

MINUTES

266th Meeting Contractors' Registration and Licensing Board January 11, 2012

(A) The meeting was called to order by the Vice-Chairman, Edgar Ladouceur, at 12:45 PM.

(B) Approval of the agenda and order of business was accepted on a motion by Mr. Steven Gianlorenzo and seconded by Mr. Dave Caldwell and Mr. Paul Brunetti.

(C) The minutes of the 265th meeting were approved on a motion by Mr. Dave Caldwell and seconded by Mr. Steven Gianlorenzo with the modification that on item #9 it was stated that the motion was unanimously approved.

(D) Court Case Update:

January 2012 - Court Ordered Restitution/Fines:

Contact	Claim/File	Fines	Restitution	Complainant
Travis 7421	500	4,000	O'Donnell	
Monfils 5628	100	5,000	Bergeron	
Howell 5108	200	15,660	Bardt	
Howell 2690(2)	100	N/A	NRB	

Totals: Fines \$900 Restitution \$24,660

TOTAL: \$25,560

January 2012 - Funds Received Via AG's Office:

Contactors Claim/File Fines Restitution Complainant

Marr 4480 - 100 Lamphere

Feole 7087 550 Walker

Totals: Fines \$ Restitution \$650

TOTAL: \$650

Picked Up/Surrendered on Warrants:

Spears, Edmund Reg. #26303 W. Kingston, RI

Gallagher, William Reg. #20300 East Greenwich, RI

Warrants Issued:

Tavares, Joseph Reg. #17115 Riverside, RI

(E) Consideration of Cases on Appeal and Oral Argument: None, two

matters were schedule for next months meeting.

EXPUNGEMENTS:

1.) 12:40 PM, Registration #4035, A Busy Bee Team, Inc., Ben Simson, Expungement request for Claims # 4316, 4780, 4876, 6078, 6316, 7527 and 7678. The Board entertained the motion by Mr. Simson to expunge the claims listed above and elected to do so individually. Mr. Simson presented his first request for expungement, Claim #4316, and was questioned by the members of the Board as to reason he felt it should be removed and facts of the case. Mr. Simson could not recall the case and the executive director provided information as to parties and when case was filed and disposition. A motion was made by Paul Brunetti and seconded by Steve Gianlorenzo to Deny the request to expunge; motion passed unanimously. The next claim # 4780 followed the same format and again the Contractor did not recall the case but wanted it expunged. A motion was made by William Nash and seconded by Paul Brunetti to Deny the request; motion passed unanimously. Claim # 4876 was heard, no further information provided and a motion was made by William Nash and seconded by Steve Gianlorenzo to Deny the request; motion carried unanimously. The next request was for Claim #6078 the same questions were asked and the Contractor didn't recall the situation. A motion was made by Steven Gianlorenzo and seconded by Dave Caldwell to Deny the request; motion carried unanimously. Claim # 6316 was heard by the

Board and an email was provided to the Board in regard to this case by the Claimant who was opposed to the Board expunging this Claim. The Respondent felt he completed work properly and wanted record removed. A motion was made by Paul Brunetti and seconded by Dave Caldwell to Deny the request; and was unanimously passed. The next claim #7527 was heard and the Respondent felt that this matter was settled and should be removed. A motion was made by Steve Gianlorenzo and seconded by Paul Brunetti to Deny; motion carried unanimously. The last Claim #7678 was presented by the Respondent; the Claimant, Mrs. Lewis, was unable to attend due to health reasons and doesn't have a computer to email concerns but spoke to the Executive Director for the Board and expressed her dissatisfaction with the job performed at her home. The Board on a motion by David Caldwell and second by Steve Gianlorenzo to Deny the expungement, unanimously upheld the motion.

(F) Report of the Executive Director and Staff:

(1) Statistics Report: 1/11/2012

Registrations:

Number of Registered Contractors	11580		
Number of Cards Surrendered	5632	Number of Cards	
Expired/Lapsed	16177	Number of Cards Invalidated	1048

Number of Cards Suspended 494

Number of Cards Revoked 98

Registration Actions

12/14/2011-1/11/2012

Number of New Registered Contractors 47

Number of Renewed Contractors 11533

Number of Cards Surrendered 29

Registrations Invalidated 4 Registrations Suspended 7

Registrations Revoked 3

Claims:

