DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
Heber M. Wells Building
160 East 300 South
P O Box 146741
Salt Lake City UT 84114-6741
Telephone: (801) 530-6628

**BEFORE THE CONSTRUCTION SERVICES COMMISSION
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSE OF **HFP SYSTEMS, INC.** TO PRACTICE AS A CONTRACTOR IN THE STATE OF UTAH	: **NOTICE OF AGENCY ACTION** : **TO REVOKE CONTRACTOR'S** : **LICENSE FOR FAILURE TO** : **MAINTAIN FINANCIAL** : **RESPONSIBILITY** : : Case No. DOPL-2011-258

THE CONSTRUCTION SERVICES COMMISSION TO HFP SYSTEMS, INC., ("Respondent"):

HFP SYSTEMS, INC.

MAPLETON, UT 84664

The Division of Occupational and Professional Licensing ("the Division") hereby files this Notice of Agency Action ("Notice") to determine whether a basis exists to revoke your license to practice as a contractor due to your failure to demonstrate and maintain financial responsibility.

This action is based upon Division records and an investigation, which show that Respondent has failed to demonstrate and maintain financial responsibility as required by Utah Code Annotated Sections 58-55-306 and 58-55-502(1), and Utah Administrative Code Section R156-55a-306. Pursuant to Utah Administrative Code Section R156-55a-306, the Division may consider judgments, tax liens, collection actions, a history of late payments to creditors, and bankruptcy schedules filed by a licensee or its owners, as well as prior entities owned or operated by a licensee or its owners when determining financial responsibility.

ALLEGATIONS SUPPORTING THIS ACTION

I. Respondent has Failed to Demonstrate and Maintain Financial Responsibility

A. Judgments and tax liens against Respondent

1. On or about June 7, 2010, a judgment in the amount of **$2,270.48** was entered in favor of Workforce Services, against HFP Systems Inc (Fourth District Court, Utah County, Case No.: 106405202). As of the date of this Notice, Respondent has not satisfied the judgment. A certified copy of the judgment is attached as Exhibit A.

2. On or about August 2, 2010, a judgment in the amount of **$1,332.12** was entered in favor of Utah State Tax Commission, against HFP Systems Inc (Fourth District Court, Utah County, Case No.: 106407013). As of the date of this Notice, Respondent has not satisfied the judgment. A certified copy of the judgment is attached as Exhibit B.

3. On or about September 7, 2010, a judgment in the amount of **$3,413.57** was entered in favor of Workforce Services, against HFP Systems Inc (Fourth District Court, Utah County, Case No.: 106407846). As of the date of this Notice, Respondent has not satisfied the judgment. A certified copy of the judgment is attached as Exhibit C.

4. On or about November 1, 2010, a judgment in the amount of **$1,716.84** was entered in favor of Utah State Tax Commission, against HFP Systems Inc (Fourth District Court, Utah County, Case No.: 106411065). As of the date of this Notice, Respondent has not satisfied the judgment. A certified copy of the judgment is attached as Exhibit D.

5. On or about December 7, 2010, a judgment in the amount of **$1,804.29** was entered in favor of Workforce Services, against HFP Systems Inc (Fourth District Court, Utah County, Case No.: 106412376). As of the date of this Notice, Respondent has not satisfied the judgment. A certified copy of the judgment is attached as Exhibit E.

6. On or about February 7, 2011, a judgment in the amount of **$993.86** was entered in favor of Utah State Tax Commission, against HFP Systems Inc (Fourth District Court, Utah County, Case No.: 116401295). As of the date of this Notice, Respondent has not satisfied the judgment. A certified copy of the judgment is attached as Exhibit F.

B. Judgments against Respondent's qualifier

7. Respondent's qualifier is Ronald Lee Hatfield.

8. On or about March 20, 2002, a judgment in the amount of **$3,310.15** was

entered in favor of AAMountain State Supply, against Ronald L. Hatfield (Third District Court, Salt Lake County, Case No.: 020201210). As of the date of this Notice, Respondent's qualifier has not satisfied the judgment. A certified copy of the judgment is attached as Exhibit G.

9. On or about July 11, 2002, a judgment in the amount of **$3,997.84** was entered in favor of Mountainland Supply Company, against Ronald L. Hatfield (Fourth District Court, Utah County, Case No.: 020401861). As of the date of this Notice, Respondent's qualifier has not satisfied the judgment. A certified copy of the judgment is attached as Exhibit H.

10. On or about August 27, 2004, a judgment in the amount of **$1,233.24** was entered in favor of Express Recovery Service, against Ronald L. Hatfield (Fourth District Court, Utah County, Case No.: 040200973). As of the date of this Notice, Respondent's qualifier has not satisfied the judgment. A certified copy of the judgment is attached as Exhibit I.

11. The above identified judgments total $20,072.39 and have not been satisfied. Accordingly, Respondent and Respondent's qualifier have failed to demonstrate and maintain financial responsibility, which constitutes a basis to revoke Respondent's license pursuant to Utah Code Annotated Section 58-1-401. See Utah Code Ann. §§ 58-1-401(1) ("The division . . . shall refuse to renew or shall revoke, suspend, restrict, place on probation, or otherwise act upon the license of a licensee who does not meet the qualifications for licensure under this title."); 58-1-401(2)(a) ("The division . . . may refuse to renew or may revoke, suspend, restrict, place on probation, issue a public reprimand to, or otherwise act upon the license of any licensee [who has] engaged in unprofessional conduct . . . "). See also Utah Code § 58-55-502(1) ("Unprofessional conduct includes . . . failing to establish, maintain, or demonstrate financial responsibility while licensed as a contractor under this chapter.").

NOTICE OF INFORMAL PROCEEDING

The adjudicative proceeding designated herein is to be conducted on an *informal basis*, which means that you are not entitled to a hearing. The decision in this matter will be based upon a review of the Division records and any response filed.

Within thirty (30) days of the mailing date of this notice, you are requested to file a written response with the Division. Your response may be helpful in clarifying, refining or narrowing the facts and the violation alleged herein. Your written response should be mailed to:

Division of Occupational and Professional Licensing
Attn: Melanie Reif
160 East 300 South
PO Box 146741
SALT LAKE CITY, UT 84114-6741

You may represent yourself or legal counsel may represent you, at your own expense, while this action is pending. If you are represented by legal counsel, your attorney must file a Notice of Appearance with the Division at the address stated above. Until a Notice of Appearance is filed, the presiding officer will communicate directly with you.

Melanie Reif, Auditor, is designated as the coordinator for the Construction Services Commission, which is the presiding officer over this informal proceeding. If you or your attorney has any questions as to the procedures related to this matter, Ms. Reif can be contacted at the above address or via telephone number at (801) 530-6456.

At the expiration of your deadline to submit a response, and without further notice to you, the presiding officer will make an informal review of the record in this matter and determine whether you have failed to demonstrate and maintain financial responsibility, in violation of Utah Code Annotated Sections 58-55-306 and 58-55-502(1).

The maximum administrative sanction in this case is revocation of your license to practice as a contractor.

Please conduct yourself accordingly.

Dated this 15th day of August, 2011.

W. Ray Walker

W. Ray Walker
Regulatory and Compliance Officer