

## MINUTES

### UTAH RESIDENCE LIEN RECOVERY FUND ADVISORY BOARD MEETING

November 10, 2010  
North Conference Room – 8:15 am  
Heber Wells Building  
Salt Lake City, UT 84111

**CONVENED:** 8:15 am

**ADJOURNED:** 9:34 am

**Board Members Present:**

Jeff Richards, Chair  
Douglas Darrington, Vice-Chair  
Merlin Taylor  
Patty Fullmer  
Daniel Dearden, arrived late  
Calvin Bowen

**Board Members Absent:**

James Havell

**DOPL Staff Present:**

Program Manager, Dane Ishihara  
Claims Examiner, Mike Palumbo  
Fund Secretary, Tracy Naff  
AAG, Tony Patterson

**Guests:**

Eric & Michelle Merrill, homeowners  
Scott Boman, homeowner  
Sherry Jones, homeowner  
Doris Jones  
Ivan Jones  
Rinaldo Hunt, homeowner  
Len Eldridge, No Limit Drywall Inc  
Darrin Hammond, counsel for Scott Boman  
Dana Farmer, counsel for Interpace Industries Inc  
Taylor Fox, counsel for Aspire Design Inc

### TOPICS FOR DISCUSSION

### DECISIONS AND RECOMMENDATIONS

#### **ADMINISTRATIVE BUSINESS:**

Review and approve minutes from the 2010 board meeting.

Mrs Fullmer made a motion to approve the October 2010 minutes with minor correction. Mr Taylor seconded the motion. Motion passed by unanimous vote. Mr Dearden not present.

#### **Homeowner Application Approved Prior to the Board Meeting:**

Jeffrey & Claudia Killian v Jay Jones Construction Inc  
Kerry Chevront v Ron Green Construction  
Linda A DesBarres v T J Barham Construction

**Homeowner Applications for Review:**

1. Recommended for Denial & Explanation Required

- a) LSBSOO001 Brian & Linda Soo Hoo v L&S Builders LLC – Mr Palumbo gave a brief explanation of this application. Mr Darrington made a motion to deny the application. Mr Taylor seconded the motion. Motion passed by unanimous vote. Mr Dearden not present.
- b) LSBSOO002 Brian & Linda Soo Hoo v L&S Builders LLC – Mr Palumbo gave a brief explanation of this application. Mr Darrington made a motion to deny the application. Mr Taylor seconded the motion. Motion passed by unanimous vote. Mr Dearden not present.
- c) LSBSOO003 Brian & Linda Soo Hoo v L&S Builders LLC – Mr Palumbo gave a brief explanation of this application. Mr Darrington made a motion to deny the application. Mr Taylor seconded the motion. Motion passed by unanimous vote. Mr Dearden not present.
- d) LSBSOO004 Brian & Linda Soo Hoo v L&S Builders LLC – Mr Palumbo gave a brief explanation of this application. Mr Darrington made a motion to deny the application. Mr Taylor seconded the motion. Motion passed by unanimous vote. Mr Dearden not present.
- e) LSBSOO005 Brian & Linda Soo Hoo v L&S Builders LLC – Mr Palumbo gave a brief explanation of this application. Mr Darrington made a motion to deny the application. Mr Taylor seconded the motion. Motion passed by unanimous vote. Mr Dearden not present.

2. Recommended for Denial & Explanation Required

- a) ACEBOM001 Scott & LeAnn Boman v Ace Concrete Inc. Mr Ishihara gave a brief explanation of this application. Mr Hammond presented his explanation. Mr Patterson responded to Mr Hammond's analysis. Mr Darrington made a motion to deny the application. Mrs Fullmer seconded the motion. Motion passed by unanimous vote. Mr Dearden not present.
- b) CONMAY001 Matt Mayoros v 7 Construction LLC. Mr Palumbo gave a brief explanation of this application. Mr Taylor made a motion to deny the application. Mr Darrington seconded the motion. Motion passed by unanimous vote.
- c) EXPSIN001 Jugraj Singh v Express Blinds and Shutters. Mr Ishihara gave a brief explanation of this application. Mr Darrington made a

- motion to deny the application. Mrs Fullmer seconded the motion. Motion passed by unanimous vote.
- d) GROPAR001 Michael & Kristina Paras v Ground Zero Construction Inc. Mr Ishihara gave a brief explanation of this application. Mr Darrington made a motion to deny the application. Mr Bowen seconded the motion. Motion passed by unanimous vote.
  - e) POWWAR001 Ronald Ray Warren v Powder First Inc dba Kitchens Direct. Mr Palumbo gave a brief explanation of this application. Mr Taylor made a motion to deny the application. Mrs Fullmer seconded the motion. Motion passed by unanimous vote.
  - f) STOMER001 Eric Merrill v Stone Haven Walls LLC. Mr Ishihara gave a brief explanation of this application. Mr Merrill responded with an explanation of his evidence. Based on Mr Merrill's explanation of the fact pattern Mr Ishihara changed the Division's recommendation to approval. Mr Taylor made a motion to approve the application. Mrs Fullmer seconded the motion. Motion passed by unanimous vote.
  - g) WILJON002 Sherry Jones v Wilco LLC. Mr Ishihara gave a brief explanation of this application. Mrs Jones provided additional evidence. The Division recommended the application be approved based on the supplemental evidence. Mr Darrington made a motion to approve the application. Mrs Fullmer seconded the motion. Motion passed by unanimous vote.

