

Pikes Peak Regional Building Department

2880 International Circle
Colorado Springs, Colorado 80910

LICENSING COMMITTEE MINUTES

September 9, 2021

9:00 a.m.

MEMBERS PRESENT: Chair Michael Rowe
Vice Chair Christopher Freer
Jim Rose
Zachary Taylor
Steve Lepine
Tim Toussaint
Michael Finkbiner

MEMBERS ABSENT:

OTHERS PRESENT: Virginia Koulchitzka, Regional Building Counsel
Jack Arrington, Chief Mechanical Inspector
Matthew Matzen, Permit/Licensing Supervisor
Luke Sanderson, Senior Non-Compliance Inspector
Linda Gardner, Executive Administrative Assistant

PROCEEDINGS:

Chair Michael Rowe called the meeting to order at 9:02 a.m.

The Licensing Committee meeting was conducted in a hybrid form, allowing Committee members, Department staff, and the public to attend in person at the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs, Colorado 80910, Hearing Room on the Upper Level, or virtually via a program called Microsoft Teams live events, which is accessible via Pikes Peak Regional Building Department's website Boards & Committees' page at: <https://www.pprbd.org/Information/Boards>.

1. **CONSIDERATION OF THE AUGUST 12, 2021 LICENSING COMMITTEE MINUTES**

A motion was made by Jim Rose to **APPROVE** the August 12, 2021 Licensing Committee Minutes as written, seconded by Christopher Freer; the motion carried unanimously.

2. **COMPLAINT(S)**

- a) A complaint has been brought against Anthony Edgell, Licensee and Registered Agent of Edge HVAC LLC by Anne Donnelly for performing work at 1365 Bison Ridge Drive, Colorado Springs, Colorado prior to obtaining permit(s), in violation of Sections RBC105.1 and RBC201.11.3, Nos. 1, 5 and 6, Pikes Peak Regional Building Code, 2017 Edition, as amended.

Anthony Edgell did not appear. Anne Donnelly appeared virtually and was sworn in. Matt Matzen and Jack Arrington were sworn in. Jina Koulchitzka stated the Summons to Appear was transmitted to Anthony Edgel on August 20, 2021; the Department has received confirmation of successful service of the Summons and a signature accepting the Summons, dated as of August 25, 2021. She stated this is considered proper and sufficient service in accordance with Colorado Revised Statutes, Section 7-90-704(2). She advised the Licensing Committee it had authority and discretion to hear the complaint, notwithstanding the lack of appearance by the subject examinee. The Committee members decided to hear the Complaint.

Matt Matzen stated Edge HVAC LLC has been in business since on or around May 9, 2019; it holds a Heating B License, which expired on May 31, 2021 subject to a 180-day allowance to renew the license in accordance with Code sections applicable thereto. Permit History: 12 "A" Status Permits; 31 completed permits; 7 open permits; and 2 voided permits.

Anne Donnelly stated Edge Heating and Cooling installed a furnace and air conditioner in her home on March 18, 2021 and April 28, 2021 respectively. She stated her contract with Edge HVAC included permit/inspection fees. She stated she made a number of attempts to contact Mr. Edgell about inspections for her new equipment, but has not been able to reach him. Ms. Donnelly stated she then discovered that the permits were not obtained by Edge HVAC by accessing the Department's website. She then purchased the permits herself and had the equipment inspected. Both inspections failed. All repairs were completed by another contractor, and the inspections have been completed.

Mr. Matzen stated the initial mechanical inspection failed due to lack of combustion air (missing high grill for 140K), secondary protection for coil, and lack of insulation of suction line to coil cabinets. Further, the inspector's comments included the following: "Note / Low grill into mechanical room / Pre-existing outside air to furnace return". Jack Arrington stated the combustion air was a life safety issue.

Mr. Matzen stated with the current status of the license, Mr. Edgell can still request inspections, but he may not obtain new permits. Within six months following May 31, 2021, the Department/Licensing Committee continues to have jurisdiction and authority over the subject license, and work performed not in accordance with Code.

