

## MINUTES

### UTAH RESIDENCE LIEN RECOVERY FUND ADVISORY BOARD MEETING

October 8, 2008

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

**CONVENED:** 8:18 am

**ADJOURNED:** 9:20 am

**Board Members Present:**

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

**Board Members Absent:**

**Guests:**

Michael Scott Arnold, homeowner  
Rick Larsen, homeowner  
Dusty France, attorney  
John Jensen, homeowner  
Randy Coke, attorney

**DOPL Staff Present:**

Associate Director, Ross Ford  
Operations Manager, Dave Taylor  
Program Manager, Dane Ishihara  
Claims Examiner, Jessica Giatras  
Claims Examiner, Jon Uriarte  
AAG, Tony Patterson  
Board Secretary, Ann Naegelin

### TOPICS FOR DISCUSSION

### DECISIONS AND RECOMMENDATIONS

**ADMINISTRATIVE BUSINESS:**

Review and approve minutes from the September 2008 board meeting.

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

**Homeowner Application Approved by the Division:**

The following applications were approved by the Division:  
**a. Bruce & Amy Thomas v Keepsake Homes Inc**  
**b. Erik Gross v TCON Homes**  
**c. David Benjamin & Bethany Ann Child v Sundance Homes LLC**  
**d. Bradford J & Ruthann C Groneman v Northern Exposure Construction**  
**e. John & Patricia Chambers v A D Johnson Remodeling LLC**  
**f. Jeff Stott v Dream Maker Inc**

**Homeowner Applications for Review:**

1. Recommended for Denial & Explanation Required
  - a. DENTRA001 Ruth Densley v Trade-West Development Corp – Mr. Ishihara gave a brief explanation of the application. Mr. Richards made a motion to deny the application. Mr. Taylor seconded the motion. Motion passed by unanimous vote.
  - b. DIVNEV001 Jeremy & Cindy Nevens v Diversified Contractors Group LLC – Mr. Ishihara gave a brief explanation of the application. Mr. Richards made a motion to deny the application. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
2. Recommended for Approval & Explanation Required
  - a. THEJEN001 John West Jensen v The Basement King Inc – Ms. Giatras gave a brief explanation of this application. Mr. Richards made a motion to approve the application. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
  - b. PRALAR001 Rick & Brita Larsen v Practical Living Spaces – Mr. Ishihara gave a brief explanation of this application. Mr. Richards made a motion to approve the motion. Ms. Martin seconded the motion. Motion passed by unanimous vote.
  - c. BCOARN001 Michael Scott Arnold v CDB Construction dba 3 B Construction – Mr. Uriarte gave a brief explanation of the application. Mr. Richards made a motion to approve the application. Ms. Martin seconded the motion. Motion passed by unanimous vote.
  - d. KIRAYR001 Michael W Ayre v Rockwell Homes Inc – Mr. Uriarte gave a brief explanation of the application. Ms. Fullmer made a motion to approve the application. Mr. Taylor seconded the motion. Motion passed by unanimous vote.

**Informal Claims for Review:**

1. Recommended for Approval
  - a. LRF-2007-0910-06 California Wholesale Material Supply dba Calply v Cesars Plastering & Designing Inc – Mr. Richards asked to be recused. Ms. Fullmer made a motion to pay the claim as recommended by the Division. Ms. Martin seconded the motion. Motion passed with five votes in favor. Mr. Richards did not vote.
  - b. LRF-2007-0910-11 California Wholesale Material Supply dba Calply v Cesars Plastering & Designing Inc - Mr. Richards asked to be recused. Ms. Fullmer made a motion

- to pay the claim as recommended by the Division. Ms. Martin seconded the motion. Motion passed with five votes in favor. Mr. Richards did not vote.
- c. LRF-2008-0723-04 Stock Building Supply v CDB Construction - Mr. Richards asked to be recused. Ms. Fullmer made a motion to pay the claim as recommended by the Division. Ms. Martin seconded the motion. Motion passed with five votes in favor. Mr. Richards did not vote.
2. Recommended for Approval
    - a. LRF-2008-0801-01 Alejandro Maya v Tisons Painting & Decorating Inc - This claim has been tabled until a later date.
  3. Recommended for Denial
    - a. LRF-2007-0702-03 Zion Plumbing Inc v Grand Improvements Inc – Mr. Ishihara gave a brief explanation of this claim. Ms. Martin made a motion to deny this claim. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
    - b. LRF-2008-0131-01 Pacific Coast Supply LLC v Sergio Macias Drywall Inc – Mr. Ishihara gave a brief explanation of the claim. Mr. Coke indicated the lien has been paid in full by the homeowner. Mr. Richards made a motion to grant the request to withdraw the claim. Mr. Taylor seconded the motion. Motion passed by unanimous vote.
    - c. LRF-2008-0228-01 Pacific Coast Supply LLC v Sergio Macias Drywall Inc- Mr. Ishihara explained proof of a written contract signed prior to commencement of qualified services has not been submitted. Mr. Coke does not agree and explained what he interprets to be a written contract. Mr. Patterson explained the requirements for a written contract as required by the Lien Recovery Fund Act. Ms. Martin made a motion to deny the claim. Mr. Richards seconded the motion. Motion passed by unanimous vote.

**ADJOURN:** Meeting adjourned at 9:20 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.*

November 12, 2008  
Date Approved

(ss) James Havell  
Chairperson, Residence Lien Recovery Fund Advisory Board

November 12, 2008  
Date Approved

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