

# Pikes Peak Regional Building Department

2880 International Circle  
Colorado Springs, Colorado 80910

## LICENSING COMMITTEE MINUTES

January 11, 2017

9:00 a.m.

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

MEMBERS ABSENT: Mr. Neil Case  
Mr. Richard Gillit

OTHERS PRESENT: Mr. Todd Welch, Regional Building Counsel  
Mr. John Welton, Chief Building Inspector  
Mr. Joel Segura, Senior Plumbing Inspector  
Ms. Jessie King, Contractor Licensing  
Ms. Linda Gardner, Executive Administrative Assistant

### PROCEEDINGS:

Chairman Mark Mahler called the meeting to order at 9:04 a.m.

#### 1. ELECTION OF OFFICERS

A motion was made by Vince Colarelli to re-elect Mark Mahler as the 2017 Chairman of the Licensing Committee meeting, seconded by Scot Gring; the motion carried unanimously.

A motion was made by Jim Rose to re-elect Scot Gring as the 2017 Vice Chairman of the Licensing Committee meeting, seconded by Vince Colarelli; the motion carried unanimously.

#### 2. CONSIDERATION OF DECEMBER 14, 2016 LICENSING COMMITTEE MINUTES

A motion was made by Vince Colarelli to **APPROVE** the December 14, 2017 Licensing Committee Minutes as written, seconded by Johnny Johnson; the motion carried unanimously.

### 3. COMPLAINTS

- a) A complaint has been brought against Mark Brandon and David Blanc, licensee for Colorado Commercial Kitchens, by Caitlin Bond for work performed at 7215 Shawnee Way, Colorado Springs, Colorado without obtaining the proper permits, and for willful and wanton negligence, in violation of Sections RBC201.11.3, Nos. 5 and 6, 2011 Pikes Peak Regional Building Code.

Caitlin Bond appeared by telephone. All parties testifying were sworn in. Caitlin Bond stated she contracted with Colorado Commercial Kitchens to replace the water heater in her home. She stated the contractor told her that it would save her money to pull the permit herself, which she did, but the installation did not pass inspection upon completion. She stated the contractor did not respond to her efforts to have the water heater brought up to Code, so she had to hire another contractor to repair the water heater so it would pass inspection so she could sell her home. Joel Segura stated the second contractor that did the repairs, was able to pass inspection and complete the permit. He stated this was a tankless water heater, which required additional permits for electric, gas and HR work, which the second contractor pulled so the installation was completed and passed inspection. Ms. Bond stated she tried to contact Mr. Brandon from May through July to repair the water heater, but Mr. Brandon did not make any effort to have the work completed.

Mark Brandon appeared and stated he was hired by Caitlin Bond and her husband to install a tankless water heater. He stated he told the homeowners that they could save money by pulling the permit themselves, and he would help them install the water heater, if they bought the materials. Ms. Bond stated Mr. Brandon bought the water heater, and it was part of the \$3,000 contract price.

Mr. Brandon stated Mr. Blanc holds a Mechanical Contractor "A" License for Colorado Commercial Kitchens. Mr. Blanc stated he has pulled a total of two permits for Colorado Commercial Kitchens; John Welton stated this company has four permits, and Mr. Blanc stated he has no knowledge of the other two permits. Jessie King stated Mr. Brandon also has the ability to pull permits as an associate on the license.

David Blanc appeared and stated he was unaware of most of the transactions with Mr. and Mrs. Bond, until he tried to renew his license and he receive notice to appear for the Licensing Committee meeting this morning. He stated he pulls permits for Colorado Commercial Kitchens, but does not receive payment for this service, and is not a partner or principle for this company. He stated he is a mechanical estimator for another company and this is how he earns his living.

Mr. Brandon stated he and Mr. Blanc have worked together in the past and have remained good friends. Ms. King stated when a homeowner permit is pulled, the homeowner is required to do the work themselves; and in this case, there was a contract between the homeowner and Colorado Commercial Kitchens. Mr. Brandon stated the contract was a verbal contract. John Welton stated Ms. Bond provided RBD with a copy of the invoice for materials and labor.

Ms. King stated a Mechanical IV License is required to do service or repair work, and neither Mr. Brandon nor Mr. Blanc have this type of license. She stated installations require a Mechanical A License.

John Welton stated the violation in this complaint is that the contractor should have pulled the permit if he is doing the work. Joel Segura stated the Code requires that all people doing service work must be directly supervised by the licensee. Todd Welch stated RBD has the ability to file a lawsuit against contractors for doing work without a license, and in this case for doing service work without a Mechanical IV License. He stated Mr. Brandon needs to apply for a Mechanical IV License or a lawsuit will be forthcoming. Mr. Mahler stated the issues are that Mr. Blanc is not supervising the work that he is pulling a permit for, and Mr. Brandon is doing service work without a Mechanical IV License.

