
**Maryland Home Improvement Commission
Public Business Meeting Minutes**

DATE: June 6, 2019

TIME: 10:00 a.m.

PLACE: 500 N. Calvert Street, Baltimore, Maryland 21202

MEMBERS PRESENT: Robert A. Altieri
Lawrence Helminiak
Lauren E. Lake
William B. Quackenbush, Jr.
Michael Shilling
Andrew Snyder
Joseph Tunney, Chair
I Jean White

MEMBERS ABSENT: Jeffrey Ross

OTHERS ABSENT: David Finneran, Executive Director
Lance Franklin, Licensing Supervisor

**DLLR OFFICIALS AND
STAFF PRESENT:** John Hart, Assistant Attorney General
Deborah Irvin-Cromwell, Assistant Executive Director
Kimberly Rosenthal, Administrative Officer

Call to Order

Chair Tunney called the meeting to order at 10:00 a.m.

Approval of the April 4, 2019 Minutes

Mr. Snyder made a motion to approve the minutes of the April 4, 2019 Commission meeting. Mr. Helminiak seconded the motion and all approved the minutes.

Welcome New Commissioner Lauren E. Lake

Chair Tunney introduced the new Commissioner, Lauren E. Lake. Ms. Lake started about a year ago as a litigation associate at Gordon Feinblatt and joined the Firm's Community Engagement Committee shortly thereafter. Before that, she had judicial clerkships with Judge Nazarian on the Maryland Court of Special Appeals and Judge Copperthite on the U.S. District Court for the District Court of Maryland. Ms. Lake is also involved in the Baltimore City and Maryland bar associations and volunteer with several nonprofit organizations, including Back on My Feet and Thread. Ms. Lake is looking forward to working with everyone and serving on the Maryland Home Improvement Commission board as a Consumer Member. The Commissioners welcomed her and look forward to working with her in the future.

Guaranty Fund Activity Report

The MHIC Guaranty Fund Activity Report dated May 24, 2019 is as follows:

Balance as of July 1, 2018	\$ 2,764,849.77
Receipts	\$ 1,209,903.62
Interest	-0-
Disbursements	
Claims	(\$698,541.94)
Refunds	(\$8,363.19)
Balance as of April 30, 2019	<u>\$3,267,848.26</u>
Reserve	
Anticipated Large Claims	\$300,000.00
FMIS Balance	\$3,179,098.26
Difference	\$88,750.00

Review of Exam Results

Below is the examination statistics summary for the month of April and May 2019

April 2019

Home Improvement	Candidates			
	Tested	Passed	Failed	Pass %
Contractor	186	147	39	79%
Contractor Spanish	89	50	39	56%
Salesperson	103	63	40	61%
Salesperson Spanish	1	0	0	0%
TOTAL	379	260	119	69%

May 2019

Contractor	157	104	53	66%
Contractor Spanish	74	39	35	53%
Salesperson	93	60	33	65%
Salesperson Spanish	1	1	0	100%
TOTAL	325	204	121	63%

Ms. White said the test scores seem to be improving. Ms. White asked Ms. Irvin-Cromwell if there was a list of test sites on the home improvement website. Ms. Irvin-Cromwell stated that the test sites are in the brochure for PSI. She also stated that you can find the test sites on the PSI website, the PSI Reference Manual and also an individual can get the information by calling the Home Improvement Commission or PSI for more information on testing sites.

Maryland Home Improvement Stats

March 2019	
LICENSING ACTIVITY	
Current Licenses Total	32,042
<i>Contractor/Salesperson</i>	16,972
<i>Salesperson</i>	2,988
<i>Contractor/Salesperson (Corp/Part)</i>	11,112
<i>Applications Approved</i>	125
<i>Applications Denied</i>	0
COMPLAINTS RECEIVED	
Complaints Received	132
<i>Licensed</i>	102
<i>Unlicensed</i>	30
Pending Show Cause Hearings	75
Waiting to be sent to OAH	78
Pending Hearing/Decision at OAH	70
Mediation	42
CLAIMS	
New Claims Received	43
Total Open Claims	260

April 2019

LICENSING ACTIVITY	
Current Licenses Total	32,091
<i>Contractor/Salesperson</i>	16,997
<i>Salesperson</i>	2,967
<i>Contractor/Salesperson (Corp/Part)</i>	11,158
<i>Applications Approved</i>	124
<i>Applications Denied</i>	0
COMPLAINTS RECEIVED	
Complaints Received	99
<i>Licensed</i>	73
<i>Unlicensed</i>	26
Pending Show Cause Hearings	89
Waiting to be sent to OAH	66
Pending Hearing/Decision at OAH	76
Mediation	31
CLAIMS	
New Claims Received	40
Total Open Claims	241

Maryland Home Improvement Commission Citation Report

Civil Citations April & May 2019

APRIL 2019					
<i>Citation #</i>	<i>Total \$ Amount</i>	<i>Violations</i>	<i>Investigator</i>	<i>Due Date</i>	<i>Citation Date</i>
696	\$2,000.00	Y01-AA02	Kevin Niebuhr	6/10/2019	4/11/2019

There were no Citations issued in May, 2019

Mr. Quackenbush asked what specific violations were cited in Citation # 696. Mr. Hart explained that the "Y01-AA02" violations reference the schedule of civil citation penalties found at Code of Maryland Regulations ("COMAR") 09.08.06.02. The "Y01" violation was for "[a]cting as a contractor without a license from the Commission." COMAR 09.08.06.02Y. The "AA02" referred to a violation of "[o]ffering to sell a home improvement without a license from the Commission." COMAR 09.08.06.02AA.

Mr. Shilling posed a question as to when a contractor could take a second payment after receiving the initial deposit of 1/3 the contract price. Mr. Snyder stated that the law does not specify when the remaining payments may be collected. Mr. Hart confirmed that the statute governing payments at Annotated Code of Maryland, Business Regulation Article, § 8-617, provides that no payments may be demanded or received prior to the signing of a home improvement contract, and that a deposit received at the time of the execution of the contract cannot be more than 1/3 the contract price. The statute, however, does not specify a schedule for when the remaining payments are to be made, and that is left to the parties to determine through the terms of their contract.

Comments from Chair

Chairperson Tunney said that he looks forward to working with Ms. Lake in the future.

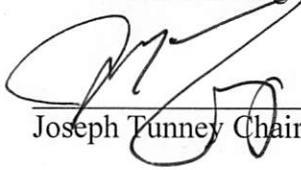
Comments from the Executive Director

Ms. Irvin-Cromwell informed the Commissioners that on May 15, 2019, MHIC hired Robert Richburg as a new investigator. Mr. Richburg retired from the Baltimore City Police Department after 32 years of service. The Commissions and staff of the Home Improvement Commission look forward to working with Mr. Richburg. Ms Irvin-

Cromwell also informed the Commissioners that there are currently nine investigators on staff and 1 investigator position that is vacant.

Adjournment

The meeting was adjourned at 10:27 a.m.



Joseph Tunney, Chairman



Deborah Irvin-Cromwell, Assistant Executive Director