



STATE OF RHODE ISLAND
DEPARTMENT OF BUSINESS REGULATION
CONTRACTORS' REGISTRATION AND LICENSING BOARD
560 JEFFERSON BOULEVARD, SUITE 100
WARWICK, RHODE ISLAND 02886

IN THE MATTER OF:

Shaun Marrow
d/b/a Legendary Concrete

RESPONDENT.

GC # 45567 [Expired]
24CRLB007

**EMERGENCY ORDER TO SHOW CAUSE WHY RESPONDENT SHOULD NOT
BE ORDERED TO IMMEDIATELY CEASE AND DESIST;
NOTICE OF HEARING AND APPOINTMENT OF HEARING OFFICER**

Pursuant to R.I. Gen. Laws §§ 42-14-16.1, 5-65-10(b) and 42-35-1 *et seq.*, the Director (“Director”) of the Rhode Island Department of Business Regulation (“Department”) issues this Emergency Order to Shaun Marrow, individually, and d/b/a Legendary Concrete (“Respondent”) ordering Respondent to appear and show cause why Respondent should not be ordered to immediately cease and desist from engaging in activities requiring a contractor registration under R.I. Gen. Laws § 5-65-1 *et seq.* (the “CRLB Act”), including, without limitation, undertaking, offering to undertake, performing, arranging to perform and/or submitting a bid to do work as a contractor¹ and from any other actions or omissions in violation of the CRLB Act. This Order is issued pursuant to the Director’s authority found in R.I. Gen. Laws § 42-14-16.1, having determined that the public health, safety, and welfare of the general public imperatively requires such action, § 5-65-10(b) and the Administrative Procedures Act (“APA”), R.I. Gen. Laws § 42-35-1 *et seq.*

This Order requires that Respondent appear at an Administrative Hearing before a Hearing Officer to be held no sooner than ten (10) days nor later than twenty (20) days after issuance of this Order to show cause why an order to immediately cease and desist from violations of the CRLB Act should not issue to Respondent. The Hearing will be held on December 19, 2024, at 9:30 a.m. remotely through Zoom, please see the Zoom link below.

The Director issues this Order based on the following:

¹ See the definition of “contractor” in R.I. Gen. Laws § 5-65-1(7).



APPLICABLE 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) 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. 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 it has reason to believe that a person has engaged in or is engaging in any act, practice or transaction that violates the CRLB Act or the regulations, the Department through its State Building Office ("SBO" or "Office")³ may order such person to cease and desist from such violation.
3. Pursuant to R.I. Gen. Laws § 42-14-16.1(c), any hearing on an order to cease and desist shall be governed by the APA.

FACTS AND FINDINGS

4. Based upon the facts below, the Director finds that Respondent presents a threat to the public welfare were he to continue to engage in activities requiring a contractor registration without a valid registration.
5. On September 16, 2024, a Notice of Hearing (the "C-23-185 NOH") was issued appointing a Hearing Officer to hear testimony and render a decision regarding whether Respondent, whose contractor registration GC #45567 expired on April 14, 2023, (and was not thereafter renewed) and was suspended on August 23, 2024, violated the CRLB Act by undertaking work as a contractor without a valid registration, performing improper and/or negligent work, breaching a contract, advertising with a license number instead of a registration number, failing to include his contractor's registration number in a contract, and failing to include a mechanic's lien notice or right of rescission in a contract.
6. A pre-hearing conference was held on November 7, 2024, wherein the parties agreed to attempt settlement negotiations on the matter upon information and belief that the Respondent was not engaging in activities requiring a contractor registration under the CRLB Act.

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).

³ See R.I. Gen. Laws § 5-84-3.1 establishing the State Building Office within the Department of Business Regulation, which Office includes the Contractors' Registration and Licensing Board (the "Board").



7. The C-23-185 NOH matter is still proceeding through the administrative process at this time.
8. This Emergency Order is being issued because on or about December 3, 2024, a Principal State Building Code Official for the SBO became aware that Respondent was engaging with the owner of property located at [REDACTED] Scituate, Rhode Island, for the performance of contractor work at the property.
9. That same day, December 3, 2024, the Principal State Building Code Official further investigated the matter and discovered that the Respondent had sent and provided the property owner:
 - a. A proposal dated December 3, 2024, for the total cost of \$8,250.00 to perform contractor work to “Remove existing concrete and grade and compact Dig holes for French drain sump pumps and radon. Wheelbarrow in crushed stone grade and compact. Lay down poly and wire mesh. Form up 16x12 concrete shelf with rebar dowels 16 on center. Pour w 3500 psi and trowel finish Machine finish floor.”
 - b. A text message stating that a permit is not required to pour a basement.
 - c. A false document appearing to show that the Respondent’s contractor’s registration was valid.
10. Upon being made aware of this information, the Department discontinued its settlement negotiations with the Respondent for the C-23-185 NOH and informed the Respondent via email on December 3, 2024, that the Department was made aware that he was arranging to perform contractor work to which the Respondent replied, “Your information is incorrect im not doing any work I'm subbing it out...”.
11. Pursuant to R.I. Gen. Laws § 5-65-1(7)(i), a contractor is defined as:

