

MINUTES

UTAH RESIDENCE LIEN RECOVERY FUND ADVISORY BOARD MEETING

August 12, 2009

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

CONVENED: 8:15 am

ADJOURNED: 9:10 am

Board Members Present:

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

Board Members Absent:

Guests:

Ryan Nord, attorney for Masons Interiors

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 July 2009 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

Ms. Christiansen was introduced to the Board.

Governor's Ethics Policy

The Governor's Ethics Policy was reviewed by the Board.

Homeowner Applications Approved by the Division:

The following application were approved by the Division:

- a) Alan W & Mariel JT Blacker v Classis Construction Services Inc
- b) Bruce Russell v No Sweat Construction, LLC

- c) Cory B Carter v Newland Enterprises Inc
- d) Kevin Petkovesk v Esprit Construction
- e) Leonard Cobb v Travis & Nikki Trades Inc
- f) Richard & Joanna Kreifieldt v Boulder Creek Homes & Construction Inc
- g) Richard Todd Copling v Ross Construction Inc
- h) Ronald Hunt v Herbert R Burnett
- i) Shane Harrison v Snedeger & Sons Concrete inc
- j) Theral Mott v P.C Companies Inc

Homeowner Applications for Review:

1. Recommended for Denial & Explanation Required
 - a) HAMTOR001 Richard Christopher & Amy Love Torman v Hammer & Nail LLC – Mr. Uriarte gave a brief explanation of this application. The Division has changed their recommendation to approval. Mr. Richards made a motion to approve this application as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by a unanimous vote.
2. Recommended for Approval & Explanation Required
 - a) NUTMAR001 Frederick E & Sachiko Marryott v Nut Tree Construction Inc – Mr. Uriarte gave a brief explanation of this application. Mr. Richards made a motion to approve the application as recommended by the Division. Mr. Darrington seconded the motion. Motion passed by unanimous vote.
 - b) RENPIL001 Peggy A Pillmore v Renaissance Homes Inc – This application has been tabled.
 - c) WASHEA001 Todd & Danielle Heaps v Wasatch Homes at Suncrest LLC – Mr. Ishihara gave a brief explanation of this application. Mr. Richards made a motion that the Director use his equitable power and approve the application. Mr. Taylor seconded the motion. Motion passed by unanimous vote.

Informal Claims for Review:

1. Recommended for Approval & No Explanation required
 - a) LRF-2009-0304-02 Tipton Landscaping Inc v Wilson Scott Inc (Call-Schmidt) – Mr. Richards and Ms. Fullmer asked to be recused. Ms. Bunnell made a motion to approve the claim as

recommended by the Division. Mr. Darrington seconded the motion. Motion passed with four votes in favor. Mr. Richards and Ms. Fullmer did not vote.

- b) LRF-2009-0406-03 Metro Ready Mix LLC v Front Gate Homes Inc (Bryar)- Mr. Richards and Ms. Fullmer asked to be recused. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Darrington seconded the motion. Motion passed with four votes in favor. Mr. Richards and Ms. Fullmer did not vote.
- c) LRF-2009-0423-01 BMC West Corporation v Citadel Builders (Eves)- Mr. Richards and Ms. Fullmer asked to be recused. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Darrington seconded the motion. Motion passed with four votes in favor. Mr. Richards and Ms. Fullmer did not vote.
- d) LRF-2009-0427-03 Distinctive Marble & Granite, v Carolina Mill & Cabinets Inc (Bench)- Mr. Richards and Ms. Fullmer asked to be recused. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Darrington seconded the motion. Motion passed with four votes in favor. Mr. Richards and Ms. Fullmer did not vote.
- e) LRF-2009-0430-01 Metro Ready Mix LLC v Front Gate Homes Inc (Kingsford)- Mr. Richards and Ms. Fullmer asked to be recused. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Darrington seconded the motion. Motion passed with four votes in favor. Mr. Richards and Ms. Fullmer did not vote.
- f) LRF-2009-0504-01 Burton Lumber & Hardware v Keepsake Homes Inc (Zaidi)- Mr. Richards and Ms. Fullmer asked to be recused. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Darrington seconded the motion. Motion passed with four votes in favor. Mr. Richards and Ms. Fullmer did not vote.
- g) LRF-2009-0504-02 Burton Lumber & Hardware

