

**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:	:	
	:	
JOSEPH LIPTAK,	:	Complaint No. C-24-173
d/b/a POINT JUDITH PEAKS, LLC	:	GC-44054
	:	
Respondent.	:	
	:	

STIPULATION AND CONSENT ORDER

On or about November 26, 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 Joseph Liptak is a registered contractor with the Board holding a registration number GC-44054, which has an expiration date of March 7, 2025.²
2. The November 26, 2024, NOH was issued following the Board inspector's investigation into Complaint 24-173, performed between May 31, 2024, and October 31, 2024, confirmed that on or about July 28, 2023, Respondent, whose registration was then expired, arranged to perform contractor services for a consumer and accepted a deposit and thereafter failed to perform any work or provide any materials.
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 offering to provide contractor services and entering into a contract for construction without a valid registration and 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.

² Respondent was first registered under GC-44054 on April 8, 2020, for a two-year period ending April 7, 2022. Then Respondent renewed the registration on March 21, 2022, which covered a one-year period ending March 20, 2023. Respondent next renewed the registration on March 7, 2024, which is valid and will remain valid until it expires on March 6, 2025.

5. "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 . . . Disciplinary action taken on a registration held by a corporation, partnership, limited liability company, joint venture, individual, or sole proprietor may affect other registrations held by the same corporation, partnership, limited liability company, joint venture, individual, or sole proprietorship, and shall also be grounds for the board or office to deny and preclude future registration by any corporation, partnership, limited liability company, joint venture, individual, or sole proprietorship where the disciplined registrant and the applicant for registration have an individual principal and/or responsible designee in common." R.I. Gen. Laws § 5-65-3(a).
6. 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.
7. "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).

TERMS

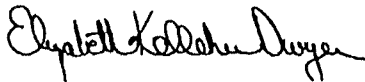
8. In order to amicably resolve this matter without an administrative hearing the Parties enter into this Stipulation and Consent Order solely for the purpose of avoiding the burdens and expenses of litigation. The Parties agree to resolve this matter based upon the following:

- a. Respondent agrees to reimburse the complainant involved in C-23-300, the amount of the deposit received, totaling \$ 6,334.00.³
 - b. 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, Violation, and Administrative Hearings, 440-RICR-10-00-1, and the Rules and Regulations for Contractors, 440-RICR-10-00-2, including but not limited to maintaining a valid contractor registration so long as he continues to operate a construction company that offers contractor services to Rhode Island consumers.
 - c. 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.
9. *Completeness.* The Parties agree that the terms and conditions of this Stipulation and Consent Order represents the final determination of this matter.
10. *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.

³ Prior to executing this Stipulation and Consent Order, Respondent Joseph Liptak provided sufficient proof of payment to show he had provided a full reimbursement to the complainant involved in C-24-173, and the Department verified as much with the complainant.

11. *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.
12. *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."
13. *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.
14. *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.

For the Department:



Print Name: Elizabeth K. Dwyer
Title: Director

Date 1/15/2025

For the Respondent:

JOSEPH LIPTAK
Print Name: [Signature]

1/28/25
Date

NOTARIAL CERTIFICATE

STATE OF RHODE ISLAND

COUNTY OF WASHINGTON

On this 28 day of JANUARY, 2025 before me the undersigned notary public, personally appeared JOSEPH LIPTAK, 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]

KEITH FORD 10760601
Print Name and ID Number
Notary Public

My Commission Expires: 03/24/25



So Ordered:

[Signature]

Catherine R. Warren, Esq.

Hearing Officer

Date: 1/28/25

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CERTIFICATION OF SERVICE

In accordance with R.I. Gen. Laws § 5-65-6, I hereby certify on this 29th day of January 2025, that a true copy of the within Notice of Hearing was sent by first class mail and certified mail, return receipt requested to:

Joseph Liptak 24 Sarasota Avenue Narragansett, RI 02882	Joseph Liptak 15 Memorial Square, Suite 21 Narragansett, RI 02882
Point Judith Peaks, LLC Attn: Joseph Liptak 24 Sarasota Avenue Narragansett, RI 02882	Point Judith Peaks, LLC Attn: Joseph Liptak 15 Memorial Square, Suite 21 Narragansett, RI 02882

And by e-mail to:

1. Catherine Warren, Esq., Hearing Officer (Catherine.Warren@dbr.ri.gov);
2. Sara Tindall-Woodman, Chief of Legal Services (Sara.K.TindallWoodman@dbr.ri.gov);
3. James P. Cambio, Building Commissioner (James.Cambio@dbr.ri.gov);
4. Anthony Whitfield, Principal State Building Code Official
(Anthony.Whitfield@dbr.ri.gov);
5. Respondent Joseph Liptak joe@pointjudithpeaks.com;
6. Respondent Joseph Liptak info@pointjudithpeaks.com;
7. Respondent Joseph Liptak, joeliptak@gmail.com.



Print Name: Meredith Cotta