

**STATE OF RHODE ISLAND
DEPARTMENT OF BUSINESS REGULATION
CONTRACTORS' REGISTRATION AND LICENSING BOARD
560 JEFFERSON BOULEVARD
WARWICK, RI 02886**

_____	:	
IN THE MATTER OF:	:	
	:	
RICHARD REGO,	:	GC No. 24576
a/k/a "RICK" REGO,	:	Complaint No. 23-450
d/b/a R REGO CONSTRUCTION,	:	
d/b/a R REGO DEVELOPMENT,	:	
d/b/a THE REAL REGO REAL	:	
ESTATE DEVELOPMENT,	:	
	:	
RESPONDENT.	:	
_____	:	

STIPULATION AND CONSENT ORDER

PROCEDURAL BACKGROUND AND TRAVEL

On or about March 28, 2024, Respondent was issued a Notice of Hearing ("NOH") by the Department of Business Regulation's State Building Office, which includes the Contractors' Registration and Licensing Board ("CRLB" or "Board"). The NOH provided Respondent with written notice of the appointment of a Hearing Officer to conduct an Administrative Hearing to determine whether Respondent has violated any part of Chapter 5-65 of the Rhode Island General Laws ("Chapter 5-65") and whether fines and/or relief should be ordered.

Prior to a pre-hearing conference being held in this matter, the Respondent and the CRLB (the "Parties") reached an agreement to settle the matter without the need for hearing. This Stipulation and Consent Order confirms the stipulated facts in this matter and the agreed upon terms of said agreement, which are as follows:

FACTS

1. Respondent Richard Rego is a registered contractor with the Board, GC No. 24576, who operates a business by the name of R Rego Development.
2. According to the Board's registration records, there have been four (4) prior violations issued against Respondent Richard Rego's contractor registration, GC No. 24576.
3. According to Respondent Richard Rego's disciplinary history records with the Board, Violation Number V-6234 was issued on 09/23/2021 for violation of R.I. Gen. Laws § 5-65-3(h) and Respondent Richard Rego paid a fine in the amount of \$25.00.
4. According to Respondent Richard Rego's disciplinary history records with the Board, Violation Number V-6179 was issued on 10/28/2021 for violation of R.I. Gen. Laws § 5-65-3(h) and Respondent Richard Rego paid a fine in the amount of \$25.00.
5. According to Respondent Richard Rego's disciplinary history records with the Board, Violation Number V-6232 was issued on 11/19/2021 for violation of R.I. Gen. Laws § 5-65-3(h) and Respondent Richard Rego paid a fine in the amount of \$25.00.
6. According to Respondent Richard Rego's disciplinary history records with the Board, Violation Number V-6365 was issued on 02/22/2022 for violation of R.I. Gen. Laws § 5-65-3(j) and Respondent Richard Rego paid a fine in the amount of \$250.
7. According to R.I. Gen. Laws § 5-65-1(7)(i)(a), a "Contractor" is someone who,

in the pursuit of an independent business,1 undertakes or offers to undertake or submits a bid, or for compensation and with or without the intent to sell the structure constructs, alters, repairs, improves, moves over public highways, roads, or streets, or demolishes a structure or to perform any work in connection with the construction, alteration, repair, improvement, moving over public highways, roads, or streets, or demolition of a structure, and the appurtenances thereto. For the purposes of this chapter, "appurtenances" includes, but is not limited to, the installation, alteration, or repair of wells connected to a structure consistent with chapter 13.2 of title 46, garage, carport, port, patio, decks, docks, sheds, tents, gazebos,

walkways, fencing, driveways, retaining walls, swimming pools, sidewalks, stone/masonry walls, and parking lots.

8. Pursuant to R.I. Gen. Laws §5-65-3(h)(i), “[e]very contractor shall maintain a list that shall include the following information about all subcontractors or other contractors performing work on a structure for that contractor[.]”¹

9. According to R.I. Gen. Laws § 5-65-3(j),

The following subcontractors who are not employees of a registered contractor must obtain a registration certificate prior to conducting any work: (1) Carpenters, including finish carpenters and framers; (2) Siding installers; (3) Roofers; (4) Foundation installers, including concrete installers and form installers; (5) Drywall installers; (6) Plasterers; (7) Insulation installers; (8) Ceramic tile installers; (9) Floor covering installers; (10) Swimming pool installers, both above ground and in ground; (11) Masons, including chimney installers, fireplace installers, and general masonry erectors; (12) Hardscape installers; (13) Power washers who perform work on structures; and (14) Painters. This list is not all inclusive and shall not be limited to the above-referenced contractors. No subcontractor licensed by another in-state agency pursuant to § 5-65-2 shall be required to register, provided that said work is performed under the purview of that license.

