STATE OF RHODE ISLAND DEPARTMENT OF BUSINESS REGULATION CONTRACTORS' REGISTRATION AND LICENSING BOARD 1511 PONTIAC AVENUE, BLDG. 68 CRANSTON, RI 02920

:

IN THE MATTER OF:

MICHELLE RICHARDSON, d/b/a : GC No. 49166

CHELLIES SPECIALTY CONTRACTORS, LLC, and:

MICHAEL A. BRESETTE, and : NRB FELIX ACEVEDO. : NRB

:

: Complaint No. 25-92

EMERGENCY ORDER SUMMARILY SUSPENDING REGISTRATION & ORDERING RESPONDENTS TO CEASE AND DESIST; ORDER TO SHOW CAUSE WHY REGISTRATION SHOULD NOT BE REVOKED OR OTHERWISE SANCTIONED AND RESPONDENTS FINED AND ORDERED TO CEASE AND DESIST; NOTICE OF VIOLATIONS; NOTICE OF HEARING AND APPOINTMENT OF HEARING OFFICER

Pursuant to R.I. Gen. Laws §§ 42-14-16.1, 42-35-14 and 5-65-10(f) and § 1.12.1(b) of 440-RICR-00-10-1 (the "Regulations" or "CRLB Regulations"), the Director of the Rhode Island Department of Business Regulation ("Department")¹ hereby issues to Respondents this:

- A. Emergency Order summarily suspending the Contractor's Registration of Respondent Michelle Richardson d/b/a Chellie's Specialty Contractors LLC, registration number GC-49166 (the "Registration");
- B. Emergency Order that all named Respondents, Michelle Richardson, Chellie's Specialty Contractors LLC, Michael A. Bresette, and Felix Acevedo immediately cease and desist from all activities requiring a contractor registration under Chapter 5-65 of the Rhode Island General Laws (the "Act" or the "CRLB Act"), including, without limitation, undertaking, offering to undertake, and submitting a bid or proposal to do work as a contractor, performing work as a contractor, and/or accepting any monetary deposit or other consideration in connection with the foregoing;
- C. Notice of Violations of the CRLB Act and the CRLB Regulations;

¹ The Department of Business Regulation includes within its division of Building, Design and Fire Professionals the State Building Office ("Office") which includes the Contractors' Registration and Licensing Board ("Board"). R.I. Gen. Laws § 5-84-3.1.

- D. Appointment of a Hearing Officer; and
- E. Notice of Hearing as to all named Respondents, to be held in this matter <u>on June 2, 2025</u> <u>at 10:30 a.m.</u>, via Zoom. Hearing details and a Zoom link to join the hearing are included below.

(all of the foregoing being hereinafter collectively referred to as the "Order" or "Emergency Order").

This Emergency Order is issued pursuant to R.I. Gen. Laws § 42-14-16.1, the CRLB Act, including but not limited to R.I. Gen. Laws §§ 5-65-10(b) and 5-65-10(f), the CRLB Regulations, and the Administrative Procedures Act ("APA"), R.I. Gen. Laws § 42-35-1 *et seq.*, specifically including R.I. Gen. Laws § 42-35-14(c). In accordance with R.I. Gen. Laws §§ 42-14-16.1, 5-65-10(f) and 42-35-14(c), the Director has determined that Respondents Michelle Richardson, Chellies Specialty Contractors, LLC, Felix Acevedo, and Michael A. Bresette, are acting to the detriment of the health, welfare and safety of the general public and would continue to so threaten the public if Respondents Michelle Richardson and Chellies Specialty Contractors, LLC were to remain registered and if any of the Respondents were to continue undertaking or offering to undertake work or provide services as a contractor in the State of Rhode Island.

THIS EMERGENCY ORDER, INCLUDING THE SUMMARY SUSPENSION OF GC-49166 AND ORDER TO CEASE AND DESIST, IS EFFECIVE UPON ISSUANCE.

