

# Pikes Peak Regional Building Department

2880 International Circle  
Colorado Springs, Colorado 80910

## LICENSING COMMITTEE MINUTES

November 9, 2016

9:00 a.m.

MEMBERS PRESENT: Chairman Mark Mahler  
Mr. Vince Colarelli  
Mr. Scot Gring  
Mr. Neil Case  
Mr. J. B. (Johnny) Johnson

MEMBERS ABSENT: Mr. Jim Rose  
Mr. Richard Gillit

OTHERS PRESENT: Mr. Roger Lovell, Regional Building Official  
Mr. Todd Welch, Regional Building Counsel  
Mr. Jay Eenhuis, Chief Plans Supervisor  
Mr. John Welton, Chief Building Inspector  
Mr. Jack Arrington, Chief Mechanical/Plumbing Inspector  
Ms. Jessie King, Contractor Licensing  
Ms. Linda Gardner, Executive Administrative Assistant

### PROCEEDINGS:

Chairman Mark Mahler called the meeting to order at 9:00 a.m.

#### 1. **CONSIDERATION OF OCTOBER 12, 2016 LICENSING COMMITTEE MINUTES**

A motion was made by Johnny Johnson to **APPROVE** the October 12, 2016 Licensing Committee Minutes as written, seconded by Scot Gring; the motion carried unanimously.

#### 2. **COMPLAINTS**

- a) A complaint has been brought against Stan Lewis, licensee for Stan Lewis, Inc., by Regional Building for pulling a permit at 2722 North Gate Boulevard, Colorado Springs, Colorado, for an unlicensed contractor, in violation of Sections RBC201.11.3, No. 1 and RBC201.11.3, No. 3, 2011 Pikes Peak Regional Building Code.

All parties testifying were sworn in. John Welton gave the details of the complaint. He stated the project was contracted by Jim Wear with Salon Equipment Company, LLC from Denver, but the permit was obtained by Stan Lewis, Inc., for an unlicensed contractor. Tony Perko, attorney for Stan Lewis, appeared and stated Mr. Wear submitted his written testimony because he was unable to be here today.

Stan Lewis appeared and stated he was approached by Jim Wear to pull a permit for a project at 2722 North Gate Boulevard in Colorado Springs because Mr. Wear did not have a license in El Paso County; although he has multiple licenses in other jurisdictions. He stated he pulled the permit for the project, and he then became the general contractor and Mr. Wear was the subcontractor. He stated Mr. Wear left the job before it was completed. Mr. Lewis stated he was informed by the tenants that Mr. Wear took the money, and did not pay some of the subcontractors. He stated he completed the project and got a Certificate of Occupancy on the project. He stated he did not have a contract with the tenant; his contract was with Mr. Wear. Mr. Lewis stated his contract with Mr. Wear was to pull the permit and be the general contractor for a total fee of \$1,500, and he received \$750 before pulling the permit, but never received the balance. He stated Mr. Wear left the project in the middle of construction, and he had to subcontract the work out to finish the project for the tenant. John Welton stated the project was for 2,135 square feet. Mr. Lewis stated he does not have any employees, and he has pulled approximately 30 to 35 permits during the past year. Scot Gring reminded Mr. Lewis that he was before this Committee one year ago for this same issue, and a One-Year Incident Report was put in Mr. Lewis' contractor file for that offense. John Welton stated the complaint at that time was very similar to this complaint, i.e. Mr. Lewis was brought before the Committee for pulling permits for Falcon Builders, an unlicensed contractor.

Mr. Lewis stated Ben Parsaye referred Jim Wear to him to obtain the permit. Jessie King stated Jim Wear has never applied for a license in El Paso County, but since he has licenses in multiple other areas, it would not be difficult for Mr. Wear to obtain a license in El Paso County. Mr. Perko stated Mr. Lewis was on the job, and did perform and supervise work on the job; therefore, he did not violate Sections RBC201.11.3, No. 1 and RBC201.11.3, No. 3, 2011 Pikes Peak Regional Building Code.