The Committee members expressed concern for the homeowners of the "A" Status permits. Mr. Matzen stated the Department only notifies these homeowners regarding the status of their permits after the contractor's license has been revoked.

A motion was made by Christopher Freer to recommend to the Board of Review **REVOCAION** of the license of Anthony Edgell with Edge HVAC LLC; and a Letter of Reprimand be placed in the contractor file of Anthony Edgell with Edge HVAC,

LLC, for failing to obtain permits for work performed at 1365 Bison Ridge Drive, Colorado Springs, Colorado, seconded by Michael Finkbiner; the motion carried unanimously.

Jina Koulchitzka stated the parties to this complaint have 30 calendar days from the decision of this Committee to file a written appeal with the Department in accordance with Section RBC101.7 of the Pikes Peak Regional Building Code (the "Code"). She further stated the Department has authority, pursuant to Section RBC102.12 of the Code to issue administrative fines; the Department retains such right and fine(s) may be imposed.

- b) A complaint has been brought against Raul Rascon, Licensee and Registered Agent of Double R Construction LLC by Hue Nono for obtaining a permit for an unlicensed contractor, Bustillos Construction, to perform work at 7345 Buffalo Springs Court, Colorado Springs, Colorado, in violation of Sections RBC201.11.3, Nos. 1, 3 and 6, Pikes Peak Regional Building Code, 2017 Edition, as amended.

This Item was heard out of order prior to Item 2.a.

Raul Rascon (Rascon) and Hector Bustillos (Bustillos) appeared in person and were sworn in. Hue Nono (Nono) appeared virtually and was sworn in. Matt Matzen was sworn in.

Nono stated he contracted with Bustillos Construction in November 2020 to stucco his home, but delayed the project until May 20, 2021 to commence the project due to the COVID pandemic. He stated Bustillos initially asked him to obtain the permit, but he refused as he was aware that the Code prohibited him from obtaining a homeowner permit and hiring a contractor to do the job. Nono stated he paid Bustillos \$3,975 (\$575 for the permit, and \$3,400 for materials) on May 20, 2021. The stucco project was to be completed by June 22, 2021. He stated the project commenced slowly with Mr. Bustillos and his crew working sporadically and continuing to request additional funds for materials. As of July 10, 2021, the house was approximately 65% completed with very poor workmanship. The cables for his Direct TV and internet box had been disconnected by Bustillos' crew; and there were several different colors of stucco used with large areas of overspray. Nono stated he terminated his contract with Bustillos on July 10, 2021.

Nono stated he contacted the Department and was informed that Double R Construction obtained the permit for this project. He contacted Double R Construction and Rascon inspected his home and informed him that it would cost an additional \$17,250 to finish the project. He stated the stucco project is still not complete, but he has hired another contractor to complete the project.

Matt Matzen stated the issue before the Committee is that Double R Construction LLC obtained the permit for Nono's home for Bustillos, an unlicensed contractor in El Paso County. He stated Double R Construction is a licensed contractor in El Paso County in good standing. It holds a Building D-1 Stucco License. Rascon obtained this permit on May 20, 21; the permit is still open. A lathe inspection was completed on June 9, 2021. A separate contractor came in after the fact and obtained a permit on this address on August 20, 2021, and the building final was rejected with several corrections to be completed. Therefore, there are two open permits by two different contractors on this address. Mr. Matzen stated Double R Construction has been in business since on or around September 2009 with 1 "A" Status Permit, 17 completed permits, and 1 open permit (for Nono's home). He stated the "A" Status Permit is from 2011, and was recently renewed in December 2020. The inspection after the renewal was rejected.

Bustillos stated he did the work on Nono's home as a subcontractor for Double R Construction. Nono stated his contract was with Bustillos and all payments were made out to Bustillos. Rascon affirmed that he does not have an employment, subcontractor (with sufficient supervision and control) or joint venture relationship with Bustillos.

