

MINUTES

UTAH RESIDENCE LIEN RECOVERY FUND ADVISORY BOARD MEETING

June 11, 2008

North Conference Room – 8:15 am
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 8:15 am

ADJOURNED: 9:00 am

Board Members Present:

James Havell, Chair
Merlin Taylor, Vice-Chair
Patty Fullmer
Karyn Bunnell
Jeff Richards
Joanne Martin
Allen Nielson

Guests:

Todd and Tracie Gillis, homeowners

DOPL Staff Present:

Division Director, David Stanley
Associate Director, Ross Ford
Program Manager, Dane Ishihara
Claims Examiner, Jessica Giatras
AAG, Tony Patterson
Board Secretary, Ann Naegelin
Program Specialist, Vonnie Anderson

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Review and approve minutes from the May 2008 board meeting.

Vonnie Anderson

Commendation for Service

DECISIONS AND RECOMMENDATIONS

Ms. Bunnell made a motion to approve the minutes as written. Mr. Taylor seconded the motion. Motion passed by unanimous vote.

Ms. Anderson was introduced to the Board. She is a temporary employee with the Division. She will be working with the Lien Recovery Fund.

Mr. Nielson was commended for his eight years of service on the Lien Recovery Fund Board. He served as the chairman for several of those years. He is a valuable member of the Board will be missed.

Homeowner Applications Approved by Division:

The following application were approved by the Division:

- a. Bill Shipp v Barry Buchanan Tile Inc
- b. John Himes v Sun Dancer Homes LLC
- c. Matthew Johnson v Aegis Management LLC dba Concrete Design Innovations
- d. Thomas & Angelica Green v CR Petersen Inc
- e. Jared Stubbs v Sunplay Pools Construction Inc
- f. Andrew Knapp v CDB Construction Inc
- g. Donnette Mayer v Kelly Anderson Construction Inc

Homeowner Applications for Review:

1. Recommended for Approval & Explanation Required
 - a. SJTPET001 Jared Peterson v SJT Construction LLC – Mr. Ishihara gave a brief explanation of the application. Ms. Martin made a motion to approve the application. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
2. Recommended for Denial & Explanation Required
 - a. ALLMAY001 Rick & Sherri May v Allbuild Construction Inc – The homeowners asked to withdraw this application. The liens have been resolved.
 - b. WOLGIL001 Todd & Tracie Gillis v Wolverine Construction Inc – Mr. Ishihara gave a brief explanation of the application. The homeowners have not submitted evidence of a signed contract prior to the start of work. Mr. Patterson explained the statutory requirements an application must meet in order to be approved. Mr. Richards made a motion to deny the application. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.

Informal Claims for Review:

- Recommended for Denial & Explanation Required
- a. LRF-2007-1106-01 Bills Custom Electric Inc v Scotland Construction & Development Inc (JAM Investments LC) – Mr. Patterson explained that res judicata means a decision has already been made so it does not need to be reconsidered. The contractor was issued a citation. During a hearing, the contractor admitted he contracted without a license and a fine was imposed. The contractor was not licensed when the work was done. Mr. Nielson made a motion to deny the application. Mr. Richards seconded the motion. Motion passed by unanimous vote.
 - b. LRF-2007-1107-01 Bills Custom Electric Inc v Scotland Construction & Development Inc (Henrie) - Mr. Nielson made a motion to deny the application. Mr. Richards seconded the motion. Motion passed by

unanimous vote.

- c. LRF-2007-1107-02 Bills Custom Electric Inc v Scotland Construction & Development Inc (Strong) - Mr. Nielson made a motion to deny the application. Mr. Richards seconded the motion. Motion passed by unanimous vote.

Construction Defects

Mr. Taylor would like to require an independent opinion when a party is claiming a defect in work. A bid to tear out and replace does not necessarily mean there is a defect. The Board cannot determine if there is a defect or the extent of the defect from photographs. This item will be discussed in the future.

ADJOURN:

Meeting adjourned at 9:00 am

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

July 9, 2008
Date Approved

(ss) Merlin Taylor
Vice Chairperson, Residence Lien Recovery Fund Advisory Board

July 9, 2008
Date Approved

(ss) Dane Ishihara
Program Coordinator, Division of Occupational & Professional Licensing