

2. On or about January 3, 2024, the Board received complaint number C-24-4, alleging that Respondent Fidelino Vargas performed and/or arranged to perform work for the complainant that requires a contractor registration.
3. Following an inspection into complaint number C-24-4, an inspector for the Board confirmed that Respondent committed the following violations of R.I. General Laws Chapter 5-65:
 - a. Hired an unregistered sub-contractor, twice (R.I. Gen. Laws § 5-65-3(j)),
 - b. Performed improper and/or negligent work (R.I. Gen. Laws § 5-65-10(a)(12)).
4. On or about February 28, 2024, Respondent was issued Proposed Violation Order, which proposed a financial penalty be assessed against Respondent in the amount of \$2,750.
5. On or about March 21, 2024, Respondent filed a Request for Appeal form with the Board, to appeal the Proposed Violation order and the proposed administrative penalties outlined therein.
6. On or about August 5, 2024, the Department issued a Notice of Hearing to the Respondent in response to their Request for Appeal of the Proposed Violation Order.
7. According to the Notice of Hearing, a pre-hearing conference was scheduled to occur on August 27, 2024.
8. Prior to the pre-hearing conference, Respondent and/or Respondent's representative provided the Board with full payment of the proposed fine outlined in the Proposed Violation Order; totaling \$2,750.

TERMS

1. The Parties enter into this Dismissal Stipulation after confirming compliance by Respondent with the Proposed Violation Order, and after the Board's receipt of monetary payments made by the Respondent to the Board in full satisfaction of the administrative penalty assessed on

February 28, 2024. As such, the Parties agree to resolve this matter in accordance with the following:

- a. On or about August 19, 2024, Respondent Fidelino Vargas and/or his representative delivered a payment via personal check, to the Board's offices in the amount of \$2,750.
 - b. Respondent Fidelino Vargas admits to committing the following violations, as described in the Proposed Violation Order:
 - i. Hiring two (2) non-registered subcontractors in violation of R.I. Gen. Laws § 5-65-3(j), and
 - ii. Performing improper and/or negligent work in violation of R.I. Gen. Laws § 5-65-10(a)(12).
 - c. Going forward, Respondent Fidelino Vargas hereby agrees to comply with all other contractor requirements as described in R.I. Gen. Laws § 5-65-1 *et seq.*, including but not limited to hiring only registered subcontractors and performing proper and safe construction work that complies with all relevant building codes and standards and does not endanger public health and/or safety.
2. The Board hereby accepts the above-described payment from Respondent Fidelino Vargas, as full satisfaction of the assessed penalties outlined in the Proposed Violation Order.
 3. Respondent Fidelino Vargas hereby dismisses this appeal of the Proposed Violation Order, V-6882.
 4. *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.

5. *Waiver of Hearing and Appeal.* By agreeing to enter into this Dismissal Stipulation, 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.
6. *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 Dismissal Stipulation, and that he/she has signed this Dismissal Stipulation knowingly and voluntarily.
7. *Public Record.* Once executed, this Dismissal Stipulation 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.
8. *Compliance.* Compliance with the terms of this Dismissal Stipulation 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.

For the CRLB:

Signature: 

Date: 8/27/24

Print Name: ANTHONY WHITFIELD

Title: CHIEF, CRLB

For the Respondent, Fidelino Vargas:

Signature: 

Date: 8/26/24

Print Name: Fidelino Vargas

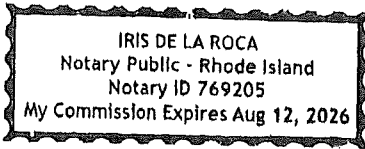
NOTARIAL CERTIFICATE

STATE OF Rhode Island
COUNTY OF Providence

On this August day of 26, 2024, before me the undersigned notary public, personally appeared Fidelino Vargas, 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.

Iris De La Roca
Print Name and ID Number
Notary Public 769205

My Commission Expires: Aug 12, 2026



So Ordered:

Catherine R. Warren

Catherine R. Warren, Esq.

Hearing Officer

Date: 8/28/24