

**STATE OF RHODE ISLAND
DEPARTMENT OF BUSINESS REGULATION
CONTRACTORS' REGISTRATION AND LICENSING BOARD
560 JEFFERSON BLVD., SUITE 100
WARWICK, RI 02889**

IN THE MATTER OF:

JOSE ARIAS,

Respondent.

VIOLATION NO. 6731

GC #42940

CONSENT AGREEMENT

The Department of Business Regulation ("Department"), by and through the Contractors' Licensing and Registration Board ("CRLB"), and Jose Arias ("Respondent")(collectively hereinafter, the "Parties") hereby consent and agree to the following:

1. On or about September 21, 2022, Complainant and Respondent entered into a written contract for the partial roof replacement and repair at the Site, after which the roof leaked in various parts of the home and the Respondent would not return her calls for addressing the faulty work.
2. The Complainant submitted the contract she and Respondent entered into for repair of the roof. The document is handwritten, states its title as "Contract Agreement," and states the work is "...for fixing the porch R side, Roof and patching some Holes on the top of The House Roof," for the price of four thousand dollars (\$4,000) ("Contract").
3. The Contract further states that "Guarantee Promise to call – if any leak in Roof and Porch Roof to be fixed and patched without any payments from [Complainant]." The Contract is signed by the Complainant and Respondent.
4. The Complainant took pictures and video of the water leaks and damage that clearly show the water leaks and damage.
5. On October 20, 2022, a CRLB Investigator made a Site visit and observed that the portion of the home over which the Respondent performed work, an enclosed porch converted into a bedroom, contained significant water damage as did other parts of the home.
6. As part of his investigation, the CRLB Investigator confirmed from the Providence permit database that Respondent obtained no permits for the Site work prior to beginning the Site work.

7. The Contract contained no mechanic's lien notice.
8. On October 21, 2022, the CRLB issued the Respondent a *Notice of Intent to Assess Civil Penalty and Opportunity for Hearing – Proposed Order Disciplinary Action – Violation # V-6731* ("Notice").
9. On October 25, 2022, the CRLB received the Notice appeal request from Respondent.

STATEMENT OF LAW

10. Pursuant to R.I. Gen. Laws § 5-65-3(m):

The contractor must see that permits required by the state building code are secured on behalf of the owner prior to commencing the work involved. The contractor's registration number must be affixed to the permit as required by the state building code.

11. Pursuant to R.I. Gen. Laws § 5-65-3(o), contracts for work performed over one-thousand dollars must be in writing and must contain a notice of possible mechanic's lien.
12. Pursuant to R.I. Gen. Laws § 5-65-10, "[t]he board or office may revoke, suspend, or refuse to issue, reinstate or reissue a registration if the board or office determines, after notice and an opportunity for a hearing:

- (1) That the registrant or applicant has violated § 5-65-3 or any other provision of this chapter or the regulations promulgated thereunder.

...

- (11) That the registrant breached a contract.

- (12) That the registrant performed negligent and/or improper work.

...

- (14) That the registrant has failed to complete a project(s) for construction or willfully failed to comply with the terms of a contract or written warranty.

CONDITIONS

13. In an effort to affect a timely and amicable resolution of the issues raised in this Consent Agreement without an administrative hearing, the Parties enter into this Consent Agreement solely for the purposes of avoiding the burdens and expenses of litigation. The Department agrees that it will not pursue revocation or suspension of Respondent's CRLB registration based on the content of this Consent Agreement, pursuant to the following terms and conditions:

- a. Respondent admits and agrees that he did not obtain the appropriate and requisite permits for work he performed at the Site and the Contract entered into between Respondent and Complainant did not contain a mechanic's lien, both in violation of R.I. Gen. Laws § 5-65-3;

- b. As a result of Respondent's admissions in paragraph 13(a), Respondent shall deliver to the CRLB an administrative fine in the amount of two-hundred and fifty dollars (\$250.00) made payable to "Rhode Island General Treasurer" on or before **June 20, 2024**;
- c. The Respondent shall complete ten (10) continuing education credit hours, selected from a pre-approved CRLB list of courses, and shall verify the completion of said hours to the CRLB by or before **August 31, 2024**; and
- d. Respondent enters into this Consent Agreement knowingly, voluntarily and of his own free will.

14. *Final Determination.* The parties agree that this Consent Agreement and its terms represent the final determination of this matter.

