

MINUTES

UTAH RESIDENCE LIEN RECOVERY FUND ADVISORY BOARD MEETING

February 11, 2009

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

CONVENED: 8:15 am

ADJOURNED: 9:40 am

Board Members Present:

Karyn Bunnell
Joanne Martin
Merlin Taylor, Acting Chair
Patty Fullmer

Board Members Absent:

James Havell, Chair
Jeff Richards, Vice-Chair

Guests:

Mickell Jimenez Rowe, Attorney for Nevens
Mark Fountaine, Baldwin Homes
Trayson Baldwin, Baldwin Homes
Dean Britton, Homeowner
Mark Broadway, Homeowner
Fanny Broadway, Homeowner
Greg Barrick, Attorney for Broadway

DOPL Staff Present:

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

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Review and approve minutes from the January 2009 board meeting.

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

Homeowner Applications Approved by the Division:

The following applications were approved by the Division:

- a) Robert & Kathy Goodwin v David Kast Construction
- b) Ryan Jones v Total Rock Drywall Inc
- c) Mary & Jake Joines v TMJ Construction Inc
- d) Marc Turman v AA Decorative Curbing Inc
- e) Tyler Geertsen v Corban Construction Inc
- f) Dan Bell v Epic Homes Builders
- g) Stuart & Cindy Collyer v SWD Construction (Utah) LLC
- h) Gary Matern v Exit Realty Masters
- i) Kenneth Rawlings v Rigby Construction Inc
- j) Dorothy Rutherford v Maestro Builders
- k) Brian McCade Haderlie v Prema Communities LLC
- l) Stephany & Jason Llewellyn v C Bro Construction
- m) Kenneth & Karen Moore v Ledge Stone Masonry Inc
- n) Michael & Carole Warburton v DS Thayne LLC
- o) Rick & Teressa Miller v Noble Landscape Inc
- p) Trent & Tracy Brown v Equity Solutions
- q) Scott Davis v BK2 Holdings LLC
- r) John & Laurie English v Michael D Carlson
- s) Robert & Pam Eppel v Equity Solutions
- t) Scott Peters v Pro Exteriors Inc
- u) Eileen Schow Erekson v A Team Footing and Foundations Inc
- v) Jeremy C Blanck v Inklyne Construction Inc

Homeowner Applications for Review:

1. Recommended for Denial & Explanation Required
 - a) BALBRO001 Mark & Fanny Broadway v Baldwin Homes LLC – Mr. Ishihara gave a brief explanation of the application. The parties disagree whether or not the contract has been paid in full. Mr. Barrick gave an explanation on behalf of the homeowners. The homeowners were also present to answer questions. Mr. Fontaine and Mr. Baldwin gave a brief explanation and answered questions for Baldwin Homes. Ms. Fullmer made a motion to deny the claim as advised by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
 - b) DIVNEV001 Jeremy & Cindy Nevens v Diversified Contractors Group LLC- The attorney for the Nevens' gave a brief explanation of the application. Ms. Bunnell made a motion to approve the application. Ms. Martin seconded the motion. Motion passed by unanimous vote.
 - c) OLDDIA001 Nathan Diaz v Old School Inc- This item will be tabled until a later date.
 - d) PREBRI001 Dean & Alison Britton v Prema Communities LLC- Mr. Ishihara gave a brief explanation of this application. The homeowner has not submitted proof of payment in full. Mr. Britton gave a brief explanation. Ms. Martin made a motion to allow additional time for the homeowner to obtain payment schedules. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.

Informal Claims for Review:

1. Recommended for Approval
 - a) LRF-2008-0424-01 MJR Construction v Jaco Building & Development Inc - Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - b) LRF-2008-1023-01 Murray Glass LLC v Kelly Anderson Construction Inc - Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - c) LRF-2008-1103-04 Eyre Electric Inc v Cobalt Homes Inc - Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - d) LRF-2008-1103-09 Eyre Electric Inc v Cobalt Homes Inc - Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - e) LRF-2008-1125-01 Distinctive Marble & Granite LLC v Prema Communities LLC J - Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - f) LRF-2008-1126-06 Harper Ready Mix Company v Aegis Management LLC dba Concrete Design Innovation – Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - g) LRF-2008-1126-07 Harper Ready Mix Company v Aegis Management LLC dba Concrete Design Innovation – Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - h) LRF-2008-1209-01 Harper Ready Mix Company v Aegis Management LLC dba Concrete Design Innovation - Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - i) LRF-2008-1209-02 Harper Ready Mix Company v Aegis Management LLC dba Concrete Design Innovation - Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - j) LRF-2008-1209-03 Harper Ready Mix Company v Aegis Management LLC dba Concrete Design Innovation - Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.

- k) LRF-2008-1209-04 Harper Ready Mix Company v Aegis Management LLC dba Concrete Design Innovation - Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - l) LRF-2008-1209-05 Harper Ready Mix Company v Aegis Management LLC dba Concrete Design Innovation - Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - m) LRF-2008-1209-06 Harper Ready Mix Company v Aegis Management LLC dba Concrete Design Innovation - Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - n) LRF-2008-1209-07 Harper Ready Mix Company v Aegis Management LLC dba Concrete Design Innovation - Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - o) LRF-2008-1222-01 Reliance Electric Inc v Blade Leigh Construction Inc - Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - p) LRF-2008-1222-03 Burton Lumber & Hardware v A Wholesale Siding & Windows Company Inc – Ms. Bunnell made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
2. Recommended for Denial & Explanation Required
- a) LRF-2006-0807-01 Sprinkler Supply Company v Alpine Sprinklers and Landscaping Inc – Mr. Ishihara gave a brief explanation of the claim. Ms. Martin made a motion to deny the claim. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - b) LRF-2008-0428-01 Pacific Coast Supply LLC v Dave Mayoh Construction LLC - Mr. Ishihara gave a brief explanation of the claim. Ms. Martin made a motion to deny the claim. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
3. Recommended for Denial & Explanation Required
- a) LRF-2008-0915-01 Sunroc Corporation v Taylor Brother Construction Inc – This item is continued.
LRF-2008-0915-02 Sunroc Corporation v Taylor Brother Construction Inc – This item is continued.

ADJOURN:

Meeting adjourned at 9:40 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.

March 11, 2009
Date Approved

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

March 11, 2009
Date Approved

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