Roger Lovell stated RBD staff are not permitted to make contractor recommendations. Jay Eenhuis stated Mr. Lewis has pulled 29 permits this year, and 9 are currently open. Mr. Lewis stated as a general contractor, he pulls the permit, he is on the jobsites every day, he inspects the work prior to inspections, and calls in the inspections, with the exception of the MEP inspections. Robert Short appeared and stated he worked for Jim Wear on this project, and then continued working with Stan Lewis when Mr. Wear left the project. He stated Mr. Lewis was on the job approximately three times a week and he spoke with him by phone regularly. He stated he had trouble with the electrician hired by Mr. Wear, and he worked with Mr. Lewis to replace the electrician. Mr. Short stated he was on the job from October through December, and he worked with Mr. Lewis on a regular basis. He stated he was paid by Jim Wear. John Welton stated the permit for this project was completed on August 22, 2016.

Scot Gring stated Jim Wear contracted with the tenant to do a tenant finish for a beauty salon, but because he was not licensed in El Paso County, he contracted with Stan Lewis to pull a permit for this project. He stated if Mr. Lewis continues this practice of pulling permits for unlicensed contractors, and appears before this Committee again in the future for the same type of violation, he will in all probability lose his contractor license. A motion was made by Scot Gring to put a Letter of Reprimand in Stan Lewis' contractor file for pulling a permit for an unlicensed contractor, seconded by Vince Colarelli; the motion carried unanimously.

Break at 10:19 a.m. to 10:26 a.m.

- b) A complaint has been brought against Jeffrey Masias and Sherman Suits, licensee for Innovative R.A.C., by Margaret and Kevin Couture for work performed at 3860 Cragwood Drive, Colorado Springs, Colorado without obtaining a permit; and for willful and wanton negligence, in violation of Section RBC201.11.3, Nos. 1 and 5, 2011 Pikes Peak Regional Building Code.

All parties testifying were sworn in. Jeff Masias stated Sherman Suits could not be here today due to a medical issue. Margaret and Kevin Couture appeared and Mrs. Couture stated they contracted with Jeff Masias to build a bathroom in the lower level of their home, and she contacted RBD to see if a permit had been pulled for the project, and was informed that Mr. Masias was not licensed and did not carry insurance; therefore, he was not able to pull a permit. She stated she contacted the Better Business Bureau and received negative information from that entity as well. Mrs. Couture stated she pulled the permit herself so the work that had been done could be inspected, but it did not meet Code and did not pass inspection. She stated they have hired another contractor to complete the project, but all of the work done by Innovative R.A.C. has to be torn out because it did not meet Code. John Welton stated the license for Innovative R.A.C. was locked during a Licensing Committee meeting earlier this year, so he is not able to pull permits, but he is continuing to do work without licenses and permits.

Jeffrey Masias appeared and stated this project was contracted prior to his license being locked. He stated he is the owner of the company and does the sales, and Sherman Suits is the licensee for Innovative R.A.C. John Welton stated Sherman Suits is a new licensee for Innovative R.A.C., and has a "B-1" Licensee. He stated during the August Licensing Committee meeting, there were three projects that had to be completed prior to the license being "unlocked". He stated Mr. Masias is the owner of this company and he is here because he is signing and selling the projects. Mr. Masias stated they were not doing any structural work on this project; only plumbing and electrical work, so they did not feel a permit was required. He stated he was not aware that permits were not obtained for the plumbing and electrical work. He stated he has agreed to give Mr. and Mrs. Couture a full refund for the project; and Mrs. Couture stated that has not been done

to date. Mr. Welton stated he has talked to Mr. Suits, and Mr. Suits has stated he does not agree with the manner in which Mr. Masias is conducting business and talked to RBD staff about the proper procedure to pull away from Innovative R.A.C. Roger Lovell stated Sherman Suits is responsible for this issue because he is the licensee for this company. He stated RBD staff has received a number of complaints about this company. Mr. Welton stated in the August 2016 Licensing Committee meeting, the license for Mr. Masias was locked and Mr. Masias was directed to complete the three permits that were at issue at that time; he stated they did not suspend the license because Mr. Masias would not be able to complete the projects with a suspended license.