This Order requires that all Respondents, Michelle Richardson, Chellies Specialty Contractors, LLC, Felix Acevedo, and Michael A. Bresette, appear at an administrative hearing before a Hearing Officer on June 2, 2025, at 10:30 a.m., to show cause why an order should not issue to extend and continue the above-described summary suspension and order to cease and desist during the pendency of these proceedings. This hearing will occur via Zoom, details for which are included below.

At the initial hearing, the Hearing Officer will also establish a conference and hearing schedule for the proceedings during which Respondents shall appear to show cause why the Department should not issue an order permanently suspending and/or revoking Registration GC-49166, ordering all Respondents to permanently cease and desist from further actions and omissions in violation of the CRLB Act and Regulations, imposing fines, and directing the return and refund of deposits.

The Order also requires each Respondent to bring to the June 2, 2025, Hearing a complete list of all consumers with whom such Respondent has executed a contract or otherwise agreed to perform construction or other contractor-related services and/or from whom such Respondent has received a deposit or other consideration for the performance of such services within the last year, and in the case of Respondent Acevedo since July 26, 2022, and a complete list of all ongoing construction projects currently being served and/or managed by any Respondent including Respondent Chellie's Specialty Contractors LLC.

The Director issues this Order based upon the following:

STATEMENT OF LAW

1. Pursuant to R.I. Gen. Laws § 42-14-16.1(a), if the Director, or his or her designee, has reason to believe that any person is conducting any activities requiring a license² under any provisions of the general laws within the Department's jurisdiction without obtaining a license, or who after the denial, suspension, or revocation of a license conducts any activities requiring such licensure, the Department may issue its order to that person commanding them to appear before the Department at a hearing to be held no sooner than ten (10) days nor later than twenty (20)

² For purposes of the Department's administrative proceedings under the APA, the term "license" includes any agency registration or similar form of permission required by law. See § R.I. Gen. Laws 42-35-1(11).

- days after issuance of the order to show cause why the Department should not issue an order to that person to cease and desist from the violation of the provisions of applicable law.
- 2. In an emergency situation, where a registrant's actions present an immediate and ongoing "detriment [to] the health, welfare, and safety of the general public," R.I. Gen. Laws § 5-65-10(f)(1) empowers the Director of the Department, of the Director's designee, to revoke or suspend a contractor's registration *without a hearing* for just cause for a period of thirty (30) days.³
- 3. Pursuant to R.I. Gen. Laws § 5-65-10(f)(2), an emergency revocation/suspension may be extended beyond the initial thirty (30) days, following notice to the respondent and an opportunity for hearing.
- 4. Pursuant to R.I. Gen. Laws § 5-65-7(a)-(b), "[t]hroughout the period of registration, the contractor shall have in effect public liability and property damage insurance . . . In addition, all contractors shall have in effect workers' compensation insurance as required under chapter 29 of title 28."
- 5. According to R.I. Gen. Laws § 5-65-7(c), "[f]ailure to maintain insurance shall invalidate [the] registration and may result in a fine to the registrant and/or suspension or revocation of the registration."
- 6. According to R.I. Gen. Laws § 5-65-3(a), "[a] person⁴ 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 See also R.I. Gen. Laws § 42-35-14(c), which provides: "[i]f the agency finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of license may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined."

⁴ R.I. Gen. Laws § 5-65-1(14) defines "Person" as "any natural person, joint venture, partnership, corporation, or other business or legal entity who or that entered into a contract for construction."