### 3. Recommended for Approval & Explanation Required

- a) PREHUN001 Rinaldo Hunt v Prettyman Construction & Remodeling LLC. Mr Ishihara gave a brief explanation of this application. Mrs Fullmer made a motion to approve the application. Mr Taylor seconded the motion. Motion passed by unanimous vote.

**Informal Claims for Review:**

1. Recommended for Denial & Explanation Required

- a) LRF-2005-1130-01 Williams Glass Company v Continuum Contracting Co (Peterson). Mr Patterson gave a brief explanation of this application. Mr Darrington made a motion to deny the application. Mrs Fullmer seconded the motion. Motion passed by unanimous vote.
- b) LRF-2009-0917-03 Interpace Industries Inc v Rigby Construction Inc (Wasden). Mr Ishihara gave a brief explanation of this application. Mr Farmer explained the relationship of Interpace Industries Inc and Interpace Holdings LLC. Mr Patterson offered to the board a definition of qualified services. Mr Darrington made a motion to table the application until the next board meeting. Mr Bowen seconded the motion. Motion passed by unanimous vote.
- c) LRF-2010-0111-02 Mountainview Builders Supply Inc v David Kast Construction (Goodwin). Mr Ishihara gave a brief explanation of this application. Mrs Fullmer made a motion to deny the application. Mr Darrington seconded the motion. Motion passed by unanimous vote.
- d) LRF-2010-0903-01, LRF-2010-0903-03 No Limit Drywall Inc v Coping Construction. (Pulli, Roper). Mr Ishihara gave a brief explanation of this application. Mrs Fullmer made a motion to deny the application. Mr Taylor seconded the motion. Motion passed by unanimous vote.

2. Recommended for Approval & No Explanation Required

- a) LRF-2009-0910-01 Ready Mix Company v Keepsake Homes Inc (Torman). Mr Darrington made a motion to approve the application. Mr Taylor seconded the motion. Motion passed by unanimous vote.
- b) LRF-2009-1117-01 Lighting Design LLC dba The Lighting Design Company v Desert Point Builders Inc (Lovett). Mr Darrington made a motion to approve the application. Mr Taylor seconded the motion. Motion passed by unanimous vote.
- c) LRF-2009-1125-02 Lillywhite Stone Inc v Dave Baxter Landscapes (Lisi). Mr Darrington made a motion to approve the application. Mr Taylor seconded the motion. Motion passed by unanimous vote.
- d) LRF-2009-1125-03 Lillywhite Stone Inc v Dave Baxter Landscapes (Thurman). Mr

- Darrington made a motion to approve the application. Mr Taylor seconded the motion. Motion passed by unanimous vote. e) LRF-2009-1201-01 Harper Ready Mix Company v Rigby Construction Inc (Knight). Mr Darrington recused himself. Mrs Fullmer made a motion to approve the application. Mr Taylor seconded the motion. Motion passed by unanimous vote. Mr Darrington did not vote.
- f) LRF-2010-0414-02 Burton Lumber & Hardware v Mountain States Construction & Development LLC (Rahimi). Mr Darrington made a motion to approve the application. Mr Taylor seconded the motion. Motion passed by unanimous vote.

3. Recommended for Approval & Explanation Required

- a) LRF-2009-1026-01 Beehive State Builders LLC v Majestic Ridge Builders Inc (Smith). Mr Ishihara gave a brief explanation of this application. Mr Darrington made a motion to approve the application. Mrs Fullmer seconded the motion. Motion passed by unanimous vote.
- b) LRF-2010-0125-02 Aspire Design Inc v J Ballard Homes Inc (Clark). Mr Ishihara gave a brief explanation of this application. Mr Fox questioned the denied attorney fees. Mr Patterson suggested a continuance for Mr Fox to gather a judgement. Mr Fox declined additional time. Mr Darrington made a motion to approve the application. Mrs Fullmer seconded the motion. Motion passed by unanimous vote.

**ADJOURN:** Meeting adjourned at 9:34 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.*

December 8, 2010  
Date Approved

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

December 8, 2010  
Date Approved

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