Jessie King stated if Mr. Suits leaves the company he will be required to take the 12 open permits with him and complete those permits. Mr. and Mrs. Couture stated they have never met Sherman Suits. Mr. Welton stated Mr. and Mrs. Couture have a new contractor and the homeowner permit can be transferred to their new licensed contractor.

A motion was made by Scot Gring to **CONTINUE** this Complaint to the December 14, 2016 Licensing Committee meeting, seconded by Johnny Johnson; the motion carried unanimously.

### 3. **CONSENT LICENSE REQUESTS**

#### **Building Contractor A-1**

7 SUMMITS EXTERIORS, LLC – BRADLEY HIX (EXAMINEE CHANGES CO., PRIMARY EXAMINEE)  
THE WRIGHT GROUP, LLC – DOUGLAS WRIGHT  
TOTAL DEVELOPMENT CORPORATION – TYLER CASEBIER (REINSTATEMENT)

#### **Building Contractor B-1 (General Limited)**

ARRIS, INC – CHRISTOPHER COOK  
GLOBAL CONSTRUCTION & ROOFING – ERIC HOFFMAN (EXAMINEE CHANGES CO., REINSTATEMENT)  
GYS GENERAL CONTRACTING, LLC – DAVID HARVEY

#### **Building Contractor C (Homebuilder)**

GIDEON ENTERPRISES – MICHAEL RICE (REINSTATEMENT)  
HODGES HOME BUILDERS, INC – MICHAEL HODGES  
LR CONTRACTING, INC – LANCE ROBERTS (REINSTATEMENT)  
STERLING HOMES OF COLORADO – GERALD PFEFFER (CO. CHANGES EXAMINEE)

**Building Contractor D-1 (Exteriors)**

HART CONSTRUCTION, INC – ERIC HART  
SHALZ CONSTRUCTION, LLC – BRADLEY SHALZ

**Building Contractor D-1 (Pool)**

GILLIANA POOLS, LLC – JASON GILLIANA

**Building Contractor D-1 (Roofing)**

A.J. SHIRK ROOFING CO., LLC – ANTHONY OSTBLOM  
ALL STAR ROOFING & CONSTRUCTION, INC – JEREMY SMITH  
AVALON BUILDING CONCEPTS INC DBA AVALON ROOFING AND  
RESTORATIONS, LLC – ROBERT MUUSSE  
EMPIRE ROOFING COMPANY, LLC – KEVIN COMBS  
FHF CONSTRUCTION, INC – OSCAR ALMANZAN  
INTEGRITY CONSTRUCTION, LTD DBA INTEGRITY EXTERIORS – BRUCE  
MEDINA  
IROOF & RESTORATION – MICHEAL DUNN  
LALLIER CONSTRUCTION, INC – MICHAEL LALLIER  
LILOU, LLC – MELINDA HOOD  
LR CONTRACTING, INC – LANCE ROBERTS (REINSTATEMENT)  
MOUNTAIN ROOFING, LLC – RYAN CAMPBELL  
ZION ROOFING & CONSTRUCTION, LLC – BRYAN SPARKS

**Building Contractor D-1 (Siding)**

BLACK N WHITE ROOFING & EXTERIORS – KYRIAKOS MELAS (ADDITIONAL)  
CEDAR RIDGE CUSTOMS, INC – CHAD SMITH (EXAMINEE CHANGES CO.,  
REINSTATEMENT)  
GO ROOF TUNE UP, INC – MARTIN STOUT (ADDITIONAL)  
KNE EXTERIORS DESIGN, LLC – KOREY MATOUSH  
PEAKVIEW ROOFING COMPANY – JEFFREY PIERCE (ADDITIONAL)  
QUALITY CONSTRUCTION – ROBERT SAITTA (ADDITIONAL)

**Building Contractor D-2A (Wrecking)**

WHITE KNIGHT CONSTRUCTION – THOMAS HURD SR.

