROUP LLC; B&B BUILDERS & INVESTORS, INC.; BKS CONSTRUCTION, LLC; CHARLIE B'S CONSTRUCTION LLC; CHRISTOPHE CARPENTRY, L.L.C.; DAVID E. SPEIGHTS; E&B RENOVATIONS LLC; FRESH LOOK EXTERIORS LLC; FRONT DOOR PROPERTY INVESTMENTS, LLC; JBS CONSTRUCTION AND DEVELOPMENT; JEREMY ABEL GOSSELIN; JUSTIN MILLS; LEVRON CONTRACTORS, L.L.C.; LUMBERWORX, L.L.C.; NAUTICAL COMPANIES, LLC; PASSE-PARTOUT CONSTRUCTION, LLC; QUALITY EXTERIOR SERVICES, L.L.C.; U CALL US, WE BUILD IT, L.L.C.; UNITED INTERIOR DRYWALL, L.L.C. and VICTOR ANDREW NIEWOEHNER. Ms. Riggins provided testimony to the board. 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 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. Morse seconded, and the motion passed.

No one was present on behalf of DANIEL HUMBERTO PASTRANA and STEP BY STEP CONSTRUCTION & ROOFING LLC. Mr. Wyman made a motion to revoke the licenses and/or registrations for 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. **POOLS 'N STUFF, LTD**, Slidell, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of POOLS 'N STUFF, LTD. Investigator Dylan Bourg was called to the stand and was sworn in. Mr. Bourg reviewed the exhibit packet and provided testimony to the board. Ms. Laborde entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find POOLS 'N STUFF, LTD 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.

2. **PBG ENTERPRISES, LLC**, Slidell, Louisiana – La. R.S. 37:2167(A)

This matter was removed from the agenda.

3. **PRECISION SHORING, LLC**, Marrero, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. Michael Phillips was present on behalf of PRECISION SHORING, LLC and was sworn in. Mr. Phillips entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Phillips gave a statement to the board regarding this matter. The board questioned Mr. Phillips. Mr. Wyman made a motion to assess a \$2500 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. Morse seconded. The motion passed.

4. **JIMMY THERIOT D/B/A JIMMY THERIOT CONSTRUCTION**, Hammond, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of JIMMY THERIOT D/B/A JIMMY THERIOT CONSTRUCTION. Investigator Johnny Rogers was called to the stand and was sworn in. Mr. Rogers reviewed the exhibit packet and provided testimony to the board. Ms. Laborde entered the exhibit packet into evidence and it was admitted. Mr. Guidry made a motion to find JIMMY THERIOT D/B/A JIMMY THERIOT CONSTRUCTION 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 and to issue a cease and desist order. Mr. Morse seconded. The motion passed.

5. **COLEMAN PROPERTY MANAGEMENT, INC.**, Jackson, Mississippi – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. Earl Coleman was present on behalf of COLEMAN PROPERTY MANAGEMENT, INC. and was sworn in. Mr. Coleman entered a denial plea. 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. Ms. Laborde questioned Mr. Coleman. Mr. Coleman gave a statement to the board regarding this matter and also submitted documents into evidence. The documents were admitted. The board questioned Mr. Coleman. Mr. Coleman gave an additional statement. Mr. Coleman changed his initial denial 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 assess \$1000 in administrative costs and the company must surrender their license. Mr. Guidry seconded. The motion passed.

6. **RED STICK CONSTRUCTION SERVICES, LLC**, Baton Rouge, Louisiana – La. R.S. 37:2167(A)

Mr. Rawls gave a summary of the allegations. Mark Dunn was present on behalf of RED STICK CONSTRUCTION SERVICES, LLC and was sworn in. Mr. Dunn entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Dunn gave a statement to the board regarding this matter. The board questioned Mr. Dunn. Mr. Wyman made a motion to assess \$1000 in administrative costs only. Mr. Morse seconded. The motion passed.

7. **THE STAGE GROUP, LLC**, Decatur, Georgia – La. R.S. 37:2167(A), 2185(A)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of THE STAGE GROUP, LLC. Investigator Marianne Sullivan, who was previously sworn, was called to the stand. Ms. Sullivan reviewed the exhibit packet and provided testimony to the board. Ms. Laborde entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to find THE STAGE GROUP, 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.

8. **RONALD RICHBURG**, New Orleans, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. RONALD RICHBURG was present and was sworn in. Mr. Richburg entered a no contest plea. Mr. Morse made a motion to accept the plea. Mr. Wyman seconded. The motion passed. Mr. Richburg gave a statement regarding this matter. Mr. Guidry made a motion to assess the maximum fine plus \$1000 in administrative costs and to allow the fine to be reduced to \$2000 plus \$1000 in administrative costs if Mr. Richburg obtains a proper license and/or registration within 120 days. Mr. Hamilton seconded. The motion passed.