Administrative Appeals 4

Board Appeals 1

Address Trace 84

Awaiting Further Action 31

Court

633

Disposed 6283

Final Orders 45

Hearings 33

Out of State Services 17 Proposed Orders 111

Under Investigation 88

Total Claims Filed with the Board 7329

Number of New Claims Processed 10

1/11/2012

Violations:

Action Against Registration 30

Advertising 3

Cancelled Insurance 1391

Notice of Hearing 4

Non-Registered Contractor

850

TOTAL RECORDS 2296

Number of New Violations 11

12/14/2011-01/11/2012

Lapsed Registrations/Never Re-Newed:

January 2011

53

February 2011

69

March 2011

82

April 2011

93

May 2011

83

June 2011

94

July 2011

59

August 2011

81

September 2011

110

October 2011

89

November 2011

112

December 2011

144

Month

Tickets Issued

Fines

January 0

\$00.00

February 1

\$250.00	
March	1
\$550.00	
April	2
\$1,000.00	
May	3
\$800.00	
June	3
\$1,500.00	
July	5
\$2,000.00	
August	0
\$ 00.00	
September	1
\$250	
October	2
\$750	
November	5
\$2,250.00	

Commercial Roofers: 1/11/2012

Number registered	135
Number surrendered	17
Number invalidated	56
Number suspended	1

(1.) Budget: Funds need to be utilized to purchase two new card machines and to be used with the new software to be ready for picture identification cards.

(2.) Computer Software Program Update on Progress (DBR), CAVU; Board has been proceeding and making progress. Projected date, early months of this year.

(3.) Retention Schedule; Legal counsel discussed with the Board some possible modifications to the schedule which will be given more consideration in the near future.

(4.) Board was advised that the position of investigator posted in mid June was just released to have interviews and hire. Additionally; another staff member retired who works the counter so we are down to one person at the counter. Currently the Board is down four (4) positions or about

25% staff reduction. Work continues to accumulate regarding violations, and claims are being processed and investigated as quickly as possible with current staff. These staff reductions have had an impact on the enforcement aspect of the Boards operation which has resulted in a loss of revenue.

(5.) Legislation; Home Inspector legislation is still pending submittal this session to try and implement this unfunded program. Additional legislation may be submitted regarding requiring code books to be issued to each registrant as part of registration fee, insurance cancellation modifications, commercial roofing requirements and felony modification for repeat offenders. Additionally the Attorney General may be submitting legislation as part of his commission findings.

(6.) Education: Currently we are working with the Rhode Island Builders Association in developing criteria for continuing education as

well as possible classes. This could be ready for early spring to be put forth for public hearing.

(7.) NASCLA: Meeting of Executive Board and Model

Legislation Committee schedule for mid January in Utah, Park City.

(8.) Request for Proposal: The Board working with the Department of Labor

was included in an RFP to seek testing companies to provide the RICRLB

with an avenue to test Home Inspectors and Commercial Roofers Selection was put on hold by the Department of Labor for further review

and hopefully will get final approval in the very near future.

(9) Request by municipalities to take action regarding returned checks in

regard to permits filed by registered contractors. Action was taken in

this regard pursuant to RIGL 5-65-10 (a), and a meeting will be arranged

with the Building Officials Association to have a joint meeting later this

month.

(10) The acting chair requested that the executive director provide the Board

with an accounting of all the expenditures from the Boards restricted

receipt account. Concerns were expressed by the Board that services being

provided were being paid out at a much higher rate than those of current

personnel.

(I) Public Comment: None

(J) Announcements: The next Board meeting is scheduled for Wednesday

February 8, 2012 at 12:30 PM Conference Room "A", 2nd

Floor, One Capitol Hill, Providence, Rhode Island.

(K) Adjournment: A motion was made by Mr. Dave Caldwell and seconded by Mr.

William Nash to adjourn at 3:05 PM.

Members Present: E. Ladouceur, R. Cardoza, Paul Brunetti, T Furey, S.Gianlorenzo,

**W. Nash, Steven Carlino, David Caldwell and
Martin Ezeama,**

**Members Absent: E. Anderson, who resigned from the Board,
R.Caniglia, A. Salisbury,
William Geddes, Felix Carlone and J. Lawrence
Brillon.**

**Others Present: George Whalen (Executive Director), Christy
Hetherington (Attorney
Generals Office, legal counsel), staff and
parties for
motions and expungements.**

Respectfully Submitted,

**George W. Whalen
Executive Director
Rhode Island Contractors' Registration and Licensing Board**