- v Keepsake Homes Inc (Radloff)- Mr. Richards and Ms. Fullmer asked to be recused. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Darrington seconded the motion. Motion passed with four votes in favor. Mr. Richards and Ms. Fullmer did not vote.
- h) LRF-2009-0504-03 Burton Lumber & Hardware v Keepsake Homes Inc (Smith)- Mr. Richards and Ms. Fullmer asked to be recused. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Darrington seconded the motion. Motion passed with four votes in favor. Mr. Richards and Ms. Fullmer did not vote.
- i) LRF-2009-0513-01 Metro Ready Mix LLC v Wolverine Construction Inc (Dinsmore)- Mr. Richards and Ms. Fullmer asked to be recused. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Darrington seconded the motion. Motion passed with four votes in favor. Mr. Richards and Ms. Fullmer did not vote.
- j) LRF-2009-0520-01 Stock Building Supply West Inc v Red Creek Builders Inc (Shank)- Mr. Richards and Ms. Fullmer asked to be recused. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Darrington seconded the motion. Motion passed with four votes in favor. Mr. Richards and Ms. Fullmer did not vote.
- k) LRF-2009-0520-04 02 Masons Interiors LLC v Keepsake Homes Inc (Zaidi)- Mr. Richards and Ms. Fullmer asked to be recused. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Darrington seconded the motion. Motion passed with four votes in favor. Mr. Richards and Ms. Fullmer did not vote.
- l) LRF-2009-0603-01 California Wholesale Material Supply dba CALPLY v Premier Construction and Development (Allred)- Mr. Richards and Ms. Fullmer asked to be recused. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr.

Darrington seconded the motion. Motion passed with four votes in favor. Mr. Richards and Ms. Fullmer did not vote.

- m) LRF-2009-0611-02 Masons Interiors LLC v Keepsake Homes Inc (Chinn)- Mr. Richards and Ms. Fullmer asked to be recused. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Darrington seconded the motion. Motion passed with four votes in favor. Mr. Richards and Ms. Fullmer did not vote.
- n) LRF-2009-0611-03 Masons Interiors LLC v Keepsake Homes Inc (Radloff)- Mr. Richards and Ms. Fullmer asked to be recused. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Darrington seconded the motion. Motion passed with four votes in favor. Mr. Richards and Ms. Fullmer did not vote.
- o) LRF-2009-0611-04 Distinctive Marble & Granite, LLC v Ellis & Sons Construction (Libicz)- Mr. Richards and Ms. Fullmer asked to be recused. Ms. Bunnell made a motion to approve the claim as recommended by the Division. Mr. Darrington seconded the motion. Motion passed with four votes in favor. Mr. Richards and Ms. Fullmer did not vote.

2. Recommended for Approval & Explanation Required

- a) LRF-2009-0414-01 Harper Ready Mix Company LLC v Crestwood Homebuilders of Utah (Richardson) - Mr. Uriarte gave a brief explanation of this claim. Mr. Taylor made a motion to approve the claim as recommended by the Division. Ms. Fullmer seconded the motion. Motion passed by unanimous vote.

3. Recommended for Denial & Explanation Required

- a) LRF-2007-1023-01 Chanshare Inc v Earthskin Landscaping & Construction (Berger)- Mr. Ishihara gave a brief explanation of the claim. Mr. Richards made a motion to deny this claim based the recommendation by the Division. Ms. Bunnell seconded the motion. Motion

passed by unanimous vote.

ADJOURN: Meeting adjourned at 9:10 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 9, 2009
Date Approved

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

September 9, 2009
Date Approved

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