10. According to R.I. Gen. Laws § 5-65-3(j), “[a] contractor, including but not limited to, a general contractor, shall not hire any subcontractor or other contractor to work on a structure unless that contractor is registered under this chapter or exempt from registration under the provisions of § 5-65-2.”

11. R.I. Gen. Laws § 5-65-3(o) requires that a written contract be used by a contractor offering or arranging to perform work for \$1,000 or more, and that subsection of Chapter 5-65 also requires that a notice of possible mechanic’s lien be included in such written contract for construction.

¹ “The Contractors’ Registration Law requires every contractor, remodeler and most subcontractors who are in the business of building or repairing residential or commercial structures and their appurtenances in the State of Rhode Island to register with the Contractors’ Registration and Licensing Board, so that claims filed against them can be heard and settled.” 440-RICR-10-00-2 §2.2.

12. R.I. Gen. Laws § 5-65-3(p) provides, “[c]ontracts entered into must contain notice of right of rescission as stipulated in all pertinent Rhode Island consumer protection laws and/or § 5-65-17, if applicable.”

13. The March 28, 2024, NOH was issued following the Board inspector’s investigation into Complaint No. 23-450 conducted between November 20, 2023, and March 3, 2024, including a site visit on December 20, 2023, and search of the Board’s registration records, which found that Respondent hired unregistered subcontractors and failed to provide the necessary right of rescission and mechanic’s lien notices in connection with Respondent’s agreement to perform contractor services for the complainant at their residence in Narragansett, Rhode Island.

14. It is the Board’s position that had a hearing been held in this matter, it would have demonstrated by a preponderance of the evidence that Respondent violated R.I. Gen. Laws § 5-65-3, by hiring unregistered contractors to perform work that requires registration as a contractor with the Board and failing to have the necessary contractual disclosures in a contract for construction.

TERMS

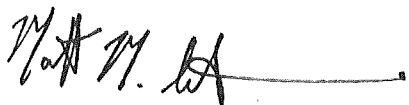
15. While the Respondent neither admits or denies committing the violations alleged herein, and in the NOH, in order to amicably resolve this matter without an administrative hearing the Board and the Respondent enter into this Stipulation and Consent Order solely for the purpose of avoiding the burdens and expenses of litigation. The Respondent and the CRLB agree to resolve the matter based upon satisfaction of the following terms and conditions:

- a. Respondent agrees to make a payment in the amount of \$ 2,500.00 , and deliver said payment, in full, no later than ninety (90) days following the Effective Date of this Stipulation and Consent Order.
- i. Respondent shall deliver the payment as follows:
1. Respondent shall prepare the payment for delivery, via bank check, cashier's check or money order;
 2. The bank check or money order shall be made payable to the Rhode Island General Treasurer, and
 3. The payment shall be delivered to the Contractors' Registration and Licensing Board's offices located at 560 Jefferson Boulevard Warwick, RI 02889, concurrently upon signing this Consent Agreement.
- b. Respondent agrees to perform twenty-five (25) continuing education credit hours, as recommended by the Board and identified by highlighted text in the attached Addendum A (List of Recommended Continuing Education Courses for Richard Rego); among the highlighted courses, Respondent may choose any twenty-five (25) credit hours, so long as those credit hours are completed in accordance with the above deadline for performance.
- c. Respondent may continue to operate his contractor business during the interim period while satisfying the above terms and conditions, however Respondent acknowledges and agrees that if the above terms are not satisfied accordingly, then the Board may move to schedule a hearing in this matter pursuant to the NOH, that may result in administrative fines and/or penalties.