- 7. R.I. Gen. Laws § 5-65-10(e) provides, "[t]he expiration of a registration by operation of law or by order or decision of the board, the office, of a court, or the voluntary surrender of registration by the registrant, does not deprive the board or office of jurisdiction of an action or disciplinary proceeding against the registrant, or to render a decision suspending or revoking a registration."
- 8. "Contractor" is defined by R.I. Gen. Laws § 5-65-1(7)(i)-(iii) as follows:
 - [A] person 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 walks, and parking lots.
- 9. According to R.I. Gen. Laws § 5-65-10(c), subject to providing notice to a respondent and an opportunity for a hearing, if a contractor violates any provision of § 5-65-3 of Rhode Island General Laws or the CRLB Regulations, the Board may impose a fine of up to \$5,000, for a first violation, and up to \$10,000 for each subsequent violation.
- 10. Pursuant to R.I. Gen. Laws § 5-65-10(b), subject to providing notice to a respondent and an opportunity for a hearing, in addition to other remedies, when the Office has reason to believe that a person has engaged in or is engaging in any act, practice or transaction that violates Chapter 5-65 or the CRLB Regulations, the Office may order such person to cease and desist from such violation.

- 11. R.I. Gen. Laws § 5-65-10(a), subsections (1), (3), (4), (5), (10), (11), (14), and (16), authorize the Office to revoke, suspend, or refuse to issue, reinstate, or reissue a contractor's certificate of registration if it determines, after notice and an opportunity for a hearing:
 - a. That the registrant or applicant has violated § 5-65-3 or any other provision of this chapter or the regulations promulgated thereunder.
 - b. That the registrant, licensee, or applicant has engaged in conduct as a contractor that is dishonest or fraudulent that the board or office finds injurious to the welfare of the public.
 - c. Has violated a rule or order of the board.
 - d. That the registrant has knowingly assisted an unregistered person to act in violation of this chapter or the regulations promulgated thereunder.
 - e. 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 bene received.
 - f. That the registrant breached a contract.
 - g. That the registrant has failed to complete a project(s) for construction or willfully failed to comply with the terms of a contract or written warranty.
 - h. That the registrant has failed to pay a fine or comply with any order issued by the board or office.
- 12. R.I. Gen. Laws § 5-65-10(a)(18) provides, "[w]hen a violation for . . . not maintaining the insurance required is issued, the board or office may suspend the registration until the violation

- is resolved to the satisfaction of the board or office or otherwise through the administrative hearing process."
- 13. Section 1.9.2(F)(2)(b) of Regulation 440-RICR-10-00-1 provides, "[i]f the Hearing Officer determines that a violation of R.I. Gen. Laws Chapter 5-65 . . . and/or Part 1-6 of this Subchapter has occurred, the Hearing Officer may . . . [order the Respondent to] [r]eturn a deposit if no work has commenced."
- 14. According to R.I. Gen. Laws § 5-65-3(j), "[a] contractor, including but not limited to, a general contractor, shall not hire any subcontractor or other contractor to work on a structure unless the contractor is registered under this chapter or exempt from registration under the provisions of § 5-65-2."
- 15. "When fraudulent advertising is used to entice an individual to hire an unregistered contractor, a fine of up to ten thousand dollars (\$10,000) may be imposed on the unregistered contractor by the board or office." R.I. Gen. Laws § 5-65-10(i).
- 16. According to R.I. Gen. Laws § 5-65-10(1),
 - No person shall register as a contractor with the Board for the purpose of deceiving or circumventing the registration process by enabling a person whose registration has been suspended or revoked to conduct business . . . Violators of this section shall be jointly and severally liable and responsible for violations and for damages resulting from their activities as contractors pursuant to this chapter. Violations of this subsection may result in a suspension or revocation of registration and/or fines not to exceed ten thousand dollars (\$10,000).
- 17. R.I. Gen. Laws § 5-65-10(h) provides, "[a]ny person or contractor, registered or not, who or that uses another contractor's registration or allows another person to use their contractor's registration fraudulently in any way, will be subject to a fine not to exceed ten thousand dollars (\$10,000)."

- 18. R.I. Gen. Laws § 5-65-10(k) provides, "[w]hen upon investigation a complaint reveals: serious code infractions; unsatisfied mechanic's liens; abandonment of a job for a substantial period of time without apparent cause; *or any other conduct detrimental to the public*, the board can double the fines."
- 19. According to R.I. Gen. Laws § 5-65-16(f), "[i]n addition to all powers granted to the board and office under this chapter, the board and office, and their designees, shall have the power and authority to: (1) [a]ssess fines as provided by this chapter; . . . [and] (3) [p]rovide any other relief and/or remedy provided by this chapter and the board's rules and regulations."