15. *Waiver of Hearing and Appeal.* By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1, *et seq.*

16. *Enforcement.* If Respondent fails to comply with any term or condition of this Consent Agreement within any applicable time period set forth herein, the Respondent will be in violation hereunder 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.

17. *Compliance; Laws.* Compliance with the terms of this Consent Agreement does not relieve Respondent of any obligation to comply with other applicable laws or regulations administered by or through the Department of any other governmental agency.

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SIGNATURE PAGE

For the Department:



Signature

Anthony Whitfield
Chief, Contractors' Registration
& Licensing Board

Date: 6/20/2024

Respondent:



Signature

Mr. Jose Arias

Date: 6/20/2024



State of Rhode Island
DEPARTMENT OF BUSINESS REGULATION
Division of Building, Design & Fire Professionals
State Building Office
 560 Jefferson Blvd. Suite 100
 Warwick, Rhode Island 02886
 401-921-1590

THE FOLLOWING CONTAINS A LIST OF ALL APPROVED CONTINUING EDUCATION PROVIDERS

2.5 HOURS OF CONTINUING EDUCATION IS REQUIRED

Provider Code 1

Rhode Island Builders Association

450 Veterans Memorial Pkwy.

East Providence, R.I. 02914

401-438-7400

Website: <https://ribaeducates.com> (Online classes)

Contact: In-person classes - call 401-438-7400

Course #	Hours	Course Name
1-001	1	Introduction to Construction Contracts (both online and in-person classes)
1-002	1	Introduction to Construction Codes/Standards
1-003	1	Introduction to Common Construction Regulations and Reg. Agency
1-004	1	Introduction to Construction Business Principles & Practices
1-005	1	Introduction to Workplace Health and Safety (online)
1-006	2.5	Mold Awareness Training
1-007	2.5	Advanced Framing Less Material Less Labor
1-008	2.5	Asbestos Awareness Training
1-009	2.5	Blower Door & Air Leakage Testing
1-010	2.5	Deck Construction Codes: Sorting Out Codes & Solutions
1-011	1	Osha Fall Protection Refresher (online class)
1-012	1	Osha Confined Space New Regulations (online class)
1-013	2.5	Weather Resistant Barrier, Flashings, & Exterior Water Mgmt.
1-014	2.5	Critical Roof Details to Prevent Leaks
1-015	2	Creative Shingle Designs
1-016	3	Starting & Building Your Business/Basic Bldg. & Remodeling
1-019	1	Frost-Protection Shallow Foundations
1-020	2.5	Construction Contract Course
1-021	2.5	Mechanic Lien Course
1-022	1	Deck Construction Advanced Construction Details 1
1-023	1	Deck Construction Advanced Construction Details 2
1-024	1	Deck Construction Advanced Construction Details 3
1-025	5	Home Energy and Solar Equipment Basics
1-026	5	The Design/Build Process
1-027	2.5	Working with Bldg. Officials

1-028	2.5	Understanding the Rhode Island Contractors' Registration and Licensing Law
1-029	2.5	Complete Review of the Rules and Regulations regarding Contractors
1-031	1	Understanding the Basics and Use of Building Code Tables (online class)
1-032	2.5	Footings & Foundations
1-033	2.5	Framing – Flooring systems
1-034	2.5	Framing – Wall systems
1-035	2.5	Framing – Roof framing and systems
1-036	2.5	Windows & Doors
1-037	2.5	Insulation & Wallboard
1-038	2.5	Exterior wall siding
1-039	2.5	Deck Codes, framing, fasteners, and railing systems
1-040	2.5	Roofing
1-041	2	Septic Systems – OWTS – Onsite Wastewater Treatment Systems
1-042	2.5	Marketing your business
1-043	2.5	Social media & Web
1-044	2.5	Managing your cash flow
1-045	2.5	Contract Law
1-046	2.5	Trade Contractors – Managing and Scheduling
1-047	4	4 Hour RRP Lead Renovator – Renewal
1-048	8	8 Hour RRP Lead Renovator – Initial
1-049	2.5	Understanding QuickBooks Online for Construction Companies
1-050	2.5	Understanding Your Construction Business Model
1-051	2	Hiring Best Practices for Builders
1-052	2.5	Conflict Resolution in Construction
1-053	2.5	Dealing with Challenging Employees
1-058	6	OWTS Related Soil Erosion & Stabilization
1-059	2	Stamping Out Construction Fraud
1-060	2.5	RI General Law for Building Codes
1-061	2.5	Building Planning
1-062	2.5	Foundation and Floor Codes
1-063	2.5	Wall Coverings and Sheathing
1-064	2.5	Roof Assemblies
1-065	2.5	Energy Code
1-066	2.5	Kitchen Design and Installation
1-067	2.5	Hardwood Flooring
1-068	1.0	State Issued Construction Safety Protocols for COVID-19
1-069	2.5	Deck Stair Codes and Building Details
1-070	1.0	Flashing a Deck Ledger
1-071	1.0	Roofing in High-Wind Zones
1-072	2.5	Site-built Under Deck Drainage System & Manufactured System Overview
1-073	2.5	Siding 101
1-074	2.5	Painting 101
1-075	1.0	OSHA Fall Protection Ladder Safety (online class)
1-076	1.0	OSHA Fall Protection Supported Scaffold Safety (online class)
1-078	1	Handling our Stormwater- Do's and Don'ts

