

Utah Residence Lien Recovery Fund Advisory Board
Meeting Minutes May 9, 2007
North Conference Room
Heber Wells Building
Salt Lake City, UT 84111

Division Representatives Present: Program Coordinator Rich Oborn
AAG Tony Patterson
Director David Stanley
Bureau Manager Dan S. Jones
Board Secretary Ann Naegelin
Program Secretary Dane Ishihara
Claims Examiner Karen Campbell

Board Members Present: Karyn Ericksen, Chair
James Havell, Vice-Chair
Joanne Martin
Jeff Richards

Board Members Absent: John Erickson
Merlin Taylor
Allen Nielson

Guests: Michael Spilsbury, Durable Development
Matt Ball, Attorney
Damian Davenport, Attorney
Judd Flake, homeowner

Board Business: Convened 8:15 am

Approval of April 2007 Minutes: The minutes will be approved at the next meeting.

Discuss upcoming board member vacancies: There will be a vacancy on the Board for a supplier member. Names have been submitted for approval.

Applications for Certificate of Compliance:

1. Recommended for Approval & No Explanation Required
 - a. BLACAS001 Mario Castaneda v Blake Turek Construction – Rich / Ms. Martin made a motion to approve. Mr. Havell seconded the motion. Motion passed by unanimous vote.
 - b. CHIBUC001 Travis J Chipres & Amy Cherico v Buckley Homes Inc – Rich / Ms. Martin made a motion to approve. Mr. Havell seconded the motion. Motion passed by unanimous vote.
 - c. WCHKEL001 Noal Kelley v WC Hildebrand Roofing Inc – Karen / Ms. Martin made a motion to approve. Mr. Havell seconded the motion. Motion passed by unanimous vote.
2. Recommended for Approval & Explanation Required

- a. COXHIG001 Raymon Dale & Susan Jean Cox v High Class Homes Inc – Karen / Ms. Campbell gave a brief explanation of the application. Mr. Havell made a motion to approve. Mr. Richards seconded the motion. Motion passed by unanimous vote.
 - b. HORNGU001 Hao & Lucy Ngu v Horrocks Construction Inc – Karen / Ms. Campbell gave a brief explanation of the application. Ms. Martin made a motion to approve. Mr. Richards seconded the motion. Motion passed by unanimous vote.
 - c. KNIFLA001 Jay Flake v Knight Fencing Inc – Karen / Ms. Campbell gave a brief explanation of the claim. Three family members each bought a house in the same subdivision. The work was completed on each house, but the lien was placed on just one of the homes rather than each property. The CoC will be issued for this property only. The Power of Attorney was signed after the work was completed. Mr. Havell made a motion to approve contingent upon the Division receiving a statement from Mr. Jay Flake ratifying that he was aware of and is responsible for the contract. Mr. Richards seconded the motion. Motion passed by unanimous vote.
 - d. TAYMEL001 Jim & Nakole Mellor v Taylor Brother Construction Inc – Dane / Mr. Ishihara gave a brief explanation of the application. Mr. Richards made a motion to approve. Mr. Havell seconded the motion. Motion passed by unanimous vote.
3. No recommendation & Explanation Required
 - a. COLOST001 Amanda & Louise Cole v Ostmann Corporation – Rich / The homeowner requested this application be postponed until the next meeting.
 4. Recommended for Denial & Explanation Required
 - a. GREDAV001 William Lee Green v Dave Mayoh Construction LLC – Rich / Mr. Oborn gave a brief explanation of this application. The contract does not have an owner signature. Mr. Richards made a motion to deny. Ms. Martin seconded the motion. The motion passed by unanimous vote.
 - b. GUF DUR001 Mary C Guffey v Durable Development LLC – Rich / Mr. Oborn gave an explanation of this application. The Board discussed the application. The homeowner has not submitted evidence that the contract was paid in full. There are several items that still need to be completed. Mr. Spilsbury, owner of Durable Development and Real Estate Agent, gave an explanation. Mr. Ball, homeowner attorney, gave a brief explanation of this application. Ms. Martin made a motion to deny the application based on the fact that there is no evidence the contract was paid in full. Mr. Richards seconded the motion. Ms. Martin amended the motion to include in the denial that the burden of proof that contract was paid in full has not been met. Motion passed by unanimous vote.

Informal Claims for Review:

- a. LRF-2007-0213-01 Sunroc Corporation v Jaco Building & Development Inc (Contreras) – Dane / Mr. Havell made a motion to approve. Ms. Martin seconded the motion. Motion passed by unanimous vote.
- b. LRF-2007-0213-03 Sunroc Corporation v Jaco Building & Development Inc (Lovingier) – Dane / Mr. Havell made a motion to approve. Ms. Martin seconded the motion. Motion passed by unanimous vote.
- c. LRF-2007-0302-01 Burton Lumber & Hardware v HBA Consulting LLC (Wilkinson) – Dane / Mr. Havell made a motion to approve. Ms. Martin seconded the motion. Motion passed by unanimous vote.

- d. LRF-2007-0302-02 Burton Lumber & Hardware v HBA Consulting LLC (Robinson) – Dane / Mr. Havell made a motion to approve. Ms. Martin seconded the motion. Motion passed by unanimous vote.
- e. LRF-2007-0302-03 Burton Lumber & Hardware v HBA Consulting LLC (Wilson) – Dane / Mr. Havell made a motion to approve. Ms. Martin seconded the motion. Motion passed by unanimous.
- f. LRF-2007-0302-04 Burton Lumber & Hardware v HBA Consulting LLC (Brown) – Dane / Mr. Havell made a motion to approve. Ms. Martin seconded the motion. Motion passed by unanimous vote.
- g. LRF-2007-0302-05 Burton Lumber & Hardware v HBA Consulting LLC (Clark) – Dane / Mr. Havell made a motion to approve. Ms. Martin seconded the motion. Motion passed by unanimous vote.
- h. LRF-2007-0307-01 Ross Construction Inc v Vision, A Design and Build Company LLC (Schwing) – Dane / Mr. Havell made a motion to approve. Ms. Martin seconded the motion. Motion passed by unanimous vote.

Next Meeting and
Adjournment:

The next meeting will be June 13, 2007.
Meeting adjourned at 9:35 am.

June 13, 2007
Date

(ss) James Havell
Vice-Chair, Residence Lien Recovery Fund Advisory Board

June 13, 2007
Date

(ss) Rich Oborn
Residence Lien Recovery Fund Program Coordinator