STATEMENT OF FACTS

I. Respondents Michelle Richardson and Chellies Specialty Contractors, LLC

- 20. According to the Board's registration records, Respondent Michelle Richardson first became registered as a contractor on or about September 5, 2023, GC-49166.
- 21. According to the Board's registration records, Respondent Michelle Richardson d/b/a Chellies Specialty Contractors, LLC holds a valid contractor registration with the Board which expires on September 5, 2025.
- 22. According to the Board's registration records, Respondent Richardson performs work under the business name of "Chellies Specialty Contractors, LLC" and her address is 124 Pine Hill Avenue Johnston, RI 02919.
- 23. According to the R.I. Secretary of State's Business Entity Search Portal, Respondent Chellies Specialty Contractors, LLC is a domestic (Rhode Island) limited liability company with a principal office located at 124 Pine Hill Avenue Johnston, RI 02919, and the business purpose is "GENERAL CONTRACTING SERVICES."

- 24. According to the articles of incorporation and the 2025 Annual Report for Respondent Chellies Specialty Contractors LLC, the only manager and/or owner of the company is Respondent Michelle Richardson.
- 25. In the contractor registration renewal application she submitted on September 5, 2024, Respondent Richardson acknowledged and agreed to comply with the Act's requirements to maintain general liability insurance and workers' compensation insurance. Respondent Richardson attested and affirmed that she and her associated company, Respondent Chellies Specialty Contractors LLC, have employees and included a certificate of insurance evidencing workers' compensation insurance and general liability insurance coverage for the one year period August 17, 2024 through August 17, 2025.
- 26. Notwithstanding Respondents attestations and application submissions, within the next few months, Respondents Richardson's and Chellies Specialty Contractors LLC's general liability insurance coverage was cancelled in October 2024, and then its workers' compensation insurance was cancelled in December 2024 the month before Respondent Michael A. Bresette accepted payment from Christopher Pao (the consumer homeowner who submitted complaint 25-92 described below) on behalf of Respondent Chellies Specialty Contractors, LLC the workers compensation insurance for the company has not been reinstated.

II. Felix Acevedo's Incomplete CRLB Application; Business Associations with BTTR

- 40. Respondent Felix Acevedo has never been issued a Rhode Island contractors' registration.
- 41. On or about April 12, 2022, Respondent Felix Acevedo submitted an application for contractor registration, but the registration was incomplete and Respondent Felix Acevedo did not thereafter complete the application, and as a result no registration was issued.

- 42. According to Respondent Felix Acevedo's 2022 registration application, he operated/operates a company known as JAL Disposal, LLC, and his address is 86 Heath Street Providence, RI 02909.
- 43. According to the Rhode Island Secretary of State's Business Entity Search Portal ("Business Entity Search Portal"), JAL Disposal, LLC is a domestic (Rhode Island) limited liability company with a purpose of "SOLID WASTE COLLECTION."
- 44. According to the 2024 Annual Report for JAL Disposal, LLC, the company's manager is Respondent Michael A. Bresette; there are no other managers or owners provided.
- 45. Upon information and belief, during in or around 2021, Respondent Felix Acevedo performed work as a so-called employee of BTTR, which was a company owned and operated by Respondent Michael A. Bresette's father, Michael Bresette.⁵
- 46. Upon information and belief, Respondent Felix Acevedo either currently and/or has previously participated in running a dumpster and disposal company, as either an employee or co-owner, along with Respondent Michael A. Bresette; the company name is JAL Disposal.
- 47. Upon information and belief, while he worked with BTTR, Respondent Felix Acevedo met a consumer named Christopher Pao, who filed a complaint against BTTR in or around 2021.⁶