1-079	1	Industrial Stormwater Treatment Systems
1-080	1	Treating Dirty Stormwater
1-081	1	Understanding Underground Storage Solutions
1-082	1	Permeable Driveway Technologies
1-083	1	Soil Stabilization on Residential and Commercial Jobsites
1-084	1	Understanding Soils for Sustainable Vegetation Establishment for Erosion Control
1-085	1	DEM Stormwater Requirements
1-086	2.5	Bldg. Inspectors Skills and RISBC Amendments
1-087	2	Residential Energy Codes & REScheck
1-088	2	Commercial Energy Code & COMcheck
1-239	2.5	Start and Grow Your Construction Business
1-240	2.5	Using Video for Your Construction Business
1-241	2.5	Legal and Insurance Issues for the Contractor
1-273	2.5	Residential Estimating Part 1
1-274	2.5	Residential Estimating Part 2
1-275	2.5	Blueprint Reading (Residential) Part 1
1-276	2.5	Blueprint Reading (Residential) Part 2
1-277	2.5	Blueprint Reading (Commercial) Part 1
1-278	2.5	Blueprint Reading (Commercial) Part 2
1-279	2.5	Commercial Estimating Part 1
1-280	2.5	Commercial Estimating Part 2
1-281	2.5	Understanding the 1 & 2 Family Code
1-284	2.5	Sizing and Installing Deck Joists and Beams
1-285	2.5	Deck Ledgers: Conventional and Challenging Installation
1-286	2.5	Deck Guardrails- Codes and Connections
1-287	2.5	Deck Ledger Flashing and Lateral Load Connections
1-288	2.5	Sizing Deck Footings and Post Connections
1-299	1	Building Disasters
1-300	1	Introduction to RI Contractors Registration Regulations
1-381	2.5	Building Science of a High-Performance Home 1
1-445	2.5	OWTS Design and Installation Review
1-446	2.5	Aging in Place - Universal Design
1-448	2.5	Building Code Update: RI One/Two Family Dwelling Code (SBC2)
1-453	2.5	Framing The Future with SIPs
1-555	2.5	Jobsite Environmental Hazards

Provider Code 2

CLEAResult East Operating LLC

460 Harris Avenue, Providence, R.I. 02920

508-365-3316

<http://www.clearesult.com/>

Course #	Hours	Course Name
2-90	1	Residential Energy Code Envelope & Bldg. Science
2-91	1	Residential Energy Code HVAC & Indoor Air Quality
2-95	1	Residential energy Code-Advanced Bldg. Science and Zero Energy Homes

2-96	1	Residential Energy Code-Zero Energy Homes: Designing HVAC for Large Spaces with Low Loads
2-290	2.5	Residential Energy Code Updates
2-291	2.5	Residential Energy Code Advanced Framing
2-292	2.5	Residential Energy Code Insulation and Wallboard
2-293	2.5	Residential Energy Code Blower Door Testing and Requirements
2-294	1	Residential Energy Code- Preparing a House for Blower Door
2-295	1	Residential Energy Code- Mechanical Ventilation Requirements
2-304	2.5	Residential Energy Code - Healthy Homes and Indoor Air Quality
2-305	2.5	Residential Energy Code - Heating, Cooling & Ventilation
2-306	2.5	Residential Energy Code - Building Green Standards and High-Performance Homes
2-307	2.5	Residential Energy Code - Building Zero Energy Home Construction virtual tour
2-308	2.5	Residential Energy Code – Mini Split Heat Pumps and Duct Design - Warwick Case Study
2-309	2.5	Residential Energy Code – Weatherization, Insulation and Building Science
2-407	2.5	Residential Energy Code-Advanced Bldg. Science and Zero Energy Homes-Sheridan Small Homes
2-411	2.5	Unintentional Consequences
2-449	2.5	Residential Energy Code – Advanced Building Science and Zero Energy Homes
2-465	2.5	Air Source Heat Pumps

