Rhode Island Department of Business Regulation

Contractors' Registration and Licensing Board

560 Jefferson Blvd. Ste. 100, Warwick, Rhode Island 02886

Telephone: (401) 921-1590 Fax: (401) 889-5535

VIA- USPS

October 18, 2021

Millennial HVAC
Derek Aitchison

Registration/License Number:
Claim Associated with Violation: C-C-10475

RE: FINAL ORDER AND SUSPENSION OF REGISTRATION
Disciplinary Action - Violation # V-6063

On or about August 19, 2021 , you were provided with a Notice of Violation/Proposed Order, a copy of which is attached and incorporated as if stated again in full, that the Rhode Island Contractors' Registration and Licensing Board determined that you were in violation of Rhode Island General Laws and intended to assess civil penalties.

Because you did not request a hearing or pay the fines as assessed within the time allowed, the Notice of Violation/Proposed Order has converted to a Final Order. The fines, as listed above, are now due and payable. If payment is not received within twenty (20) days, your registration will be suspended and your case may be referred to the Office of the Attorney General for criminal prosecution pursuant to RIGL § 5-65-19 and/or referred to the Central Collections Unit pursuant to RIGL § 42-142-1.

You have the right to appeal this Final Order by completing the attached form and returning to the CRLB within twenty (20) days of the date of this mailing. For additional information, please see our website at www.crb.ri.gov, or contact us by telephone at (401) 921-1590.

Sincerely,

Santiago O. Giron
Investigator
Contractors' Registration & Licensing Board
Division of Building, Design & Fire Professionals
Department of Business Regulations
santiago.giron@dbr.ri.gov
Phone (401) 921-1209
Cell (401) 486-1531

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Registration/License Number:
Claim Associated with Violation: C-C-10475

RE: NOTICE OF INTENT TO ASSESS CIVIL PENALTY AND OPPORTUNITY FOR HEARING – PROPOSED ORDER
Disciplinary Action - Violation # V-6063

This letter serves to notify you that the Rhode Island Contractors' Registration and Licensing Board(CRLB) has determined that on or about March 22, 2021, at 2 Baron Court, Warwick, RI 02888 violations of the following section(s) of Rhode Island General Laws were discovered and the CRLB intends to assess civil penalties as proposed.

Violation
5-65-3(a) - Bid to do work or arrange work without a valid registration

Violation Penalty
1,000

Description
Hired by homeowner to install windows, contractor does not have a valid RI contractor's registration.

Violation
5-65-3(j) - Hiring of non-registered subcontractor

Violation Penalty
1,000

Description
Hired a sub-contractor to install the windows. Sub-contractor does not have a valid RI contractor's registration.

Violation
5-65-3(o) - Failure to have written contract when work performed is in excess of $1,000.00

Violation Penalty

1,000

Description

Unable to present a written contract with the homeowner.

Fine amount: $3,000

You have the right to a hearing. You must request a hearing in writing, to the Contractors' Registration Board, 560 Jefferson Blvd, Warwick, RI 02886 within twenty (20) days of the date of this mailing or issuance of the Notice of Intent to Assess Civil Penalty. Failure to apply for, or to attend a scheduled hearing, will result in the issuance of a Final Order.

For additional information, please see our website at www.crb.ri.gov, or contact us by telephone at: (401) 921-1590.

Sincerely,

Santiago O. Giron
Investigator
Contractors' Registration & Licensing Board
Division of Building, Design & Fire Professionals
Department of Business Regulations
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Rhode Island Department of Business Regulation
Division of Building, Design& Fire Professionals
STATE BUILDING OFFICE

REQUEST FOR APPEAL

Please type or print legibly. Incomplete or unreadable applications will be returned. Please allow 7-10 business days for processing

THIS FORM MUST BE RECEIVED BY THE BOARD WITHIN TWENTY (20) DAYS OF THE NOTICE OF VIOLATION OR DECISION OF HEARING OFFICER

TYPE OF REQUEST	
APPEAL OF NOTICE OF VIOLATION TO HEARING OFFICER	☐
APPEAL OF DECISION OF HEARING OFFICER TO FULL BOARD	☐

APPLICANT INFORMATION			
Notice of Violation Date		Violation/File Number:	
Date of Decision/Final Order		Claim Number:	
Registration/License Type:		Registration/License #	
Name:			
Residential Address:			
City:	State:	Zip Code:	
Mailing Address (if different):			
City:	State:	Zip Code:	
Phone Number:	Cell Phone:	Email:	

BRIEFLY DESCRIBE REASON FOR APPEAL

STANDARD OF REVIEW AND PROCEDURE FOR APPEAL OF NOTICE OF VIOLATION/PROPOSED ORDER

At hearing, the CRLB must prove the alleged violation(s) by a preponderance of the evidence. If proven, the Hearing Office will issue a Decision/Final Order. Decisions/Final Orders may be appealed to the Board as indicated below.

STANADRD OF REVIEW AND PROCEUDRE FOR APPEAL OF DECISION OF HEARING OFFICER

In accordance with § 1.13.2 of CRLB regulation 440-RICR-10-00-1,

a. The Board shall only consider evidence presented to the Hearing Officer, issues raised in the appeal, and written and/or oral argument relative to the Decision/Final Order issued by the Hearing Officer.
b. The Board may limit the time allowed for oral argument.
c. The Board will not consider any new or additional evidence not already presented below to the Hearing Officer.
d. The CRLB staff investigator may report on their investigative findings.

Consistent with §§ 5-65-20, 440-RICR-10-00-1.13.2, and the Administrative Procedures Act § 42-35-1 et seq., the Board will affirm the Hearing Officer's Decision if it is supported by substantial evidence in the record. The Board will not substitute its judgment for that of the Hearing Officer as to the weight of the evidence on questions of fact. Alternatively, the Board may dismiss or modify the Hearing Officer's decision if it was arbitrary or capricious, or affected by other error of law. The Board may remand the case for further proceedings, if applicable.

It shall be the Appellant's sole responsibility, or that of his/her or its representative, to present his/her Appeal to the Board. The Appellant may be represented by legal counsel admitted in the State of Rhode Island. If Appellant fails to appear at the Hearing and has not otherwise notified the Board of his/her or its inability to attend, the Board shall dismiss the Appeal and affirm the Decision of the Hearing Officer.

The deadline for the Appellant to submit briefs and/or written arguments shall be fourteen (14) calendar days prior to the hearing. Oral arguments shall begin with the Party that filed the appeal. Time limits for oral arguments shall be limited to fifteen (15) minutes. A rebuttal time of three (3) minutes may be allowed. The Chair of the Board, or his/her designee, will oversee the proceedings.

AFFIRMATION

I swear, under the pains and penalties of perjury, that the information provided in connection with this Request for Appeal is true to the best of my knowledge, with the understanding that any omissions, inaccuracies, and/or failure to make full disclosures may be deemed sufficient reason to deny or revoke registration/licensure by the CRLB.:

Signature _____ Date _____

Print _____

SUBMISSION

Submit this application to:
RI Contractors' Registration and Licensing Board
Attn: Matthew Lambert
560 Jefferson Boulevard
Warwick, RI 02886

OR
Email to Matthew.Lambert@dbr.ri.gov