⁵ On July 19, 2022, the Office of the Attorney filed a Complaint in Rhode Island Superior Court in <u>State of Rhode Island v. BTTR, LLC, HAM, Inc., and Michael Bresette</u>, PC-2022-04492 (R.I. Super. Ct.), seeking redress and restraint of asserted violations by defendants under the Deceptive Trade Practices Act, R.I. Gen. Laws § 6-13.1-11("DTPA"). Following eleven (11) days of hearings and oral arguments, on April 24, 2023, Judge McHugh of the Rhode Island Superior Court issued an permanent injunction to refrain from "soliciting, or offering construction, restoration, or any other services on structures in Rhode Island until such time as this action is fully and finally adjudicated."

⁶Mr. Pao is also the complainant involved in C-25-92. According to Christopher Pao, he did not engage directly with Michael Bresette (father) when BTTR was hired to work on his home in 2021. He instead dealt with Respondent Felix Acevedo and another contractor who was acting as the project manager at the time, Dean Bogda. The permit for the project was applied for using the registration belonging to Michael Bresette (father) d/b/a BTTR (GC-39902).

- 48. Upon information and belief, Michelle Richardson and Felix Acevedo are a married couple who have known each other since on or about 2016, including during the time when Respondent Felix Acevedo worked with Respondent Michael Bresette (father) at BTTR and Respondent Michael A Bresette at JAL Disposal.
- 49. Respondent Michael A Bresette has never been issued a Rhode Island contractor's registration.

C-25-92

Taking Deposit with No Work Performed and No Materials Delivered, Failure to Maintain Required Workers' Compensation Insurance, Failure to Maintain Required General Liability Insurance, Work Without Registration, Hiring Nonregistered Contractor, Enabling a Nonregistered Contractor to Circumvent the Registration Requirements, Fraud and Misrepresentation

- 50. On or about April 18, 2025, the Board received complaint number 25-92 alleging that on or about January 27, 2025, Respondents Felix Acevedo and Michael A. Bresette, doing business under the name of Respondent Chellies Specialty Contractors LLC, agreed to perform contractor services for homeowner Christopher Pao (hereinafter, "Complainant" or "Homeowner"), at his residence in West Warwick, Rhode Island.⁷
- 51. While investigating complaint number 25-92, the Board determined that general liability insurance provided in August 2024 as part of Respondent Richardson's renewal application was cancelled October 12, 2024 and the workers' compensation coverage was cancelled in December 2024; the insurance required under the Act was not in effect in January 2025 when Respondent Chellies Specialty Contractors agreed to perform work for the Homeowner, nor is it in effect as of the issuance of this Emergency Order.

⁷ According to the complaint, the homeowner received assistance from his niece, Sabrina Pao, to file the complaint with the Board as the homeowner's first language is not English and the Board's complaint portal is entirely in English.

- 52. According to the Complainant, Respondent Felix Acevedo knew the Homeowner from when BTTR performed work on the Homeowner's home during or around the winter of 2021-2022.
- 53. According to the Complainant, Respondent Felix Acevedo facilitated and/or arranged for the Homeowner's face-to-face introduction with Respondent Michael A. Bresette.
- 54. According to the Complainant, Respondents Michael A. Bresette and Felix Acevedo provided the Homeowner with a business card for Respondent Chellies Specialty Contractors, LLC.
- 55. According to the complaint, Respondents Felix Acevedo and Michael A. Bresette, doing business under the name of Respondent Chellies Specialty Contractors LLC, agreed to perform a kitchen renovation for the Homeowner.
- 56. According to the complaint, Respondents Michael A. Bresette and Chellies Specialty Contractors LLC accepted a monetary deposit from the Homeowner, via personal check in the amount of \$4,845.11 (check no. 2331), and the memo line provides "(kitchen's)."
- 57. According to the complaint, after some delay the Homeowner chose to cancel the contract with Respondents and Respondent Michael A. Bresette agreed to return the funds to the Homeowner.
- 58. According to a copy of a check appended to the complaint, on or about April 20, 2025, Respondent Michael A. Bresette provided a check to the Homeowner, ostensibly attempting to reimburse a portion of the deposit in the amount of \$2,500; the check appears to be drawn on an account belonging to "Michael Bresette 25 N. Elmore Ave. North Providence, RI 02911" (check no. 335).

