

**MINUTES**

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

**August 13, 2008**

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

**CONVENED:** 8:25 am

**ADJOURNED:** 9:00 am

**Board Members Present:**

James Havell, Chair  
Merlin Taylor, Vice-Chair  
Patty Fullmer  
Karyn Bunnell

**Board Members Absent:**

Jeff Richards  
Joanne Martin

**Guests:**

Margaret Wilgar, Homeowner  
Greg Wilson, Homeowner  
Ray Fallows, Homeowner  
Graham Norris, Attorney, S & C Concrete

**DOPL Staff Present:**

Division Director, David Stanley  
Associate Director, Ross Ford  
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 June 2008 board meeting.

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

Staffing Update

Mr. Ishihara introduced Jon Uriarte as the new claims examiner.

Selection of Chair

Mr. Havell will continue to serve as Chairman.  
Mr. Richards was selected as the Vice Chairman.

Application Issues

Mr. Ishihara indicated that they are receiving several applications that are showing as a refinance. Mr. Taylor suspects they are really building a spec home with the assistance of a general contractor. On a refinance there is only one side to the HUD-1. The change in the market has created some of these problems. Mr. Patterson reminded Mr. Ishihara that there is a paralegal available to research city and county records.

**Homeowner Application Approved by the Division:**

The following applications were approved by the Division:

Adam & Dori Bowman v Glen Haney Carpentry Inc  
Amy Thackeray v Practical Living Spaces  
Anthony G & Angela K Bradt v Practical Living Spaces  
Brian Ortega v Practical Living Spaces  
Brian J & Brenda Snell v Practical Living Spaces  
Bruce & Janae Bahner v T-Con Limited Partnership  
Bryn Kaelin & Andrew Diaz v Focus Point Landscaping LC  
Chelsea Walker v Wolverine Construction  
Christopher & Kimberli Hughes v Practical Living Spaces  
Colter Hammer v Badger Construction  
Ed & Jennifer Montoya v Practical Living Spaces  
Gary D Moore v Steve McBride  
Gordan & Judith Krengel v Big Brother Construction Inc  
Jayne Andrews v Dream Maker Inc  
Kelly & Michelle Milgate v CR Petersen Inc  
Kip & Anne Carman v Practical Living Spaces  
Kyle & Patrica Herret v HT Construction  
Michael & Tina Vigos v Dave Mayoh Construction LLC  
Nicole & Peter Goebel v Jimmy Zufelt Construction Inc  
Oliver Moore v Sagecreek Development  
Paul & Dolores Satter v Wolverine Construction Inc  
Paul H & Christine Ludlow v Evolution Custom Homes Inc  
Randy & Alexis Gruninger v The Basement King Inc  
Raymond Caldwell v Aegis Management LLC dba Concrete Design Innovations  
Riley & Cindi Frazier v MGM Concrete, Mike Marquez  
Robert Carmichael v Practical Living Spaces  
Steven & Ruth Penderghast v Evolution Custom Homes Inc  
Terence Elial & Melba Yoko v Alpine Log Homes Inc  
William C Trafelet v Practical Living Spaces

**Homeowner Applications for Review:**

1. Recommended for Approval & Explanation Required
  - a. CDBFAL001 Ray Fallow v CDB Construction - Mr. Ishihara gave a brief explanation of the application.

Mr. Taylor made a motion to approve the application. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.

- b. SHEWIL001 Greg & Marga Wilgar v James Sherratt Construction - Mr. Ishihara gave a brief explanation of the application. Ms. Bunnell made a motion to approve the application. Mr. Taylor seconded the motion. Motion passed by unanimous vote.
2. Recommended for Denial & Explanation Required
    - a. MARMAI001 Frank Maione v Mark Milby Construction Inc - Mr. Ishihara gave a brief explanation of the application. The homeowner has not submitted proof of a written contract or payment in full. Ms. Fullmer made a motion to deny the application. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
    - b. SCCHOL001 Rhett Holbrook v S & C Concrete - Mr. Ishihara gave a brief explanation of the application. The homeowner has not submitted proof of a written contract or payment in full. The homeowner claims the work was substandard so they would not pay the full amount. Ms. Bunnell made a motion to deny the application. Mr. Taylor seconded the motion. Motion passed by unanimous vote.

### **Informal Claims for Review:**

1. Recommended for Approval
  - a. LRF-2008-0115-01 Johansen's Pool Service Inc v Custom Landscape Inc - Mr. Taylor made a motion to approve the claim as recommended by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
  - b. LRF-2008-0306-02 Burton Lumber & Hardware v Kelly Anderson Construction Inc - Mr. Taylor made a motion to approve the claim as recommended by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
  - c. LRF-2008-0313-01 Samuel Fisher & Co v Blade Leigh Construction Inc - Mr. Taylor made a motion to approve the claim as recommended by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
  - d. LRT-2008-0313-02 Samuel Fisher & Co v Blade Leigh Construction Inc - Mr. Taylor made a motion to approve the claim as recommended by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
  - e. LRT-2008-0425-01 Stock Building Supply West Inc v Cody Lewis Construction Inc - Mr. Taylor made a motion to approve the claim as recommended by the

- Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
- f. LRT-2008-0514-01 Muddy Boys Drywall v HBA Consulting LLC - Mr. Taylor made a motion to approve the claim as recommended by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.
  - g. LRT-2008-0603-01 Burton Lumber & Hardware v Killian Construction & Development Inc - Mr. Taylor made a motion to approve the claim as recommended by the Division. Ms. Bunnell seconded the motion. Motion passed by unanimous vote.

**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.*

September 10, 2008  
Date Approved

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

September 10, 2008  
Date Approved

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