A motion was made by Michael Finkbiner to put a One-Year Incident Report in the contractor file of Raul Rascon with Double R Construction, LLC for obtaining a permit for an unlicensed contractor, seconded by Tim Toussaint; the motion carried unanimously.

Jina Koulchitzka stated the parties to this complaint have 30 calendar days from the decision of this Committee to file a written appeal with the Department in accordance with Section RBC101.7 of the Pikes Peak Regional Building Code (the "Code"). She further stated the Department has authority, pursuant to Section RBC102.12 of the Code to issue administrative fines; the Department retains such right and fine(s) may be imposed.

3. COMPLAINT UPDATES

- a) A complaint has been brought against Jeffrey Ryan, Licensee, James Egan, Licensee, and Dan Cechini, Owner, of Dun-Rite Home Improvements, Inc. by Rebekah Turner for performing work at 10005 Litchfield Street, Peyton, Colorado prior to obtaining permit(s), in violation of Sections RBC105.1 and RBC201.11.3, Nos. 1, 5 and 6, Pikes Peak Regional Building Code, 2017 Edition, as amended. *This complaint was heard by the Licensing Committee on July 15, 2021, and the Committee determined: A motion was made by Michael Finkbiner that a One-Year Incident Report be put in the contractor file of Dun-Rite Home Improvement, Inc., and their examinees, Jeffrey Ryan and James Egan, seconded by Jim Rose; the motion carried unanimously. A second motion was made by Michael Finkbiner that the gas line be permitted by a licensed contractor, reinstalled and inspected within 30 days, seconded by Jim Rose; the motion carried 5:1. Zachary Taylor opposed. A report back to the Licensing Committee was*

required within 30 days. During the August 12, 2021 Licensing Committee meeting, Roger Lovell informed the Committee that Tall Pines Builders requested additional time to resolve the issue with the gas line at Rebekah Turner's home, as additional repairs had been noted and would take some time to repair. The Committee requested an update during the September 9, 2021 Licensing Committee meeting.

Matt Matzen stated there is nothing to report since the August 12, 2021 Licensing Committee meeting. A motion was made by Jim Rose to **CONTINUE** this matter to the October 14, 2021 Licensing Committee meeting and requests a staff update at that time, seconded by Christopher Freer; the motion carried unanimously.

- b) A complaint has been brought against Brian Chidester, Registrant for KNT Plumbing, Inc., by Veronica Balle-Mason for performing work at 2742 Bar 10 Road, Calhan, Colorado without a proper permit, in violation of Sections RBC105.1 and RBC201.11.3, Nos. 1, 5 and 6, Pikes Peak Regional Building Code, 2017 Edition, as amended. *This complaint was heard by the Licensing Committee on July 15, 2021, and the Committee determined: A motion was made by Jim Rose that a Letter of Reprimand be placed in the contractor file of Brian Chidester, Registrant for KNT Plumbing, Inc. and the registration be locked until the "A" Status permits are completed no later than the August 12, 2021 Licensing Committee meeting; and Mr. Chidester can work with RBD staff to release the restriction upon completion of the "A" Status permits. The Committee requested a staff update during the August 12, 2021 Licensing Committee Meeting, seconded by Tim Toussaint; the motion carried unanimously. During a staff update at the August 12, 2021 Licensing Committee meeting, Matt Matzen stated the two "A" Status permits were reopened, but failed inspection; one because the homeowner was not notified that the inspection had been requested and scheduled, and the second because of an issue with the installation. Jim Rose requested a staff update during the September 9, 2021 Licensing Committee meeting.*

Matt Matzen stated the Department has accepted Certificate of Noncompliance paperwork as of August 19, 2021 for Permit N26372; that is set to expire on September 18, 2021. If the Department is not contacted by the homeowner(s), the permit can then be voided/resolved. He stated Permit N07528 is very similar; Certificate of Noncompliance paperwork was received on August 26, 2021; it is set to expire on September 26, 2021, unless the homeowner contacts RBD staff. The permit can then be voided/resolved. Mr. Matzen stated once the "A" Status Permits are resolved, KNT Plumbing's license will be active and compliant.