- 59. According to the complaint, the check which Respondent Michael A. Bresette provided to Complainant was returned for insufficient funds and was thus unable to be cashed, and the Complainant has not been reimbursed for any portion of the deposit.
- 60. According to the complaint, Respondent Michael A. Bresette provided no explanation or basis for why he only attempted to provide a partial reimbursement of \$2,500, rather than a full refund of the entire \$4,845.11 deposit.
- 61. According to the complaint, Respondent Michael A. Bresette has not responded to multiple attempts to communicate by telephone from the Homeowner, and he has refused to provide a refund of the deposit.
- 62. According to the complainant, Respondent Michelle Richardson was not involved in bidding for the project or any part of the payment delivery for the project, despite being the Board's official registrant associated with Respondent Chellies Specialty Contractors LLC, GC-49166.
- 63. According to the complaint,

I hired a contractor named Michael Bresette to redo my kitchen and it never happened so he told me he would give me my money back. He dropped off a check in the mailbox for me for 2500 (even though the amount given to him was over 4500, please see attached photo of checks). The check bounced and he is no longer answering my phone calls. This took me down a rabbit hole, and on google I found that on the Providence Journal April 2023 – there was a news article about him being barred from taking contracting gigs. His card he gave me, I looked up, the business is under: CHELLIES SPECIALTY CONTRACTORS, LLC GC-49166 MICHELLE RICHARDSON I went ahead and filed a police report with West Warwick . . . I also attached the news article and a photo copy of both checks. He seems to be operating under whoever Michelle Richardson is.

64. An investigation conducted by an investigator for the Board, conducted between April 18, 2025, and April 30, 2025, confirmed the following:

- a. Respondent Michelle Richardson holds a contractor registration associated with the business name Chellies Specialty Contractors, LLC, GC-49166.
- b. Respondent Felix Acevedo has never held a Rhode Island contractor registration. Respondent Acevedo previously worked with BTTR on projects which are the subject of the ongoing Superior Court proceedings brought by the Rhode Island Attorney General against BTTR.
- Respondent Michael A. Bresette has never held a Rhode Island contractors' registration.
- d. In January 2025, Respondents Felix Acevedo and Michael A. Bresette under the business name of Respondent Chellies Specialty Contractors, LLC offered to perform contractor services for the Complainant, which require registration under the CRLB Act.
- e. In January 2025, when Respondents Felix Acevedo and Michael A. Bresette offered to perform and then accepted payment for construction work from the Complainant, Respondents Michelle Richardson and Chellies Specialty Contractors, LLC did not have workers' compensation insurance as required under the Act.
- f. Respondents Michelle Richardson and Chellies Specialty Contractors, LLC had also failed to maintain the necessary general liability insurance coverage as required under the Act.
- g. Respondents Michelle Richardson and Chellies Specialty Contractors, LLC either hired unregistered contractors to bid on and agree to perform contractor services for the Complainant's construction project and accept a deposit for

the work and/or she knowingly allowed her contractor registration and information to be used to solicit work without her involvement and/or oversight.

- h. Respondent Felix Acevedo through misrepresentation, dishonesty, deceit and/or fraud and use of the business name "Chellies Specialty Contractors, LLC," solicited, induced and convinced the Complainant to hire Respondent Michael Bresette to perform a kitchen renovation at the Complainant's residence in West Warwick.
- i. Respondent Michael Bresette through misrepresentation, dishonesty, deceit and/or fraud and use of the business name "Chellies Specialty Contractors, LLC," solicited, induced and convinced the Complainant to hire him to perform a kitchen renovation and pay an up-front deposit.
- j. Respondents Michael A. Bresette and Felix Acevedo did not hold valid contractor registrations when they offered to perform contractor work for the Complainant and when they accepted a deposit from the Complainant for said work.

