

MINUTES

**UTAH
RESIDENCE LIEN RECOVERY FUND
ADVISORY BOARD
MEETING**

September 9, 2009

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

CONVENED: 8:20 am

ADJOURNED: 9:20 am

Board Members Present:

James Havell, Chair
Jeff Richards, Vice-Chair
Karyn Bunnell
Merlin Taylor
Douglas W Darrington
Patty Fullmer

Board Members Absent:

Guests:

Joe Witt, Joe Witt Construction

DOPL Staff Present:

AAG, Tony Patterson
Program Manager, Dane Ishihara
Claims Examiner, Jon Uriarte
Claim Examiner, Armela Christiansen
Board Secretary, Ann Naegelin

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Review and approve minutes from the August 2009 board meeting.

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

Fund Repayments

Mr. Ishihara reported that the fund has been repaid \$233,844.90 since January 1, 2000. Of that amount, \$13,158.21 has been repaid since January 1, 2009. Repayment information prior to January 1, 2000 was not available. Mr. Patterson explained the process for locating assets for lien repayment.

Homeowner Applications Approved by the Division:

The following applications were approved by the Division:

- a) Jeff Pierson v Carolina Mill & Cabinets Inc
- b) Nancy Watts v B V Peterson & Sons
- c) Gordon & Rhonda Kincaid v Canyonland Const
- d) Don Pacheco v Esprit Construction
- e) Tom Neuman v Jackson & Leroy Remodeling LLC
- f) Scott R and Amy N Florell v Master's Construction Inc
- g) Craig & Marsha Tupper v Thebeau Consulting Inc
- h) Kent Bailey v Timber Worx Post & Beam
- i) Jaydee R & Nichole Tubbs v Great American Homes Inc

Homeowner Applications for Review:

1. Recommended for Denial & Explanation Required

- a) GENBAR001 Bares Limited Partnership v General Concrete Inc – Mr. Uriarte gave brief explanation of this application. Mr. Richards made a motion to deny the application. Mr. Taylor seconded the motion. Motion passed by unanimous vote.
- b) JOEWIT001 Mike Witt v Joe Witt Construction Inc – Mr. Ishihara gave a brief explanation of this application. Joe Witt indicated that Mike Witt has occupied the home and currently lives in the home. Mr. Patterson reviewed the definition of owner for the Board. Ms. Bunnell made a motion to deny the application. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
- c) EGMHAR001 Chassie R, JB & Deborah H Harvill v EG Management LLC – Ms. Christiansen gave a brief explanation of this application. Ms. Bunnell asked to be recused. Mr. Richards made a motion to deny this application. Ms. Fullmer seconded the motion. Motion passed with five votes in favor. Ms. Bunnell did not vote.
- d) FARNIC001 Robert & Peggy Nicholson v Anthony Farnsworth – This application will be continued.

2. Recommended for Approval & Explanation Required

- a) DAVPRI001 Russell D Price v Dave Baxter Landscapes – Ms. Christiansen gave a brief explanation of this application. Ms. Bunnell made a motion to approve the application. Mr. Richards seconded the motion. Motion passed by unanimous vote.
- b) WASYAN001 Steven P & Jill E Yandura v Wasatch Homes Construction LLC- Mr. Ishihara gave a brief

explanation of this application. Mr. Richards made a motion to approve this application. Mr. Darrinton seconded the motion. Motion passed by unanimous vote.

Informal Claims for Review:

1. Recommended for Approval & No Explanation required
 - a) LRF-2009-0413-05 Durrant Slate Plumbing, Inc. v Keepsake Homes Inc (Thomas) – Ms. Bunnell made a motion to approve this claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - b) LRF-2009-0611-01 Masons Interiors LLC v Keepsake Homes Inc (Coffey) - Ms. Bunnell made a motion to approve this claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - c) LRF-2009-0706-02 Burton Lumber & Hardware v JWS Construction Inc (Bentley) - Ms. Bunnell made a motion to approve this claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - d) LRF-2009-0706-03 Burton Lumber & Hardware v JWS Construction Inc (Luettgerodt) - Ms. Bunnell made a motion to approve this claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - e) LRF-2009-0706-05 Sunroc Corporation v DB Landscaping LLC (Lovett) - Ms. Bunnell made a motion to approve this claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - f) LRF-2009-0713-01 Staker & Parsons Companies dba Western Rock v Snedeger & Sons Concrete Inc (Stevans) - Ms. Bunnell made a motion to approve this claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - g) LRF-2009-0713-02 Staker & Parsons Companies dba Western Rock v Snedeger & Sons Concrete Inc (Wignall) - Ms. Bunnell made a motion to approve this claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.
 - h) LRF-2009-0713-03 Staker & Parsons Companies dba Western Rock v Snedeger & Sons Concrete Inc (Rodriguez) - Ms. Bunnell made a motion to

approve this claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.

2. Recommended for Denial & Explanation Required

- a) LRF-2009-0407-01 Geneva Rock Products (Orem) v Rome Concrete, Inc, (Kramer) – Mr. Uriarte gave a brief explanation of this claim. Mr. Darrinton made a motion to deny this claim. Ms. Fullmer seconded this motion. Motion passed by unanimous vote.
- b) LRF-2009-0413-01 First Class Tile & Stone LLC v Keepsake Homes Inc (Smith) – Mr. Uriarte gave a brief explanation of this claim. Mr. Richards made a motion to deny this claim. Mr. Darrington seconded the motion. Motion passed by unanimous vote.
- c) LRF-2009-0611-05 Westroc Inc v Skeleton Key Properties Inc (Elton) – Mr. Uriarte gave a brief explanation of this claim. Mr. Richards made a motion to deny this claim. Ms. Bunnell 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.

October 14, 2009
Date Approved

(ss) Jeff Richards
Vice-Chair, Residence Lien Recovery Fund Advisory Board

October 14, 2009
Date Approved

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