



## **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- Certified Mail

January 3, 2023

DESOUSA CONST & REMODELING  
MICHAEL DESOUSA

Registration/License Number: GC-42382  
Complaint Associated with Violation: C-11149

**RE: FINAL ORDER AND SUSPENSION OF REGISTRATION  
Disciplinary Action - Violation # V-6762**

On or about December 13, 2022 , 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 § 42-142-8.

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](http://www.crb.ri.gov), or contact us by telephone at (401) 921-1590.

Sincerely,



**Rhode Island Department of Business Regulation**  
**Contractors' Registration and Licensing Board**

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DESOUSA CONST & REMODELING  
MICHAEL DESOUSA

Registration/License Number: GC-42382  
Claim Associated with Violation: C-11149

**RE: NOTICE OF INTENT TO ASSESS CIVIL PENALTY AND OPPORTUNITY FOR HEARING –  
PROPOSED ORDER**  
Disciplinary Action - Violation # V-6762

This letter serves to notify you that the Rhode Island Contractors' Registration and Licensing Board (CRLB) has determined that on or about November 16, 2022, at 155 Pleasant View Avenue, Smithfield, RI 02917 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(j) - Hiring of non-registered subcontractor

**Violation Penalty**

500

**Description**

On roughly November 7, 2022, at 155 Pleasant View Ave, Smithfield work to repair a rear deck and stairs damaged by a fallen tree was underway. A check of the CRLB Registration database showed that GC-42382 does not have employees. According to the homeowner and the text messages provided by the homeowner, several workers were on site for the job.

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**Violation**

5-65-3(m) - Failure to secure permits prior to commencing work

**Violation Penalty**

1,000

**Description**

On roughly November 7, 2022, at 155 Pleasant View Ave, Smithfield work to repair a rear deck and stairs damaged by a fallen tree was underway. This work involved replacement of support beams, brackets, deck boards. This work is of the type which requires that a building permit be issued prior to commencing work. A check of the Smithfield database showed that no permit had been issued by the municipality.

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**Violation**

5-65-3(p) - Failure to provide notice of right of rescission as stipulated in all pertinent Rhode Island consumer protection laws and/or § 5-65-27, if applicable. (Age 60 or older)

**Violation Penalty**

250

**Description**

Contracts for work require a right of rescission when the consumer is an elderly person as defined in R.I. Gen. Law §42-66-4.1 (60 years old). Upon review of the written contract, the required right of rescission was absent from the contract.

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**Violation**

5-65-10(a)(12) - Contractor performed improper work

**Violation Penalty**

500

**Description**

During the work, the contractor performed work seen as improper. Damaged deck beams were reused, and bracket were installed in a deteriorated section of the beam. Some deck boards were not nailed or screwed down to the deck.

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**Violation**

5-65-18 - Failure to provide mechanic's lien notice

**Violation Penalty**

250

**Description**

Contracts for work require notice that the contractor provide the consumer with a notice that the contractor may file a lien in accordance with the Mechanic' Lien Law, as found in R.I. Gen. Law 34-28. Upon review of the written contract, the required notice was absent from the contract.

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Fine amount: \$2,500

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](http://www.crb.ri.gov), or contact us by telephone at: (401) 921-1590.

Sincerely,