NOTICE OF VIOLATIONS

I. Respondents Michelle Richardson and Chellies Specialty Contractors, LLC

- a. Failure to maintain worker's compensation insurance, R.I. Gen. Laws §§ 5-65-7(b) and 5-65-10(a)(18).
- b. Failure to maintain general liability insurance, R.I. Gen. Laws §§ 5-65-7(a) and 5-65-10(a)(18).

- c. Facilitating and knowingly assisting unregistered persons to engage in contractor work in violation of the CRLB Act and Regulations, R.I. Gen. Laws § 5-65-10(a)(5).
- d. Deceiving and circumventing the registration process by enabling unregistered persons to conduct contractor business, R.I. Gen. Laws § 5-65-10(1).
- e. Hiring non-registered subcontractors, R.I. Gen. Laws § 5-65-3(j).

II. Respondent Michael Bresette

- a. Submitting a bid and offering to undertake contractor work without a current, valid certificate of registration, R.I. Gen. Laws § 5-65-3(a).
- b. Engaging in conduct as a contractor that is dishonest or fraudulent and that is injurious to the welfare of the public, R.I. Gen. Laws §§ 5-65-10(a)(3), 5-65-10(h) and (i).

III. Respondent Felix Acevedo

- a. Submitting a bid and offering to undertake contractor work without a current, valid certificate of registration, R.I. Gen. Laws § 5-65-3(a).
- b. Engaging in conduct as a contractor that is dishonest or fraudulent and that is injurious to the welfare of the public, R.I. Gen. Laws §§ 5-65-10(a)(3), 5-65-10(h) and (i).

CONCLUSION AND BASIS FOR EMERGENCY ACTION

1. The Respondent Chellies Specialty Contractors, LLC operations as a construction and contractor company in Rhode Island endangers the public health, safety and welfare and warrants the initiation of an emergency action, because the Board's investigation has confirmed that Respondent Michelle Richardson is currently operating a contractor business in Rhode Island without any general liability insurance or workers' compensation insurance.

As such, the Director has cause to immediately and summarily suspend the registration of Respondents Michelle Richardson and Chellies Specialty Contractors, LLC pursuant to R.I. Gen. Laws §§ 5-65-7(c) and 5-65-10(a)(18).

- 2. Considering Respondent Felix Acevedo's prior involvement in BTTR, including his involvement on projects still being adjudicated in Rhode Island Superior Court, his unregistered status and apparent fraudulent inducement of a consumer to enable Respondent Michael A. Bresette to perform co-called contractor services, and how such a scheme suspiciously resembles circumstances and tactics also seen by the Board in the BTTR cases, the Director has cause to believe that Respondents are acting, and will continue to act, in violation of R.I. Gen. Laws § 5-65-1 et seq.
- 3. In consideration of the above, the Director finds that the Respondents' actions and omissions pose a serious threat to Rhode Island consumers, and that Respondents are acting to the detriment of the health, welfare, and safety of the general public and requires this emergency action.

<u>ORDER</u>

Accordingly, the Director hereby **ORDERS** that:

- The contractor registration of Respondents Michelle Richardson and Chellies Specialty Contractors, LLC be suspended for thirty (30) days, effective immediately upon issuance of this Emergency Order.
- 2. All Respondents, including Michelle Richardson, Michael A. Bresette, and Felix Acevedo appear before a Hearing Officer in an administrative hearing to be held on June 2, 2025 at 10:30 a.m. (no sooner than ten (10) days but not later than twenty (20) days after issuance of this Order) to show cause why the Director should not issue an Order extending and

continuing the suspension of GC-49166 and order that all Respondents cease and desist during the pendency of the administrative proceedings, which shall determine the Department's request for an permanent order of revocation, cease and desist as to all unregistered conduct, assessing administrative penalties against all Respondents, and otherwise sanctioning the Respondents in accordance with R.I. Gen. Laws § 5-65-1 *et seq*.

