

**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:	:	
	:	
LEE BEAUSOLEIL,	:	GC No. 33322
d/b/a BEAUSOLEIL & SONS	:	
CONSTRUCTION, INC.	:	Complaint No. 23-300
	:	
	:	
RESPONDENT.	:	

STIPULATION AND CONSENT ORDER

On or about October 4, 2024, Respondent was issued a Notice of Hearing (“NOH”) by the Department of Business Regulation (“Department”)¹. 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 hearing being scheduled in this matter, the Respondent and the Department (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:

¹ Within the jurisdiction of the Department of Business Regulation (“Department”) there is the Division of Building, Design and Fire Professionals (“Division”) that includes the State Building Office (“Office” or “SBO”), which includes several professional boards including the Contractors’ Registration and Licensing Board (“Board”). See R.I. Gen. Laws §§ 42-14-1, 5-65-1, 5-84-2, and 5-84-3.1.

FACTS

1. Respondent Lee Beausoleil is a registered contractor with the Board, GC-33322, who operates a business under the name of Beausoleil & Sons Construction, Inc.
2. The October 4, 2024, NOH was issued following the Board inspector's investigation into Complaint 23-300 conducted between August 7, 2023 and August 15, 2024, which found that Respondent violated Chapter 5-65 of the General Laws when in connection with an agreement to perform contractor services for the complainant, Respondent failed to return the deposit paid by the complainant after Respondent had performed no work and the complainant terminated the contract.
3. It is the Department'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 § 5-65-1 *et seq.*, by unjustly retaining a consumer's deposit.

RELEVANT LAW

4. According to R.I. Gen. Laws § 5-65-1(7)(i), 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, porch, patio, decks, docks, sheds, tents, gazebos, walkways, fencing, driveways, retaining walls, swimming pools, sidewalks, stone/masonry walls, and parking lots.



5. Pursuant to R.I. Gen. Laws § 5-65-10(c), subject to providing notice and an opportunity for a hearing, if a contractor violates any provision of R.I. Gen. Laws §§ 5-65-3 or 5-65-10, or the regulations promulgated thereunder, the Department may impose a fine of up to \$5,000, for a first violation and a fine of up to \$10,000, for each subsequent violation.
6. According to R.I. Gen. Laws § 5-65-3(o), “[a]ll work performed, including labor and materials, in excess of one thousand dollars (\$1,000) shall be accompanied by a contract in writing. Contracts required pursuant to this subsection shall include consumer disclosures and information required pursuant to regulations promulgated by the board and . . .” a Notice of Possible Mechanic’s Lien.
7. 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 §5-65-27.”
8. R.I. Gen. Laws § 5-65-27 provides,

In addition to all other methods of consumer protection provided by federal or state law, any contract that originates from an in-home solicitation of an elderly person for the purpose of performing work as a contractor pursuant to this chapter, as well as other disciplines governed by the board pursuant to statutory law, shall provide that any consumer who is an elderly person shall, . . . have three (3) days within which to cancel the in-home solicitation contractor for contractor services.²
9. “Deposits received by a contractor and ordered returned are not considered a monetary award when no services or supplies have been *received*.” R.I. Gen. Laws § 5-65-10(a)(10) (Emphasis added).

² According to 440-RICR-10-00-1 § 12.2(A)(12), “[n]otices of [v]iolation shall be issued for, but are not limited to, the following conduct: . . . [n]o right of rescission clause.”

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TERMS

10. In order to amicably resolve this matter without an administrative hearing the Parties enter into this Stipulation and Consent Order solely for the purpose of avoiding the burdens and expenses of litigation. The Parties agree to resolve this matter based upon the following:

- a. Respondent agrees to reimburse the complainant involved in C-23-300, the amount of the deposit received, totaling \$7,800.³
- b. Respondent agrees to establish and implement, as part of standard operating procedure for Beausoleil & Sons Construction, Inc., the use of contracts for construction that are compliant with R.I. Gen. Laws Chapter 5-65, including but not limited to R.I. Gen. Laws § 5-65-3, requiring all written contracts for work in excess of \$1,000 to include a Notice of Possible Mechanic's Lien, and R.I. Gen. Laws § 5-65-27 requiring a Right of Rescission Notice, where applicable.
- c. Respondent agrees that, in addition to the above, going forward, he 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 General Rules and Regulations for Applications, Registrations, Licensing, Claims, Violations, and Administrative Hearings, 440-RICR-10-00-1, and the Rules and Regulations for Contractors, 440-RICR-10-00-2.
- d. The Department hereby agrees to waive any administrative fines related to the asserted violations outlined in paragraph two (2) of this Stipulation and Consent Order.

³ Prior to executing this Stipulation and Consent Order, Respondent Lee Beausoleil by and through counsel, provided sufficient proof of payment to show he had provided a full reimbursement to the complainant involved in C-23-300, and the Department verified as much with the complainant.

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11. *Completeness.* The Parties agree that the terms and conditions of this Stipulation and Consent Order represents the final determination of this matter.
12. *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.
13. *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.
14. *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, and it shall be published on the Department's website under "Enforcement Actions."
15. *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 Department, including the Division, the SBO and the Board, or any other governmental agency.
16. *Effective Date.* The effective date of this Stipulation and Consent Order shall be the date it was approved and signed by the Department and the Hearing Officer.

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For the Department:

Elizabeth K. Dwyer

Print Name: Elizabeth K. Dwyer
Title: Director

1/15/2025

Date

For the Respondent:

Hagop A. Janjigian

Print Name:

HAGOP S. JANJIGIAN

Date

1/15/2025

*Attorney for Jey Begusoleik
d/b/a, Bensoleik & Sons Const., Inc.*

NOTARIAL CERTIFICATE

STATE OF _____

COUNTY OF _____

On this _____ day of _____, 20__, before me the undersigned notary public, personally appeared _____, 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
Notary Public

My Commission Expires:

So Ordered:

Catherine R. Warren

Catherine R. Warren, Esq.
Hearing Officer

Date: *1/15/25*

CERTIFICATION OF SERVICE

In accordance with R.I. Gen. Laws § 5-65-6, I hereby certify that on this 15th day of January 2025, a true copy of the within Order was sent by first class mail and certified mail, return receipt requested to:

Jawharjian Law Offices, LLC ATTN: Hagop Jawharjian, Esq. 380 Angell Road Lincoln, RI 02865	Lee Beausoleil 287 Main St. Cranston, RI 02831	Beausoleil & Sons Construction, Inc. ATTN: Lee Beausoleil 287 Main St. Hope, RI 02831
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And by email to:

1. Catherine Warren, Hearing Officer (Catherine.warren@doa.ri.gov);
2. James P. Cambio, Building Commissioner (james.cambio@dbr.ri.gov);
3. Anthony Whitfield, Principal State Building Code Official (anthony.whitfield@dbr.ri.gov);
4. Joshua W. Nault, DBR Legal Counsel (joshua.nault@dbr.ri.gov);
5. Pamela J. Toro, Legal Administrator (pamela.toro@dbr.ri.gov);
6. Hagop Jawharjian, Esq., Attorney for Respondent (hagop@jawharjianlaw.com).



Print Name: Meredith Cotta