DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
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BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING OF THE DEPARTMENT OF COMMERCE OF THE STATE OF UTAH

IN THE MATTER OF THE LICENSE OF ANDERSON BROTHERS CONSTRUCTION LLC TO PRACTICE AS A CONTRACTOR IN THE STATE OF UTAH	**FINDINGS OF FACT** **CONCLUSIONS OF LAW AND ORDER** Case No DOPL-2011-278

FINDINGS OF FACT

1 The Division of Occupational and Professional Licensing ("the Division") filed a Notice of Agency Action in this matter on the 30th day of August 2011

2 This action is based upon Division records as reflected in the notice of agency action filed herein which show Anderson Brothers Construction LLC (the "Respondent") failed to replace its qualifier within 60 days after the qualifier ceased association with the Respondent as required by Utah Code Annotated 58-55-304(6) Division records indicate the qualifier ceased association with the Respondent on or before the 12th day of March, 2011

3 The Respondent has failed to respond to the notice of agency action and according to Division records has failed to replace the qualifier as required by Utah Code Annotated 58-55-304(6)

CONCLUSIONS OF LAW

4 Respondent's failure to respond to the notice of agency action constitutes a basis for entry of default against Respondent

5 The notice of agency action and attached documentation supports a basis to conclude that the Respondent failed to replace its qualifier as required by Utah Code Annotated 58-55-304(6), the Respondent has engaged unprofessional conduct as provided by Utah Code Annotated 58-1-501(2)(a) and Respondent no longer meets the qualification for licensure as provided by Utah Code Annotated 58-55-304(3)-(5)

6 The Division is authorized to revoke the Respondent's contractor license as provided by Utah Code Annotated 58-1-401(1) because the Respondent no longer meets the qualifications for license by having a qualifier as required by Utah Code Annotated 58-55-304(3)-(5)

7 The Division is authorized to revoke the Respondent's contractor license as provided by Utah Code Annotated 58-1-401(2)(a) for engaging in unprofessional conduct as provided by Utah Code Annotated 58-1-501(2)(a) for failure to replace the qualifier as require by Utah Code Annotated 58-55-304(6)

ORDER

WHEREFORE, IT IS ORDERED Respondent's default is hereby entered

WHEREFORE, IT IS ORDERED Respondent's license to practice as a contractor in this state shall be revoked, effective on the date this order is signed

On behalf of the Construction Services Commission and the Division of Occupational and Professional Licensing, I hereby certify the foregoing Findings of Fact, Conclusions of Law and Order was submitted to the Construction Services Commission and the Division on the 16th day of Nov 2011 for their review and action

Dan S Jones, Bureau Manager

ORDER

THE ABOVE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER in the matter of **ANDERSON BROTHERS CONSTRUCTION LLC** is hereby adopted by the Construction Services Commission of the State of Utah

DATED this 16 day of Nov, 2011

CONSTRUCTION SERVICES COMMISSION
Representative

I concur with the above Order, which the Construction Services Commission has approved

DATED this 16 day of Nov, 2011

DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING

MARK B STEINAGEL
Director

Pursuant to Utah Code Ann Subsection 63G-4-209(3), Respondent may seek to set aside the above-stated default order by filing such a request with the Division consistent with procedures outlined in the Utah Rules of Civil Procedure