4. **CONSENT LICENSE REQUESTS**

Consent license requests will be acted upon as a whole, unless a specific item is called for discussion by a Committee member or a citizen wishing to address the Committee.

Building Contractor A-1 (Commercial)

JORDY & COMPANY – BENJAMIN BUCHNER (ADDITIONAL LICENSE
LIMITATION OF NO GROUND UP)

Building Contractor A-2 (Commercial)

EXECUTIVE EXTERIORS LLC – CLAY JARVIS
PEAK - WEST CORPORATION – RYAN HODACK (LICENSE UPGRADE
LIMITATION OF NO GROUND UP AND ONE OPEN PERMIT AT A TIME)

Building Contractor B-1 (Limited Commercial)

COMMERCIAL STEEL BUILDERS, INC. – MICHAEL WIRTH
GC CONSTRUCTION SERVICES, LLC – DANIEL CHAVEZ-REY (EXAMINEE
CHANGES COMPANY AND LICENSE UPGRADE LIMITATION OF ONE OPEN
PERMIT AT A TIME)
PETRA INCORPORATED – CHRISTOPHER ANDREWS
SILVER CREEK DEVELOPMENT, LLC – JAMES ANDERSON (LIMITATION OF
NO GROUND UP)

Building Contractor C (Homebuilder)

D & N CONSTRUCTION – DENNIS BARTLETT
ON THE LEVEL CONSTRUCTION – CHRISTOPHER COLEMAN
RISE INCORPORATED – GENE SQUIRES (EXAMINEE CHANGES COMPANY)
ZRH CONSTRUCTION, L.L.C. – TROY LIMMER

Building Contractor D - 1 (Awnings)

SUNSCAPES LLC – WILLIAM HAMMOND

Building Contractor D - 1 (Exteriors)

ACS-ALLIANCE CONSTRUCTION SERVICES, LLC – MATTHEW SCARDINO
(REINSTATEMENT SUBJECT TO AN ADMINISTRATIVE LOCK UNTIL “A”
STATUS PERMITS, IF ANY, ARE RESOLVED)
QUALITY ROOFING OF COLORADO LLC DBA GLOBAL ROOFING – PARRISA
YAZDANI (LICENSE UPGRADE)

Building Contractor D - 1 (Roofing)

ADVANCED CONSULTING, INC. – NICHOLAS BENNETT
BLACK BEAR ROOFING AND EXTERIORS, LLC – LINDSEY PARKER
(COMPANY CHANGES EXAMINEE)
CROWN ROYAL BUILDERS INC. – ROBERT BURGETT (LICENSE
REINSTATEMENT)
DYNAMIC ROOFING HOLDINGS, LLC DBA DYNAMIC NATIONAL, INC. ‘FKA’
DYNAMIC ROOFING HOLDINGS DBA DYNAMIC ROOFING AND
CONSTRUCTION – SAMUEL SYBROWSKY (COMPANY CHANGES NAME)
GO2 PRIME ROOFING CO LLC ‘FKA’ GO2 CONTRACTING, LLC – JAMES

MORAN (COMPANY CHANGES NAME)
ORANGE ELEPHANT ROOFING & CONSTRUCTION, LLC – COLE MIDDLETON
(COMPANY CHANGES EXAMINEE)
ROCKIN L ROOF COATINGS – CORNELIUS LAMBRIGHT
SOL EXTERIORS, LLC – RAFAEL REYES JR.

