

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 Vilella	:	GC No. 44277 (expired)
d/b/a Vee Construction	:	Complaint No. 24-223
	:	
RESPONDENT.	:	
	:	

STIPULATION AND CONSENT ORDER

Procedural Background and Travel

On or about August 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.

A pre-hearing conference was held on September 26, 2024, for this matter, at which the Respondent and the Board (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. 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 § 5-65-10, “[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” that any of the following have occurred:

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

....

(10) The board or office may take disciplinary action against a contractor who performed work, or arranged to perform work, while the registration was suspended, invalidated, or revoked. Deposits received by a contractor and ordered returned are not considered a monetary award when no services or supplies have been received.

3. 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.
4. Pursuant to R.I. Gen. Laws § 5-65-3(p), contracts must contain a notice of right of rescission “as stipulated in all pertinent Rhode Island consumer protection laws and/or [R.I. Gen. Laws] § 5-65-27 . . .”
5. Respondent Michael Villella held the contractor registration number GC-44277 until it expired on August 8, 2024.
6. On or about July 9, 2024, the Board received Complaint Number 24-223 (“C-24-223”), from the Complainant, a person over 60 years of age.
7. On or about May 22, 2024, the Respondent entered a contract with the Complainant to perform contractor services at the Complainant’s property located at 141 Kirsten Court, Warwick, RI 02888, for the total price of \$6,200.00 and the complainant paid a \$400 deposit.
8. The Contract did not contain a Notice of Possible Mechanic’s Lien or a Right of Rescission Notice.

TERMS

1. The Respondent and the Board agree to resolve this matter upon the Board’s receipt of a full refund of the Complainant’s deposit of four hundred dollars (\$400.00) and based upon satisfaction of the following terms and conditions:

- a. The Respondent shall deliver this Stipulation and Consent Order signed and notarized, and the \$400.00 deposit refund to the Board's offices no later than January 9, 2025.
 - b. The Respondent agrees to include notice of mechanic's lien and right of rescission clauses as required in all contracts for contractor services.
 - c. The Respondent agrees that he will not work nor arrange to perform work as a contractor unless and until he has renewed his contractor's registration with the Board.
2. If the above terms and conditions are fully satisfied by Respondent, the Board shall consider C-24-223 resolved, and Respondent agrees that the Board shall post this Stipulation and Consent Agreement to the Department's website under "Enforcement Actions."
3. 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.
4. *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.
5. *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.
6. *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.
7. *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.
8. *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.

9. *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.

[SPACE INTENTIONALLY LEFT BLANK]

For the CRLB:

Signature: Elizabeth K. Dwyer

Date: 1/10/2025

Print Name: Elizabeth K. Dwyer

Title: Director of the Rhode Island Department

of Business Regulation which includes the Board within its
Division of Building, Design and Fire Professionals

For the Respondent:

Signature: Michael Villetta III

Date: 01/09/25

Print Name: Michael Villetta III

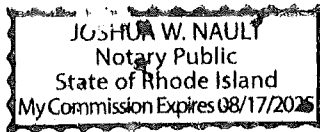
NOTARIAL CERTIFICATE

STATE OF Rhode Island
COUNTY OF Providence

On this 9th day of January, 2025, before me the undersigned notary public,
personally appeared Michael Villetta, 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.

[Signature]
Print Name and ID Number
Notary Public

My Commission Expires: 8/17/2025



So Ordered:

[Signature]

Catherine R. Warren, Esq.
Hearing Officer

Date: 1/10/25

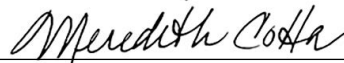
CERTIFICATION OF SERVICE

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 Notice of Hearing was sent by first class mail and certified mail, return receipt requested to:

Michael Villella
22 Freedom Court
Johnston, RI 02919

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. Donna Costantino, DBR Associate Director (donna.costantino@dbr.ri.gov);
4. Anthony Whitfield, CRLB Chief (Anthony.whitfield@dbr.ri.gov); and
5. Michael Villella, Respondent (mvillella1968@gmail.com, lvillella1968@gmail.com and veeconstruction68@gmail.com).



Print Name: Meredith Cotta