

**STATE OF RHODE ISLAND  
DEPARTMENT OF BUSINESS REGULATION  
CONTRACTORS' REGISTRATION AND LICENSING BOARD  
560 JEFFERSON BOULEVARD, SUITE 200  
WARWICK, R.I. 02886**

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<b>In the Matter of:</b>	:	
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<b>Ham, Inc. d/b/a 911 Restoration of Rhode Island, BTTR, LLC, and Michael Bresette,</b>	:	<b>DBR No. 21CRLB001</b>
	:	
<b>Respondents.</b>	:	

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**ORDER RE: CONDITIONAL REGISTRATION**

This matter concerns the above-captioned respondents: Ham, Inc. d/b/a Restoration of Rhode Island (“Ham”); BTTR, LLC (“BTTR”); and Michael Bresette (“Bresette”) (collectively, “Respondents”). BTTR holds a registration as a contractor pursuant to R.I. Gen. Laws § 5-65-1 *et seq.* Prior to the initiation of this action, Ham had been registered as a contractor, but that registration had expired. Bresette is the owner and operator of both Ham and BTTR and was the applicant for BTTR’s registration.

On February 22, 2021, pursuant to R.I. Gen Laws 5-65-10(f), the director of the Department of Business Regulation (“Department”) issued an emergency order (“Emergency Order”) summarily suspending the contractor registration of BTTR as well as an order to show cause why BTTR’s registration should not be revoked. Pursuant to R.I. Gen. Laws 42-6-8, the director in the Emergency Order appointed the undersigned as hearing officer for the purpose of conducting the hearing and rendering decision in this matter. As a result of the Emergency Order, a prehearing hearing conference was held, and the parties entered into a Consent Decree (“Consent Decree”) dated March 24, 2021. The Consent Decree lifted the Emergency Order and provided

for BTTR's conditional registration as a contractor. On February 17, 2022, the Department filed its withdrawal from the Consent Decree and filed a motion for the immediate suspension of registration. By order dated March 11, 2022, the undersigned ordered that the Respondents' registrations be summarily suspended for 30 days. The parties entered into a second consent order ("Second Order") dated March 22, 2022 that provided for two (2) weeks of conditional registration for the Respondents to complete jobs for 23 identified customers. The Second Order allowed the Respondents to request a further one (1) week conditional registration per job for good cause shown.

A hearing was held on April 6 and 7, 2022 on the Respondents' request for further one (1) week extensions for some of the 23 identified customers. As a result of these hearings, it is ordered as follows:

1. The conditional registration for the Respondents for the following six (6) customers is extended to APRIL 12, 2022:

- a. T [REDACTED] T [REDACTED]
- b. V [REDACTED] N [REDACTED]
- c. T [REDACTED] K [REDACTED]
- d. L [REDACTED] S [REDACTED]
- e. P [REDACTED] S [REDACTED]
- f. P [REDACTED] D [REDACTED]

2. The conditional registration for the Respondents for the following four (4) customers is extended to APRIL 14, 2022.

- a. R [REDACTED] G [REDACTED]
- b. J [REDACTED] and D [REDACTED] T [REDACTED]
- c. M [REDACTED] F [REDACTED]
- d. J [REDACTED] P [REDACTED]

3. Any inspections that are required to be conducted pursuant to the Second Order by the State Building Office regarding the completion of projects shall be completed by April 21, 2022.

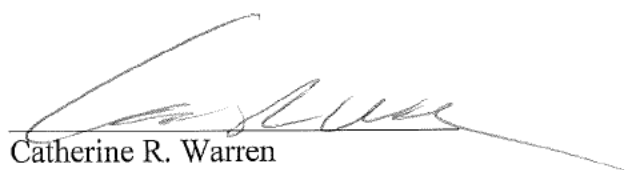
Furthermore, the parties agreed that the following six (6) customers shall be transferred to other registered contractors:

- a. D [redacted] H [redacted]
- b. A [redacted] M [redacted]
- c. A [redacted] M [redacted]
- d. R [redacted] K [redacted]
- e. K [redacted] F [redacted]
- f. K [redacted] V [redacted]

The remaining seven (7) customers shall be addressed at a remote hearing on April 11, 2022 at 1:00 p.m. The Department is seeking further information regarding their statuses in terms of permits and/or inspections and/or contracts.<sup>1</sup>

Issued by R.I. Contractors' Registration and Licensing Board.

Entered: April 8, 2022

  
Catherine R. Warren  
Hearing Officer

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<sup>1</sup> For example, the Respondents are to provide more information regarding T [redacted] C [redacted] in terms of whether a permit is needed for the installation of the sink and regarding any need for a plumbing permit for K [redacted] S [redacted]. The Respondents will provide information regarding the inspection for M [redacted] K [redacted] which is scheduled for the morning of April 11, 2022. The parties are gathering further information on the status of inspections for K [redacted] J [redacted]. The Department is contacting the local inspection departments for E [redacted] V [redacted] and K [redacted] V [redacted]. The Respondents shall provide a contract for C [redacted] W [redacted].

**NOTICE OF APPELLATE RIGHTS**

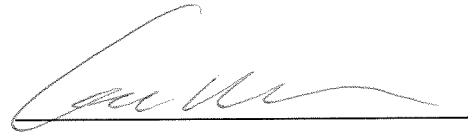
**Pursuant to R.I. Gen. Laws § 5-65-20 and § 1.13.2 of the Regulation, decisions by a hearing officer are appealed to the full Board by requesting an appeal in writing to the Board within twenty (20) days of the date of mailing or issuance of this decision.**

Any appeal to the Board shall give the specific reasons why a party believes that the findings of the hearing officer are incorrect, based on testimony or evidence received at the hearing. No new testimony or evidence will be accepted. The Board does not rehear any issues but can only accept argument as to why a wrong decision may have been reached in this case. If an appeal is filed, the parties will be notified of the date, time, and location of the Board's meeting. Either party may appear before the Board to give oral argument. Failure of either party to appear before the Board may result in an adverse decision against the party.

However, this order may be considered an interlocutory order of the Department of Business Regulation pursuant to R.I. Gen. Laws § 42-35-15. Pursuant to R.I. Gen. Laws § 42-35-15, an interlocutory order may be appealed to the superior court sitting in and for the county of providence within thirty (30) days of the mailing date of this decision. Such appeal, if taken, must be completed by filing a petition for review in superior court. The filing of the complaint does not itself stay enforcement of this order. The agency may grant, or the reviewing court may order, a stay upon the appropriate terms.<sup>2</sup>

**CERTIFICATION**

I hereby certify on this 8<sup>th</sup> day of April, 2022 that a copy of the within Order and Notice of Appellate Rights were sent by electronic delivery to William Devereaux, Esquire, and William O'Gara, Esquire, Pannone Lopes Devereaux & O'Gara, 1301 Atwood Avenue, Johnston, R.I. 02919 and by electronic delivery to Thomas Fay, Esquire, and by electronic delivery to Matthew Gendron, Esquire, and Ania Zielinski, Esquire, Department of Business Regulation, Pastore Complex, 1511 Pontiac Avenue, Cranston, R.I.



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<sup>2</sup> The undersigned cannot grant appeal rights where none exist so that such determination over any appeal rights lies with the Superior Court, if appealed.