

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

IN THE MATTER OF:	:	
	:	
	:	
Michael Feole	:	GC # 19883
d/b/a Feole Landscaping	:	Complaint Nos. 23-451 and 24-218
d/b/a Jagg Construction	:	
	:	
RESPONDENT.	:	

STIPULATION AND CONSENT AGREEMENT

Procedural Background and Travel

On or about May 7, 2024, the Respondent was issued a Notice of Hearing (“NOH”) for Complaint No. 23-451 by the Department of Business Regulation’s State Building Office, which includes the Contractors’ Registration and Licensing Board (“CRLB” or “Board”). On or about July 16, 2024, the Respondent was issued an Emergency Order to Show Cause (“OSC”) for Complaint No. 24-218 by the Board. The NOH and OSC both provided the Respondent with written notice of the appointment of a Hearing Officer to conduct an Administrative Hearing to determine whether Respondent had 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. On July 31, 2024, a hearing was held on the Emergency OSC for Complaint No. 24-218, at which time the Respondent voluntarily agreed to a Cease and Desist Order and agreed to consolidate the two matters.

A hearing was scheduled for October 21, 2024, for the consolidated matters, at which time the Respondent and the Board (the “Parties”) reached an agreement to settle the matter without the need to proceed with the 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. According to R.I. Gen. Laws § 5-65-1(7)(i)(a), a “Contractor” is someone who,

in the pursuit of an independent business, 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.

2. Pursuant to R.I. Gen. Laws § 5-65-3(a), “[a] person shall not undertake, offer to undertake, or submit a bid to do work as a contractor on a structure unless that person has a current, valid certificate of registration for all construction work issued by the board.”
3. Pursuant to R.I. Gen. Laws § 5-65-3(m), “[t]he 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.”
4. Pursuant to R.I. Gen. Laws §§ 5-65-3(o) and 5-65-18, all written contracts entered into between a contractor and a property owner must contain a statement that the contractor, subcontractors, or material persons may file a lien in accordance with the Rhode Island mechanics’ lien law, R.I. Gen. Laws § 34-28-4.1.
5. Pursuant to R.I. Gen. Laws § 5-65-22 all contractors must include their registration number on all contracts and invoices.
6. On or about March 30, 2001, Respondent first became a registered contractor with the Board with the registration GC-19883.
7. Respondent had his contractor’s registration suspended on or about July 29, 2021.
8. On or about May 7, 2024, the Board issued a NOH after investigating Complaint No. 23-451 and cited the Respondent for violating Chapter 5-65 as follows:
 - a. Undertaking and performing contractor work without a current, valid contractor’s registration;
 - b. Failing to secure necessary permits;
 - c. Performing improper and/or negligent work; and
 - d. Failing to include a mechanic’s lien notice in a contract.
9. On or about July 16, 2024, the Board issued an Emergency OSC after receiving Complaint No. 24-218 and cited the Respondent for:

- a. Undertaking and performing work without a current, valid contractor's registration; and
- b. Failing to secure necessary permits.

TERMS

10. The Respondent and the Board agree to resolve this matter based upon satisfaction of the following terms and conditions:
- a. The Respondent admits and acknowledges that he committed the following violations in relation to this matter:
 - i. R.I. Gen. Laws § 5-65-3(a), by undertaking and performing work as a contractor without has a current, valid certificate of registration;
 - ii. R.I. Gen. Laws § 5-65-3(m), by failing to secure permits prior to commencing contractor work; and
 - iii. R.I. Gen. Laws §§ 5-65-3(o), 5-65-18, and 5-65-22, by failing to include required clauses in contracts.
 - b. The Respondent agrees to permanently surrender his contractor's registration immediately effective upon Respondent's signing of this agreement.
11. If the above terms and conditions are fully satisfied by Respondent, the Board shall consider complaint numbers 23-451 and 24-218 resolved, and Respondent agrees that the Board shall post this Stipulation and Consent Agreement to the Department's website under "Enforcement Actions."
12. 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 contractors 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-10-00-1, and the Rules and Regulations for Contractors, 440-RICR-10-00-2.
13. *Completeness.* The Board and the Respondent agree that the terms and conditions of this Stipulation and Consent Agreement represents the final determination of this matter.
14. *Waiver of Hearing and Appeal.* By agreeing to enter into this Stipulation and Consent Agreement, 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.
15. *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

Agreement, and that he/she has signed this Stipulation and Consent Agreement knowingly and voluntarily.

16. *Public Record.* Once executed, this Stipulation and Consent Agreement 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.

17. *Compliance.* Compliance with the terms of this Stipulation and Consent Agreement 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: 11/12/2024

Print Name: James P. Cambio

Title: Building Commissioner

For the Respondent:

Signature:  _____

Date: 11-12-24

Print Name: Michael Feole

NOTARIAL CERTIFICATE

STATE OF Rhode Island
COUNTY OF Providence

On this 12th day of November, 2024, before me the undersigned notary public, personally appeared Michael Feole, 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.

Megan J. Mihara 769906
Print Name and ID Number
Notary Public

My Commission Expires: 7-18-2027



CERTIFICATION OF SERVICE

In accordance with R.I. Gen. Laws § 5-65-6, I hereby certify on this 13th day of November, 2024, that a true copy of the within Order was sent by first class mail and certified mail, return receipt requested to:

Michael Feole 22 Emerald Drive Hope, RI 02831

And by email to:

1. Catherine Warren, Esq., Hearing Officer (catherine.warren@doa.ri.gov);
2. Kallie Longval, Esq., DBR Legal Counsel (kallie.longval@dbr.ri.gov);
3. Anthony Whitfield, CRLB Chief (anthony.whitfield@dbr.ri.gov); and
4. Michael Feole, Respondent (Feolemichael@gmail.com and jaggconstruction@cox.net);



Print Name: Meredith Cotta