9. **RON AND / OR RONALD MATTHEWS**, Hammond, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. Ronald Matthews was present on behalf of RON AND/OR RONALD MATTHEWS and was sworn in. Mr. Matthews entered a no contest plea. Mr. Guidry made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Matthews gave a statement to the board regarding this matter. Homeowner Felicia Young was present and was sworn in. Ms. Young provided testimony to the board. Mr. Matthews questioned Ms. Young. The board questioned Mr. Matthews. 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 assess a \$3000 fine plus \$1000 in administrative costs. Mr. Hamilton seconded. The motion passed.

10. **PAUL CARNEY**, Baton Rouge, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. PAUL CARNEY was present and was sworn in. Mr. Carney entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Carney gave a statement to the board regarding this matter and submitted additional documents into evidence. The documents were admitted. Homeowners William and Thelma Carter were present and were sworn in. Mr. and Ms. Carter both provided testimony to the board. Mr. Wyman made a motion to assess a \$1000 fine plus \$1000 in administrative costs and to allow the fine to be reduced to \$250 in administrative costs only if Mr. Carney pays in full the remaining balance agreed upon by the homeowner within 120 days. Mr. Morse seconded. The motion passed.

11. **JULIO MORAN**, Destrehan, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of JULIO MORAN. Investigator Johnny Rogers, who was previously sworn in, was called to the stand. Mr. Bourg reviewed the exhibit packet and provided testimony to the board. Ms. Laborde entered the exhibit packet into evidence and it was admitted. Mr. Guidry made a motion to find JULIO MORAN to be in violation, 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. **REAL HANDY MAN, 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 REAL HANDY MAN, 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. Ms. Laborde entered the exhibit packet into evidence and it was admitted. Mr. Guidry made a motion to find REAL HANDY MAN, LLC to be in violation. Mr. Wyman seconded. The motion passed. Mr. Guidry made a motion to assess the maximum fine plus \$1000 in administrative costs and to issue a cease and desist order. Mr. Wyman seconded. The motion passed.

13. **PREMIER RENOVATIONS, LLC**, Marrero, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. David Gabriel was present on behalf of PREMIER RENOVATIONS, LLC and was sworn in. Mr. Gabriel entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Gabriel gave a statement to the board regarding this matter. Mr. Morse made a motion to assess the maximum 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 within 120 days. Mr. Hamilton seconded. The motion passed.

14. **S D L CONSTRUCTION, LLC**, Lafayette, Louisiana – La. R.S. 37:2175.3(A)(1)(7)

Mr. Rawls gave a summary of the allegations and removed the alleged violation La. R.S. 37:2175.3(A)(7). Solomon Laroche was present on behalf of S D L CONSTRUCTION, LLC and was sworn in. Mr. Laroche entered a no contest plea for La. R.S. 37:2175.3(A)(1). Mr. Wyman made a motion to accept the plea. Mr. Hamilton seconded. The motion passed. Mr. Laroche gave a statement to the board regarding this matter. Homeowner Jay Breaux was present and was sworn in. Mr. Breaux provided testimony to the board. Mr. Guidry made a motion to assess the maximum fine of \$4026.74 plus \$1000 in administrative costs, to issue a cease and desist order and to allow the fine to be reduced to \$2000 plus \$1000 in administrative costs if the company obtains a proper license and/or registration within 90 days. Mr. Morse seconded. The motion passed.

15. **DANIEL BURKETT**, Alexandria, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. No one was present on behalf of DANIEL BURKETT. Investigator Scott Corley was called to the stand and was sworn in. Mr. Corley reviewed the exhibit packet and provided testimony to the board. Ms. Laborde entered the exhibit packet into evidence and it was admitted. Mr. Wyman made a motion to DANIEL BURKETT 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.

16. **TERRY V BLEKER HISTORICAL HOME RESTORATIONS, LLC**, Slidell, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. Terry Bleker was present on behalf of TERRY V BLEKER HISTORICAL HOME RESTORATIONS, LLC and was sworn in. Mr. Bleker entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Morse seconded. The motion passed. Mr. Bleker gave a statement to the board regarding this matter. The board questioned Mr. Bleker. Mr. Wyman made a motion to assess \$1000 in administrative costs and to issue a cease and desist order. Mr. Hamilton seconded. The motion passed.