A motion was made by Scot Gring to recommend to the Board of Review that the license for Colorado Commercial Kitchens shall be locked until the owner obtains a Mechanical IV License for service and repair work, and a Mechanical A License for installations; or the current licensee shows proof of ownership in the company or becomes an employee with Workmen's Compensation Insurance, seconded by Johnny Johnson; the motion carried unanimously.

A motion was made by Scot Gring to recommend to the Board of Review that a One-Year Incident Report regarding work on a homeowner permit at 7215 Shawnee Way, Colorado Springs, Colorado will be put in David Blanc's contractor file, seconded by Jim Rose; the motion carried unanimously.

- b) A complaint has been brought against Nicholas Carpenter, licensee for C & C Roofing and Exteriors, Inc., by Amy Folsom for performing work at 1645 Bandedrock Court, Colorado Springs, Colorado, without the proper license, without pulling a permit; for willful and wanton negligence; and for willfully violating any provisions of the Pikes Peak Regional Building Code, in violation of Sections RBC201.3 and RBC201.11.3, Nos. 1, 5, and 6, 2011 Pikes Peak Regional Building Code.

Nicholas Carpenter appeared; however, the homeowner was not available. A motion was made by Johnny Johnson to **TABLE** this item until the end of the meeting, seconded by Scot Gring; the motion carried unanimously.

*This Item was heard out of order after Item 4.*

- c) A complaint has been brought against Craig Maser, licensee, by Lance Mihalko for pulling a permit for an unlicensed contractor to perform work at 5635 Country Heights Drive, Colorado Springs, Colorado; and by Mr. and Mrs. W. Austin for pulling a permit for an unlicensed contractor to perform work at 713 Drew Drive, Colorado Springs, Colorado, in violation of Section RBC201.11.3, Nos. 1, 5, and 6, 2011 Pikes Peak Regional Building Code.

Chairman Mahler noted that this complaint has been postponed for 30 days, at the request of the Licensee. A motion was made by Johnny Johnson to **POSTPONE** this Complaint until the February 8, 2017 Licensing Committee meeting, with the stipulation that if Craig Maser fails to appear at the February 8, 2017 meeting, the Licensing Committee will proceed with the Complaint in Mr. Maser's absence, seconded by Scot Gring, the motion carried unanimously.

- d) A complaint has been brought against Roy Attardi, licensee for Elegant Deck Designs, by Wendy Ralph for performing work at 13415 Trail Boss Court, Peyton, Colorado, without pulling a permit; for willful and wanton negligence; and for willfully violating any provisions of the Pikes Peak Regional Building Code.

Wendy Ralph appeared; however Roy Attardi did not appear. A motion was made by Johnny Johnson to **POSTPONE** this Complaint until the February 8, 2017 Licensing Committee Meeting, with the stipulation that if Roy Attardi fails to appear at the February 8, 2017 meeting, the Licensing Committee will proceed with the Complaint in Mr. Attardi's absence, seconded by Jim Rose; the motion carried unanimously.

#### 4. **CONSENT LICENSE REQUESTS**

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

JRB CONTRACTORS, LLC – JOHN BOSSE (EXAMINEE CHANGES CO.)  
K - CON, INC – PATRICK KIERNAN

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

BAKER BUILDERS, LLC – DUSTIN BAKER  
ELWOOD CONTRACTING SERVICES, LLC – JASON ELWOOD (REINSTATEMENT)

LEACH CIVIL, INC – DANIEL LEACH  
TIMBERLINE LANDSCAPING, INC – MATTHEW STEED

**Building Contractor C (Home Builder)**

ASHLEY DEAN REMODEL – CHRISTOPHER SELBY

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

GENESIS CONSTRUCTION, INC – MARK SCHYMANSKI (UPGRADE)

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

MCCARVER CONSTRUCTION, LLC – ERIC MCCARVER  
NAILED IT ROOFING, LLC – DANIEL NAIL (EXAMINEE CHANGES CO.)  
SAFE HAVEN ROOFING & RESTORATION – MICHAEL DONADIC