16. If the above terms and conditions are fully satisfied by Respondent, the Board shall consider this matter resolved, and Respondent agrees that the Board shall post this Stipulation and Consent Order to the Department's website under "Enforcement Actions."
17. Respondent acknowledges that if the above terms are not fully satisfied within the agreed upon timeframe, then the Board reserves the right to initiate further administrative enforcement actions and/or refer the Respondent to the Office of the Attorney General for prosecution under R.I. Gen. Laws § 5-65-19.
18. Respondent agrees that a review hearing in this matter may be scheduled for the _____ 25th _____ day of September 2024, at _____ 9:30am _____, before the hearing officer assigned to this matter, to confirm whether the above terms have been met.
19. The Respondent agrees that, in addition to the above, going forward, he/she shall abide by all other statutory and regulatory requirements as set forth in the laws governing how to become and how to practice being a contractor in the State of Rhode Island, R.I. Gen. Laws Chapter 5-65, as well as the CRLB's General Rules and Regulations for Applications, Registration, Licensing, Claims, Violations, and Administrative Hearings, 440-RICR-10-1-1, and the Rules and Regulations for Contractors, 440-RICR-10-00-2.
20. *Enforcement.* Respondent acknowledges and agrees that, in the event he fails to complete the above terms of this Stipulation and Consent Order, Respondent will be in violation hereof and, upon ten (10) days written notice to Respondent, the Board shall be entitled to resume and continue the administrative action before the Hearing Officer assigned to this matter pursuant to the NOH.
21. *Completeness.* The Board and the Respondent agree that the terms and conditions of this Stipulation and Consent Order represents the final determination of this matter.

22. *Waiver of Hearing and Appeal.* By agreeing to enter into this Stipulation and Consent Order, the Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to any further appeals to the CRLB and the Superior Court under Chapter 5-65 and the Rhode Island Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35.
23. *Opportunity to Obtain Counsel.* Respondent agrees that he has had an opportunity to retain legal counsel to represent him/her in connection with this matter, and that he/she fully understands and acknowledges all the terms contained within this Stipulation and Consent Order, and that he/she has signed this Stipulation and Consent Order knowingly and voluntarily.
24. *Public Record.* Once executed, this Stipulation and Consent Order shall be a public record under the Access to Public Records Act, R.I. Gen. Laws Chapter 38-2, and § 1.5(C) of 440-RICR-10-00-1.
25. *Compliance.* Compliance with the terms of this Stipulation and Consent Order does not relieve the Respondent of any obligations to comply with other applicable laws or regulations administered by or through the CRLB, the Department or any other governmental agency.
26. *Effective Date.* The effective date of this Stipulation and Consent Order shall be the date it was approved and signed by the Board and the Hearing Officer.

For the CRLB:




06.21.2024

Print Name: Matthew Santacroce
Title: Deputy Director, Dept. of Business Regulation

Date

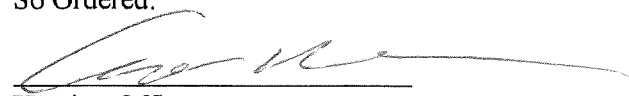
For the Respondent:


Richard Rego
Print Name:

6-12-24

Date

So Ordered:


Catherine L. Warner
Hearing Officer

6/21/24

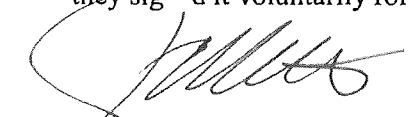
Date

NOTARIAL CERTIFICATE

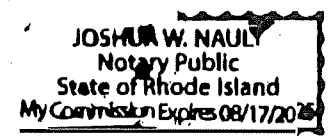
STATE OF Rhode Island

COUNTY OF Kent

On this 12th day of June, 2024, before me the undersigned notary public, personally appeared Richard, and proved to me through satisfactory evidence of identification to be the person whose name is signed above, and acknowledged that they signed it voluntarily for its stated purpose.


Print Name and ID Number 767396
Notary Public
Joshua W. Nault

My Commission Expires:



CERTIFICATION OF SERVICE

I hereby certify that on this _____ day of _____, 20____, that a true copy of the within Consent Agreement was sent by first class mail and certified mail, return receipt requested to:

Richard Rego 34 Nelson St. Providence, RI 02908	Richard Rego R Rego Development 42 Brightbridge Avenue East Providence, RI 02914	Richard Rego 1227 Main St., Ste. K West Warwick, RI 02983
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And by email:

1. Joshua W. Nault Esq., Board Legal Counsel (joshua.nault@dbr.ri.gov);
2. Donna Costantino, DBR Associate Director (donna.costantino@dbr.ri.gov);
3. Anthony Whitfield, CRLB Chief (anthony.whitfield@dbr.ri.gov); and
4. Richard Rego, Respondent (rickrego57@gmail.com).

Print Name: