

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
1511 PONTIAC AVENUE
BUILDINGS 68-69
CRANSTON, RI 02920

IN THE MATTER OF:	:	
INDUSTRIAL MATTRESS,	:	DBR No. 11-L-0062
RESPONDENT.	:	

ORDER DENYING LICENSE APPLICATION

Pursuant to R.I. Gen. Laws §§ 42-14-16, 42-35-9, and 23-26-31 *et seq.*, the Director of the Department of Business Regulation (“Department”) hereby issues this Order Denying License Application (“Order”) to Industrial Mattress (“Respondent”) for the following reasons:

1. Respondent’s application for a bedding and upholstery license (“License Application”) was received by the Department on June 20, 2011.
2. Respondent indicated in the License Application that it had a permit and registry number in the New York and Connecticut.
3. Respondent also indicated in a follow-up inquiry from the Department that there had been no legal action taken by any other state related to Respondent’s product.
4. The State of Connecticut revoked Respondent’s permit on August 2, 2010 due to numerous violations including Respondent’s failure to keep the permit up


to date, failure to properly sanitize renovated mattresses and, failure to have improper or no tags on mattresses and box springs.

5. Contrary to Respondent's representation on the License Application, the State of New York informed the Department that it did not have a permit or registration number for Industrial Mattress.
6. R.I. Gen. Laws § 23-26-30 provides, in pertinent part, that the "...Director may withhold issuance of a license to any person who shall make any false statement in the application for a license under this chapter."
7. R.I. Gen. Laws § 23-26-25 states that "[a]ny person aggrieved by the action of the director in denying an application for a permit or for registration, or in revoking or suspending any permit or registration, or by any order or decision of the director, shall have the right to appeal to the supreme court and the procedure in case of the appeal shall be the same as that provided in R.I. Gen. Law § 42-35-15.
8. R.I. Gen. Laws § 23-26-1 *et seq.* does not provide Respondent with a right to a hearing on the denial of a license, but does provide for an appeal to the Rhode Island Supreme Court in R.I. Gen. Laws § 23-26-26.

Therefore, pursuant to R.I. Gen. Laws §§ 23-26-26 and 23-26-30 the Respondent's License Application is hereby denied due to the false statements submitted by Respondent in its License Application. Respondent is prohibited from engaging in activities in the State of Rhode Island that are within the scope of R.I. Gen. Laws § 23-26-1 *et seq.*

If you have any questions regarding the subject matter of the hearing, please contact Neena Sinha Savage at (401) 462-9540 or NSSVG1@dbr.ri.gov and reference the case name and number.

Dated this 17th day of October 2011.



Paul McGreevy
Director

NOTICE OF APPELLATE RIGHTS

THIS ORDER CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-12. PURSUANT TO R.I. GEN. LAWS §§ 23-26-26 and 42-35-15, THIS ORDER MAY BE APPEALED TO THE RHODE ISLAND SUPREME COURT WITHIN (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN THE RHODE ISLAND SUPREME COURT. THE FILING OF THE COMPLAINT ITSELF DOES NOT STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS.

CERTIFICATION

I hereby certify that on this 10/18 day of October 2011 a copy of this Order Denying License Application was sent by first class mail postage prepaid and certified mail to:

INDUSTRIAL MATTRESS
54 Franklin Avenue
Brooklyn, NY 11205

and by email to: Maria D'Alessandro, Deputy Director and Kimberly Precious, Implementation Aide, Department of Business Regulation, 1511 Pontiac Ave, Cranston, Rhode Island 02920.