17. **READY DECKS OF LOUISIANA**, Bossier City, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by READY DECKS OF LOUISIANA. Mr. Wyman made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Hamilton seconded. The motion passed.

18. **WILLIAM MONTANEZ**, Denham Springs, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. WILLIAM MONTANEZ was present and was sworn in. Mr. Montanez entered a denial plea. Investigator Dylan Bourg, who was previously sworn in, was called to the stand. Mr. Bourg reviewed the exhibit packet and provided testimony to the board. Ms. Laborde entered the exhibit packet into evidence and it was admitted. Mr. Montanez requested a continuance for this matter. Mr. Guidry made a motion to grant the continuance. Mr. Wyman seconded. The motion passed. Mr. Montanez waived service for the hearing to be held at the December 20, 2017 Residential Subcommittee meeting.

19. **BLACKHILL ENTERPRISES, INC. D/B/A BLACKHILL RESTORATION**, Waco, Texas – La. R.S. 37:2185(A)

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by BLACKHILL ENTERPRISES, INC. D/B/A BLACKHILL RESTORATION. Mr. Wyman made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Guidry seconded. The motion passed.

20. **ROOF CRAFTERS, LLC**, Summit, Mississippi – La. R.S. 37:2185(A)

Mr. Rawls gave a summary of the allegations and read the settlement offer presented by ROOF CRAFTERS, LLC. Mr. Wyman made a motion to accept the settlement offer as presented, which included a no contest plea. Mr. Fine seconded. The motion passed.

OLD BUSINESS

E. COMPLIANCE HEARING(S)/CONTINUANCES:

1. **LEANNE’S CUSTOM CLEANERS, LLC**, Holden, Louisiana – La. R.S. 37:2175.3(A)(1)

Mr. Rawls gave a summary of the allegations. Leanne and Scott Weilbaecher were present on behalf of LEANNE’S CUSTOM CLEANERS, LLC and were sworn in. Ms. Weilbaecher entered a contest plea. Mr. Wyman made a motion to accept the plea. Mr. Guidry seconded. The motion passed. Ms. Weilbaecher gave a statement to the board regarding this matter. Ms. Weilbaecher presented a settlement offer to the board. Mr. Morse made a motion to assess a \$2500 fine plus \$1000 in administrative costs and to allow the fine to be reduced to \$250 plus \$500 in administrative costs if the company obtains a proper license and/or registration within 90 days. Mr. Wyman seconded. The motion passed.

F. REQUEST FOR REHEARINGS:

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

Mr. Rawls gave a summary of the allegations and the previous action taken by the board regarding this matter. Derrick Williams was present on behalf of KNOCK OUT BUILDING IMPROVEMENT, INC. and was sworn in. Mr. Williams addressed the board regarding the rehearing request. Mr. Guidry made a motion to rehear this matter. Mr. Morse seconded. The motion passed. Mr. Williams entered a no contest plea. Mr. Wyman made a motion to accept the plea. Mr. Guidry seconded. The motion passed. Mr. Williams gave a statement to the board regarding this matter. The board questioned Mr. Williams. Mr. Wyman made a motion to assess a \$2000 fine plus \$1000 in administrative costs. Mr. Morse seconded. The motion passed.

G. REQUEST FOR RECONSIDERATIONS OF PENALTY:

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

Mr. Rawls gave a summary of the allegations and the previous action taken by the board regarding this matter. James Glaze was present on behalf of JAMES EDWARD GLAZE D/B/A BRANDI’S HOME IMPROVEMENT & ROOFING and was sworn in. Mr. Wyman made a motion to reconsider the penalty previously assessed at the July 19, 2017 Residential Subcommittee meeting. Mr. Fine seconded. The motion passed. The board questioned Mr. Glaze. Mr. Wyman made a motion to reduce the previous fine to a \$2000 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 120 days. Mr. Guidry seconded. The motion passed.

H. 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. Guidry seconded. The motion passed.

I. Consideration of residential applications as listed and attached to the agenda. (Pages 7-12)

After discussion, Mr. Guidry made a motion to defer approval of the residential application for REGAL REMODELERS, L.L.C. until all outstanding fines are paid. Mr. Morse seconded. The motion passed unanimously. Mr. Wyman made a motion to approve the remaining residential applications as listed on the agenda with the exception of REGAL REMODELERS, L.L.C. Mr. Hamilton seconded. The motion passed.

J. Consideration of home improvement applications as listed and attached to the agenda. (Pages 13-17)

Mr. Wyman made a motion to approve the 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. Guidry seconded. The motion passed.

Lloyd "Chip" Badeaux, Chairman

William J. Clouatre, Vice Chairman