“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 walls, and parking lots.”
12. The Respondent’s recent actions violate:
 - a. R.I. Gen. Laws § 5-65-3(a), which prohibits a contractor from bidding to do work or arranging to do work without a valid registration;



- b. R.I. Gen. Laws § 5-65-10(a)(3), which prohibits a contractor from engaging in conduct that is dishonest or fraudulent that the Board finds injurious to the welfare of the public;
 - c. R.I. Gen. Laws § 5-65-10(a)(15), which prohibits the misrepresentation of registration as valid when the registration was suspended, revoked, invalidated, inactive, or unregistered as required by the Board; and
 - d. R.I. Gen. Laws § 5-65-22, which requires contractors to include their registration number on all advertising proposals, contracts, and invoices.
13. In light of the pending C-23-185 NOH administrative proceeding for violations of the Act, an order suspending his registration, and the ongoing recent activity in violation of the Act, it is clear that Respondent has a flagrant disregard for the law and no intention of discontinuing and refraining from violation of the Act.
14. The totality of the information and circumstances described herein demonstrates that Respondent is acting to the detriment of the welfare and safety of the public making it imperative that a cease and desist order be issued to prevent further harm to the public welfare.

THEREFORE, based on the foregoing, the Director hereby **ORDERS**:

- I. Respondent is ordered to appear before a Hearing Officer at the Department for an **Administrative Hearing on December 19, 2024, at 9:30 a.m.** The Hearing will be held remotely via Zoom accessible at the following link: <https://us02web.zoom.us/j/86230063707?pwd=LGaFTLicTU3pltTewzDa0M4bLKT7IV.1>. The Hearing will be held pursuant to the APA and 440-RICR-10-00-1.15 to determine why a Department order should not issue ordering Respondent to cease and desist from undertaking, offering to undertake, performing, arranging to perform and/or submitting a bid to do work as a contractor or otherwise engaging in any actions or omissions in violation of the CRLB Act in the State of Rhode Island.
- II. The Director hereby appoints Catherine R. 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 conformity with the APA and 440-RICR-10-00-1.15. It shall be the responsibility of the Respondent or Respondent's representative, to present Respondent's case to the Hearing Officer.
- III. Pursuant to 440-RICR-10-00-1.15.2, Respondent may be represented by legal counsel admitted in the State of Rhode Island. If Respondent fails to appear at the hearing and has not otherwise notified the Department of Respondent's inability to attend, the Hearing Officer may enter a default judgment against Respondent pursuant to 440-RICR-10-00-1.17.



If you have any questions regarding the subject matter of the hearing, please contact Attorney Kallie Longval, Esq., via email at Kallie.longval@dbr.ri.gov or by phone at (401) 632-7008 and reference the case name and number.

Dated: December 5, 2024

A handwritten signature in cursive script that reads "Elizabeth Kelleher-Dwyer".

Elizabeth Kelleher-Dwyer, Esq., Director

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.dirofficeinquiry@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.dirofficeinquiry@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 5th day of December, 2024, a copy of this Emergency Order to Show Cause, Notice of Hearing and Appointment of Hearing Officer was sent by first class mail postage prepaid and certified mail to:

Shaun Marrow 75 Perry Street Bristol, RI 02809	Legendary Concrete LLC Attn: Registered Agents Inc. 47 Wood Avenue, Suite 2 Barrington, RI 02806
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And by email to:

1. Catherine Warren, Esq., Hearing Officer, (catherine.warren@doa.ri.gov);
2. Kallie Longval, Esq., (Kallie.longval@dbr.ri.gov);
3. Matthew Lambert, (matthew.lambert@dbr.ri.gov);
4. Shaun Marrow, Respondent, (sjm@legendaryconcreteri.com, legendary.concrete@yahoo.com and sjm1123@yahoo.com).

Print Name: Meredith Cotta