## 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:

GC No. 32119

JASON HELGER

d/b/a/ ALL STAR BUILDERS

Complaint No. C-24-411

RESPONDENT.

## STIPULATION AND CONSENT ORDER

On or about March 5, 2025, the Respondent was issued a Notice of Hearing regarding complaint number 24-411 by the Department of Business Regulation. The Notice of Hearing 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 other relief should be ordered.

Prior to a hearing being held in this matter, the Respondent and the Board (the "Parties") reached an agreement to amicably resolve this matter without further 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:

## STATEMENT OF FACTS

- 1. Respondent Jason Helger first became a registered contractor, GC Number 32119, with the Board on or about November 4, 2008.
- 2. According to the Board's registration records, on or about March 30, 2022, violation number V-6401 was issued against Respondent Jason Helger for failure to obtain a permit and he was assessed an administrative penalty in the amount of \$500, which was paid by Respondent after the fine was referred to the state's Central Collections Unit.

<sup>&</sup>lt;sup>11</sup> 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.

- 3. According to the Board's registration records, Respondent had a gap in his registration between August 23, 2023, and February 20, 2025.
- 4. On or about December 30, 2024, the Board received complaint number 24-411 ("C-24-411"), alleging that on or about April 30, 2024, Respondent agreed to perform contractor services for the complainant at a residential property located in Tiverton, Rhode Island, for the total cost of \$25,400.
- 5. Pursuant to the agreement referenced in C-24-411, Respondent accepted a \$15,000 monetary deposit from the complainant.
- 6. Prior to the complainant cancelling the project, Respondent reserved, but did not arrange to have delivered, one dumpster in preparation for the project; the cost of reservation totaled \$810.
- 7. After the project was cancelled, Respondent failed to return the remaining balance of the deposit totaling \$14,190.
- 8. Based upon an investigation conducted by James Gallo, CRLB Chief, it has been substantiated that Respondent Jason Helger violated the laws and regulations governing how to become registered and how to practice being a contractor in Rhode Island, R.I. Gen. Laws § 5-65-1 et seq., and 440-RICR-10-00-1 and 440-RICR-10-00-2, as follows:
  - a. Offered to perform and/or arranged to perform contractor services without a valid registration, in violation of R.I. Gen. Laws § 5-65-3.
  - b. Obtained deposit and failed to perform any work or deliver materials, in violation of R.I. Gen. Laws § 5-65-10(a).
  - c. Failed to provide necessary contractual disclosures, in violation of R.I. Gen. Laws § 5-65-3.
- 9. While Respondent neither admits nor denies to committing the above violations, it is the Board'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. as detailed above.

## TERMS AND CONDITIONS

- 10. In order to amicably resolve this matter without an administrative hearing, the Parties hereby enter into this Consent Agreement 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 shall refund to the complainant involved in C-24-411, in the amount of \$14,190.
  - b. Respondent shall complete payment to the complainant involved in C-24-411 by February 1, 2026.

- c. Respondent shall provide payments to the complainant via business check, banker's check, cashier's check, or money order made payable to the complainant.
- d. The Parties hereby acknowledge and agree that if the above terms are fully satisfied, then the Board shall consider this matter resolved.
- e. Respondent agrees and acknowledges that pursuant to R.I. Gen. Laws § 42-142-8, they are hereby on notice that if the above payments are not made in full within 30 days of the payment deadline referenced above, the Department of Business Regulation shall refer the debt to the Central Collections Unit (CCU) within the Department of Revenue (DOR) for that agency to collect the debt. Debts referred to the CCU accrue an annual interest rate of 13% until the amount due is paid in full.
- f. Respondent agrees and acknowledges that obtaining any new contractor registrations or renewals of registration(s) from the Board shall be contingent upon completion of the above terms and conditions.
- 11. Respondent agrees that, in addition to the above, going forward they shall above by all other statutory and regulatory requirements as set forth in the laws governing how to become and how to practice being a contractor in the State of Rhode Island, R.I. Gen. Laws Chapter 5-65, as well as the Board'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.
- 12. Completeness. The Parties agree that the terms and conditions of this Consent Agreement represents the final determination of this matter.
- 13. Final Order. This Consent Agreement constitutes a final administrative decision under the Administrative Procedures Act and is enforceable in the Superior Court of the State of Rhode Island against the Respondent, its successors and assignees and officer(s).
- 14. Waiver of Hearing and Appeal. By agreeing to enter into this 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 Consent Agreement, and that he/she has signed this Consent Agreement knowingly and voluntarily.
- 16. Public Record. Once executed, this 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, and it shall be published on the Department's website under "Enforcement Actions."

17. Compliance. Compliance with the terms of this Consent Agreement 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.

| For the Department:                                |   |
|--|---|
| JAMES GALLO  | 8/18/25   |
| Print Name. Title: CHIEF                           | Date  |
| For the Respondent:                                | •   |
| Jason Helyat<br>Print Name:                        | 8-15-25<br>Date   |
| NOTARIAL CERTIFICATE                               |   |
| STATE OF   |   |
| COUNTY OF Kent                                     |   |
| On this 15th day of August                         | , 2025 before me the undersigned notary public,           |
| personally appeared Teson Helger                   | , and proved to me through satisfactory                   |
| evidence of identification to be the person whose  | e name is signed above, and acknowledged that             |
| they signed it voluntarily for its stated purpose. |   |
| Joshu W. Nault                                     | My Commission Expires                                     |
| Print Name and ID Number                           | JOSHUA W. NAULY<br>Notary Public                          |
| Notary Rublic 8/17/2015                            | State of Rhode Island<br>My Commission Expires 08/17/2025 |
|  |   |

| SO ORDERED:  |   |
|--|---|
| / mus  | 8/25/25   |
| Hearing Officer  | Date  |
|  |   |
|  |   |
| BELOW SPACE FOR OFFICE USE ONLY  |   |
|  |   |
| CERTIFICATION OF SERVICE   |   |
| I, <u>Meredith Cotta</u> , hereby certify that on personally mailed the enclosed document via the Respondent's counsel of record at the follows: | regular and certified mail to the Respondent and/or |
| Jaso   | on Helger   |
|  | eview Avenue<br>on, RI 02878                        |
|  |   |
| <ol> <li>Catherine Warren, Esq., Hearing Offic</li> <li>Joshua W. Nault, Esq., DBR Legal Co</li> </ol>   |   |
| 3. James Gallo, CRLB Chief (james.gallo  | o@dbr.ri.gov);                                      |
| 4. Jason Helger, Respondent (Allstarbuilde   | ers247(@gman.com).                                  |
|  | Print Name: Meredith Cotta                          |
|  | Meredith Coxfa                                      |
|  | Signature   |