**Building Contractor D-5A (Sign)**

MOUNTAIN RANGE SIGNS, LLC – DANIEL NICHOLSON (EXAMINEE CHANGES

CO., REINSTATEMENT)

**Building Contractor E (Residential Remodeling)**

ARTZ CONSTRUCTION – GERHARD ARTZ

**Building Contractor F-1 (Solar)**

AQUA CARE SOLAR, LLC – PETER STOCKING  
SUNTALK – RAYMOND WILLIAMS (CO. CHANGES EXAMINEE)  
ZING SOLAR OF COLORADO, LLC – SHANNON WITTAKER (ADDITIONAL)

**Mechanical Contractor A (Commercial)**

COMPREHENSIVE MAINTENANCE SOLUTIONS – NORMAN ANDERSON  
J.B. DUCTSON – JOSHUA ATKINSON  
JEFFREY PODCZERVINSKI - JEFFREY PODCZERVINSKI (EXAMINEE CHANGES  
CO.)  
TRITON HVAC & REFRIGERATION – ALBERT RAINEY

**Heating Mechanic IV (HVAC Service Tech)**

HAMPTON REED (REINSTATEMENT)  
JAMES COSGROVE (REINSTATEMENT)  
MAURICE DOUGLAS (REINSTATEMENT)  
MARK GOHEEN  
ROBERT KOONTZ

A motion was made by Johnny Johnson to recommend to the Board of Review **APPROVAL** of the Consent License Requests, seconded by Vince Colarelli; the motion carried unanimously.

**LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

**Building Contractor A-1**

HB CONSTRUCTION, LLC – MATTHEW MULLIGAN \*

No one appeared.

**FALCON BUILDERS, LLC – STAN LEWIS (EXAMINEE CHANGES CO.) \***

Stan Lewis appeared. Jessie King stated Mr. Lewis is requesting that his license be transferred to Falcon Builders, LLC. She stated Mr. Lewis currently has 12 open permits and Falcon Builders has 3 “A” Status Permits from 2011 and 2012. John Welton stated Falcon Builders has not had a licensee since 2012. Mr. Lewis stated he has been involved with Falcon Builders in four or five projects during the past year. He stated Stan Lewis, Inc. will be dissolved and he will become an employee for Falcon Builders. He stated he uses the same subcontractors on all of his projects, and these same subcontractors will continue to work for Falcon Builders. Scot Gring stated he believes that Mr. Lewis will just be pulling permits as Falcon Builders, which is not any different than pulling permits as Stan Lewis, Inc. Mr. Lewis stated Falcon Builders has 4 or 5 full-time employees and 3 part-time employees; and other than MEP contractors, their own employees perform all of the work. Jessie King stated if this license transfer is approved, all open permits for Stan Lewis, Inc. will be transferred to Falcon Builders with Mr. Lewis’ license, and he will continue to be responsible for completing them, as well as the “A” Status permits for Falcon Builders.

Mr. Lewis stated he will be paid by the project while working for Falcon Builders, LLC. Vince Colarelli stated the Code requires that the licensee is a paid employee or an officer of the company; but being paid by the project indicates that Mr. Lewis would be a contract employee by the project. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of the transfer of Stan Lewis’ “A-1” License to Falcon Builders, LLC, with the stipulation that Falcon Builders’ three “A” Status Permits must be completed within 30 days; a letter from Mr. Lewis accepting liability for those “A” Status Permits is submitted to RBD staff, another letter from Mr. Lewis accepting responsibility for the open permits under Mr. Lewis’ current license is submitted to RBD staff; and documentation that Mr. Lewis is an employee, an officer, or a partner for Falcon Builders is submitted to RBD staff, seconded by Johnny Johnson; the motion carried unanimously.

**Building Contractor B-1 (General Limited)**

**CKW CONSTRUCTION, LLC – VINCENT WILSON \***

No one appeared. A motion was made by Vince Colarelli to **POSTPONE** this license request for 30 days, seconded by Johnny Johnson; the motion carried unanimously.

**Building Contractor D-1 (Stucco)**

NR STUCCO – IVANNIA GREEN \*

No one appeared. A motion was made by Johnny Johnson to **POSTPONE** this license request for 30 days, seconded by Neil Case; the motion carried unanimously.

\* Appearance required at the Licensing Committee meeting.

4. **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss.

5. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 11:55 a.m.

Respectfully submitted,

Roger N. Lovell  
Regional Building Official  
RNL/lfg