Building Contractor D-1 (Stucco)

MD ROOFING – MICHAEL TEXTER (ADDITIONAL LICENSE)

Building D-2A (Wrecking)

ENGINEERED DEMOLITION, INC. – STEVEN DUNN
INDEPENDENCE EXCAVATING, INC. – STEVEN WILK
MERCHANT DEMOLITION, LLC – JONATHAN DITTMAR (LICENSE
REINSTATEMENT)

Building D-5A (Sign)

BROOMFIELD SIGN COMPANY, INC. – JOVONIE LANDIN

Building Contractor E (Maintenance & Remodeling)

CLINT'S REMODELING SERVICE, LLC – CLINTON SCOTT
KOHLS GENERAL CONTRACTING, LLC DBA MAROON BELLS
CONSTRUCTION – STEVEN KOHLS
VLM LIMITED – BRIAN MAKETA (LICENSE REINSTATEMENT AND
EXAMINEE CHANGES COMPANY)

Building – Solar Energy Unlimited

NATIVE SOLUTIONS LLC DBA HAPPY SOLAR 'FKA' NATIVE SOLUTIONS LLC
– MATTHEW HOSKING (COMPANY CHANGES NAME)

Mechanical Contractor – A (Commercial)

APEX HEATING & COOLING LLC – VICTOR WEGER (EXAMINEE CHANGES
COMPANY)
BUFFALO PEAKS HEATING AND MECHANICAL, LLC – KALEP
KLOPFENSTEIN
CLARKS MECHANICAL LLC – FRED CLARK SR.
JD VIGIL HEATING & AIR CONDITIONING, INC. DBA HAPPY HEATING &
COOLING– ERIC LATUS (EXAMINEE CHANGES COMPANY)
SHAWN JOHNSON LLC – SHAWN JOHNSON
TATRO PLUMBING CO INC – TOBIN HOWLING (ADDITIONAL LICENSE)
TIMBERLINE – RYAN SULLIVAN
TOWNSEND MECHANICAL, LLC – MATTHEW TOWNSEND

Mechanical Contractor – B (Residential)

ANCHOR HEATING AND AIR, LLC – WESLEY TROTTER

BLACK HILLS COLORADO GAS, INC. – SHAWN JACKSON (EXAMINEE
CHANGES COMPANY)
MJ HEATING & AIR LLC – CATHRYN GRIFFITHS

Mechanical Contractor – C (Gas Piping)

OSCAR PLUMBING LLC – JOSE ARGUETA DEL CID (ADDITIONAL LICENSE)
REARDON PLUMBING, LLC – CHRISTOPHER TOPER REARDON
(REINSTATEMENT)
SCOTT SYPNIEWSKI LLC – SCOTT SYPNIEWSKI (EXAMINEE CHANGES
COMPANY)

Heating Mechanic IV (HVAC Service Tech)

ANTHONY SIMONE
ERIC KELL
KEVIN GRANFORS
JAMES BOWER
JONATHAN MENDOZA
JOSHUA WOLF
RONALD CHASE

Consent Items for Voluntary Suspension

BBC CONSTRUCTION – WALTER MCGREW – B-C
BRACKEN CONSTRUCTION LLC – JASON BRACKEN – B-C
COLORADO CONSTRUCTORS & ASSOCIATES INC. – GEORGE
CHRISTOPHER TIAN – B-A--1
TOM NOVAK CONSTRUCTION CO. – THOMAS NOVAK – B-B-2-L2P/12MOS

A motion was made by Jim Rose to recommend to the Board of Review **APPROVAL** of the Consent License Requests, seconded by Christopher Freer; the motion carried unanimously.

5. **ITEMS CALLED OFF CONSENT CALENDAR**

There were no items called off the Consent Calendar.

6. **LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

There were no License Requests to be considered individually.

7. **UNFINISHED BUSINESS**

There was no Unfinished Business.

8. **NEW BUSINESS**

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There was no New Business.

The meeting adjourned at 10:34 a.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Roger N. Lovell".

Roger N. Lovell
Regional Building Official
RNL/lfg

Accommodations for the hearing impaired can be made upon request with forty-eight (48) hours' notice. Please call (719) 327-2989.

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