Provider Code 4

North East Roofing Contractors Association

100 Grossman Dr. Ste.300 Braintree, MA 02184

781-849-0555

jferrante@nerca.org

Course #	Hours	Course Name
4-296	2	Ladders- The Most Dangerous Tools on the Jobsite
4-297	2	The Most Important Provisions That Roofing Contractors Should Have and Look Out for In Every Roofing Construction Contract

Provider Code 5

Certified Training Institute

3135 Logan Valley Rd. Traverse City, MI 49684 800-727-7104

info@onlinecti.com

Website: www.licensetobuild.com [licensetobuild.com]

Course #	Hours	Course Name
5-114	1	2015 IRC Review
5-115	1	Positive Communication & Ethics
5-116	2	Building Green
5-117	2	Guideline for Estimating
5-118	2.5	Estimating and Bidding for Success

5-119	2.5	Drones in Construction
5-120	2.5	Successful Renovations and Additions
5-123	2.5	Danger in the Damp-Dealing with Mold
5-124	2.5	Drier by Design- Designing to Keep Water Out
5-125	2.5	Starting from the Bottom and Energy Efficient Building
5-126	2.5	Environmental Design for Buildings
5-244	2.5	Construction Health and Safety Compliance Part I
5-245	2.5	Construction Health and Safety Compliance Part II
5-246	2.5	Construction Health and Safety Compliance Part III
5-247	2.5	Construction Health and Safety Compliance Part IV

Provider Code 7

@Home Prep-Div. of Stautzenberger College

900 E. Hill Ave. Ste. 380, Knoxville, TN 37915

800-952-0910

info@athomeprep.com

Website: <https://www.athomeprep.com>

Course #	Hours	Course Name
007-129	5	Marketing, Financial Mgt., Workplace Safety

Provider Code 8

At Your Pace Online

1383 2nd Avenue Gold Hill, OR 97525

877-724-6150

contact@atyourpaceonline.com

Website: https://www.tradesmance.com/rhode_island-contracting-continuing-education

Course #	Hours	Course Name
8-130	5	RI OSHA & Rainwater Harvesting
8-131	5	Drywall, Masonry & Retirement Housing
8-132	5	Building Exterior Shell Training (Best) & Micro Houses

Provider Code 9

PDH Academy LLC

N16W 23217 Stoneridge Dr. Ste. 290, Waukesha, WI 53188

888-564-9098

Website: https://pdhcontractors.com/rhode-island-contractor_ce/

Course #	Hours	Course Name
9-209	2.5	Alternate Single – Family Resident Structures
9-210	2.5	Construction Safety: Tools and Lead
9-211	2.5	Current Constructions Methods and Materials
9-212	2.5	Foundations: Construction, Insulation, Defects, and Repairs
9-596	2.5	Job Site Housekeeping
9-599	2.5	Project Management through Client Management

Provider Code 10***Rhode Island Contractors Education***

10 Dorrance St., Ste. 700, Providence, R.I. 02903

401-369-4209

phil@ricontractorseducation.com

Website: <https://ricontractorseducation.com/>

Course #	Hours	Course Name
10-136	5	Markup and Profit: A Contractor's Guide Revisited
10-137	2	Marketing and Sales Do's and Don'ts for Contractors
10-138	3	Annual Business Review and Goal Planning
10-139	5	The Art & Science of Construction Project Management
10-349	2.5	Successful Project Management - Keys to a Happy Client
10-466	2.5	Effective Construction Business Practices
10-510	2.5	Annual Business Review & Goal Planning

Provider Code 11***Techtraining LLC***

1731 Beacon St., Ste. 414, Brookline, MA 02445

855-330-TECH (8324)

James.lee@techtrainingllc.net

Course #	Hours	Course Name
11-140	1	Introduction to Estimating (Online)
11-141	1	Introduction to OSHA (Online)
11-142	3	Construction Scheduling: 5 Part Series (Online)
11-143	1	R.I. Code Review
11-144	3	Construction Management Theory

Provider Code 12***Lead Safe Inspections and Consulting, Inc.***

P.O. Box 96, Lincoln, R.I. 02865

401-475-5858

Website: www.leadsaferi.com

Course #	Hours	Course Name
12-145	8	RRP Lead Renovator Initial
12-146	4	RRP Lead Renovator Renewal