The Hearing will be held via Zoom on June 2, 2025, at 10:30 a.m. Instructions for attending the hearing via Zoom are included below.

Join Zoom Meeting

https://us02web.zoom.us/j/83379319937?pwd=nOZ51BQtVzEwaQkO8tzl8cVFoQOitK.1

Meeting ID: 833 7931 9937

Passcode: 877155

One tap mobile

- +13052241968,,83379319937#,,,,*877155# US
- +13092053325,,83379319937#,,,,*877155# US

Dial by your location

- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 646 931 3860 US
- +1 929 205 6099 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US

• +1 669 900 6833 US (San Jose)

• +1 689 278 1000 US

Meeting ID: 833 7931 9937

Passcode: 877155

Find your local number: https://us02web.zoom.us/u/keqhz5fbzz

Pursuant to R.I. Gen. Laws §§ 5-65-20 and 42-6-8, the undersigned hereby appoints

Catherine Warren, Esq., as Hearing Officer for the purpose of conducting the hearing and rendering

a decision in this matter. The proceedings shall be conducted in accordance with the APA and the

Rules of Procedure. It shall be the sole responsibility of each Respondent, or such Respondent's

representative, to present such Respondent's defense to the Hearing Officer. Pursuant to 440-

RICR-10-00-1, Respondents may be represented by legal counsel admitted in the State of Rhode

Island. If any Respondent fails to appear at the Hearing and has not otherwise notified the Hearing

Officer of such Respondent's inability to attend, the Hearing Officer may enter a default judgment

against such Respondent pursuant to 440-RICR-10-00-1.17.

Entered: May 16, 2025

Elizabeth Kelleher Dwyer, Esq.

Director

R.I. Department of Business Regulation

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All interested parties with questions regarding this Notice should contact Joshua W. Nault, Esq. via email at joshua.nault@dbr.ri.gov or by telephone at (401) 259-2670. Please reference the case name and number.

All are welcome at the Rhode Island Department of Business Regulation ("DBR"). If any reasonable accommodation is needed to ensure equal access, service or participation, please contact DBR at (401) 462-9500, RI Relay at 7-1-1, or email DBR.dirofficeing@dbr.ri.gov at least three (3) business days prior to the hearing. To request sign language and/or CART services for the deaf and hard of hearing, please contact the Department via email at DBR.dirofficeing@dbr.ri.gov or via telephone at (401) 462-9500. We strongly encourage you to do this at least five (5) business days before the date of the scheduled hearing to allow adequate time to process your request.

CERTIFICATION OF SERVICE

I hereby certify that on this 16th day of May 2025, a true copy of the within Emergency Order, Order to Show Cause, Notice of Violations, Notice of Hearing, and Appointment of Hearing Officer was sent by first class mail and certified mail, return receipt requested, and email to:

Michael A. Bresette 10 Dorrance St. #700 Providence, RI 02903 Chellies Specialty Contractors, LLC ATTN: Michelle Richardson 124 Pine Hill Ave.
Johnston, RI 02919

Michael A. Bresette 25 N. Elmore Ave. North Providence, RI 02911

Felix Acevedo 86 Heath St. Providence, RI 02909

And by Email:

- 1. Catherine Warren, Esq., Hearing Officer (catherine.warren@doa.ri.gov);
- 2. Joshua W. Nault, Esq., DBR Legal Counsel (joshua.nault@dbr.ri.gov);
- 3. James Gallo, Chief CRLB (james.gallo@dbr.ri.gov);
- 4. Michelle Richardson, Respondent (chelliesec@gmail.com);
- 5. Felix Acevedo, Respondent (jaldisposalllc@gmail.com);
- 6. Felix Acevedo and Michael Bresette, Respondents (jaldisposalri@gmail.com);
- 7. Felix Acevedo, Respondent (rhonaldpimental@icloud.com).

Mudith Coffa
Print: Meredith Cotta