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

EXTERIORS UNLIMITED, LLC – BRIAN TILSTRA

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

GONZALEZ STUCCO – ANDRES LEDESMAN (CO. CHANGES EXAMINEE)  
KING STUCCO – JASON FLORES

**Building Contractor E (Residential Remodeling)**

INNOREV HOME SOLUTIONS, LLC – KENNETH PETERSON

**Mechanical Contractor A (Commercial)**

ALL CONDITIONS HVAC, LLC – LUCAS DINAN  
COLLING CUBED, LLC – TIMOTHY CHESSMORE (PRIMARY EXAMINEE)  
LEAGUE COMMERCIAL REFRIGERATION & HVAC – ROBERT HART (EXAMINEE  
CHANGES CO.)  
OVERLAND CONTRACTING, INC – AUSTIN LIDDICOT (ADDITIONAL)  
PREMIER DRAFTING AND DESIGN, INC – ELSA LYNDA  
REPLUMB SPECIALTIES, INC – DAVID STILL (ADDITIONAL)  
SOCO HEATING AND COOLING – DAVID CARTER

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

BENJAMIN MARTINEZ  
CHAD CROW  
CORY DORNER  
DAVID CARTER  
JAY HEARSON  
LEE BURTON  
LUCAS DINAN  
SEAN MCDONALD  
NEIL NISSEN  
OSCAR WATKINS  
PATRICK KNIGHT  
RICHARD HARDY  
ROKE SAN NICHOLAS  
WILLIAM KIDD

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

**LICENSE REQUESTS CONSIDERED INDIVIDUALLY**

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

QUALITY CONSTRUCTION, LLC – RICHARD LAKE (UPGRADE) \*

Richard Lake appeared and stated he has been working in the construction industry for 23 years. He stated most of his work has been on residential housing and apartments. He stated he worked, as a supervisor, on a great deal of apartments and duplexes in Michigan. Mr. Lake stated he has always been a subcontractor, and would like to get his general contracting license; he currently holds a D-1 License in El Paso County. John Welton stated to build multi-unit R2 occupancy structures, a B-1 License is required. A motion was made by Vince Colarelli to recommend to the Board of Review **APPROVAL** of a Building Contractor B-1 (General Limited) License, seconded by Johnny Johnson; the motion carried unanimously.

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

NR STUCCO – JULIA NOLASCO \*

Jessie King stated this License Request is postponed for 30 days. A motion was made by Johnny Johnson to **POSTPONE** this License Request until the February 8, 2017 Licensing Committee meeting, seconded by Jim Rose; the motion carried unanimously.

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

RANDELL CHAPPELL \*

Randell Chappel appeared. Joel Segura stated RBD staff is requesting that this license request be denied, because this contractor has been sued by RBD for doing work without a license. He stated a Mechanical IV License requires that Mr. Chappel work under a Mechanical A or B Licensee. Mr. Chappel stated if this license request is granted, he plans to work for Top Notch Heating and Cooling, which is a Mechanical B Licensee. Randell Chappel stated he would like to postpone this license request for 30 days so he can resolve his outstanding issues with RBD staff. A motion was made by Vince Collarelli to **POSTPONE** this License Request for 30 days, seconded by Johnny Johnson; the motion carried unanimously.

\* Appearance required at the Licensing Committee meeting.

*The following Item 3.b. was heard out of order.*

3. **COMPLAINTS**

- b) A complaint has been brought against Nicholas Carpenter, licensee for C & C Roofing and Exteriors, Inc., by Amy Folsom for performing work at 1645 Bandedrock Court, Colorado Springs, Colorado, without the proper license, without pulling a permit; for willful and wanton negligence; and for willfully violating any provisions of the Pikes Peak Regional Building Code, in violation of Sections RBC201.3 and RBC201.11.3, Nos. 1, 5, and 6, 2011 Pikes Peak Regional Building Code.

Nicholas Carpenter appeared; however, the homeowner was not available. Mr. Carpenter stated this issue was settled in a Court proceeding recently; and he believes the complaint has been resolved with the homeowner. A motion was made by Johnny Johnson to **POSTPONE** this Complaint until the February 8, 2017 Licensing Committee meeting, seconded by Johnny Johnson; the motion carried unanimously.

5. **UNFINISHED BUSINESS**

a) Update on Lawsuit with Jeff Masias

Todd Welch stated RBD has filed a lawsuit against Jeff Masias, and RBD staff has received information that the Colorado Springs Police Department is also investigating Mr. Masias. John Welton stated Mr. Masias' expired license was revoked during the December meeting, and Mr. Masias has not applied for another license. He stated RBD staff is still working with Sherman Suits regarding the outstanding permits; but there has not been any progress made by Mr. Suits regarding those outstanding permits.

6. **NEW BUSINESS**

There was no New Business to discuss.

The meeting adjourned at 11:22 a.m.

Respectfully submitted,

Roger N. Lovell  
Regional Building Official

RNL/llg