Provider Code 13***Contractor Training Institute***

47 Cowesett Avenue, Warwick, RI 02893

401-626-8226

Sheila.mccarthy@masseti.com

Website: <https://www.masseti.com/>

Course #	Hours	Course Name
13-147	1	Fundamentals of Construction Contracts

13-148	1	Fundamentals of Rhode Island Construction Codes and Standards
13-149	1	Fundamentals of the R.I. Contractor Registration and Licensing Board
13-150	1	Fundamentals of Construction Business Principles and Practices
13-151	1	Fundamentals of Workplace Safety
13-176	4	RRP Lead Renovator Renewal

Provider Code 15

New England Onsite Wastewater Training Center @ Uri Cels

URI/NRS Dept.- NEOWTP/URI

Coastal Institute Bldg., Kingston, R.I. 02881

401-874-5950

neowtp@uri.edu

Website: <https://web.uri.edu/owt/>

Course #	Hours	Course Name
15-152	8	Conventional Onsite Wastewater Treatment Basics for Installers
15-153	8	(I&A) Innovative and Alternative Technologies
15-154	4	OWT 110: Surveying Basics for the Onsite Wastewater Contractor
15-155	8	OWT 115: Surveying Techniques for the Wastewater Professional
15-156	8	RI Designer Examination Prep
15-157	8	OWT 125: Bottomless Sand Filter Design and Installation
15-158	4	OWT 135: All About Series: Septic Tanks
15-159	4	OWT 140: All About Series: Sand Media
15-161	8	Identifying and Managing High Strength Wastewater
15-162	8	Design of Conventional Onsite Wastewater Treatment Systems
15-163	8	Recent Advances in Onsite Wastewater Research
15-164	8	Field Day- Technology Vendor Field Demo at Training Center
15-165	8	Conventional Onsite Wastewater System Inspection
15-166	8	INSP 100B: Conventional Onsite Wastewater System Insp. Field Training
15-167	8	OWT 150: Functional Inspections

Provider Code 19

MicroCaD Training and Consulting, Inc.

440 Arsenal St., Watertown, MA 02472

617-321-2401

afernandez@microcad3d.com

Website: www.microcad3d.com

Course #	Hours	Course Name
19-169	21	AC101 AutoCad 1 Fundamentals
19-170	14	AC102 AutoCad 2- Productivity
19-171	20	RA101 Revit Architectural Fundamentals
19-172	14	RA102 Revit Architectural -Productivity
19-173	20	INV 101 Inventor 1- Fundamentals
19-174	21	CV101 Civil 3D Fundamentals

Provider Code 20***RocketCert, LLC***

9111 Cross Park Dr., Bldg. D, Ste. 244, Knoxville, TN 37923

800-495-6612

info@rocketcert.com

Website: <https://rocketcert.com/construction/rhode-island> [rocketcert.com]

Course #	Hours	Course Name
20-175	5	R.I. Contracting Education

Provider Code 50***Informa Markets (JLCLive Expo)***

222 West Las Colinas Boulevard, Suite 450E, Irving, TX 75039

972-536-6300, katie.thompson@informa.com

Website: [https:// www.informamarkets.com](https://www.informamarkets.com)

Course #	Hours	Course Name
50-324	1	Repairing or Replacing Runs of Damaged or Missing Molding in Plaster, Epoxy or Wood Fillers
50-325	1	Project Management for the Lead Carpenter
50-326	1	Moisture Management
50-327	1	Rot-Proofing Exterior Wood Projects
50-328	1	Summer Moisture: Problems and Solutions
50-329	1	Contracts, Change Work Orders and Punch Lists
50-330	1	Tighter Miters and Keeping Them That Way: Six Tools and Six Casing Styles that Can Show Off the Signature of a Good Finish Carpenter
50-331	1	Roofing with Asphalt Shingles in High Wind Zones
50-333	1	Dispute Resolution
50-334	1	Building Your Brand with Custom Millwork: Doors, Specialty Cabinets and Furniture
50-335	1	Productivity Improvement for Today's Workforce
50-336	1	Effective Project Management
50-337	1	How to Size an HRV and ERV

Provider Code 161***"@-Leisure" Contractor Licensing***

P.O. Box 868, Plymouth, MA 02362

617-600-4315

Website: <https://atleisurelicense.com>

Course #	Hours	Course Name
161-571	2.5	RI Contractor 2.5 Hour Continuing Education