

GENERAL/HOME IMPROVEMENT LICENSING BOARD OF REVIEW
 JANUARY 9, 2019
 111 N. Front Street
 Columbus, OH 43215
 Room 204

The following duly appointed members were present: **Chairman – Mike Pione, Ross Appledorn, Tom Sintic, Ken Neverman and Shane Kaylor. Representing the City was Cliff Spruill.** Toni Gillum was the stenographer transcribing the meeting.

The meeting was called to order by Chairman Pione at 1:00 p.m. **Mr. Appledorn** made a motion to accept the minutes of the December 5, 2018 meeting as written. **Mr. Neverman** seconded the motion. **MOTION CARRIED.**

The next item to come before the Board was the review of new Home Improvement Contractor applications.

The following HIC applications were approved by the Board:

<u>NAME</u>	<u>LICENSE TYPE</u>	
Conley, Mason Scott	General	APPROVED
Edgell, Matthew	General	APPROVED
Giordano, Jr., Dominic	General	APPROVED
Hayes, Brian	General	APPROVED
Helmuth, Wesley	General	APPROVED
King, David Alan	General	APPROVED
Messer, William	General	APPROVED
Morris, Shad	General	APPROVED
Rouault, Anne Marie	General	APPROVED
Triona, Jr., Frank	General	APPROVED
Wood, Donald Jamie	General	APPROVED
Young, William	General	APPROVED
Denicola, Peter	Limited – Roofing	APPROVED
Keim, Reuben		APPROVED
Kovach, Joseph	Limited Roofing	APPROVED

Glace, Mitchell	(2)Limited - Siding, Windows & Doors, and Roofing	APPROVED
Mast, Andrew	(2)Limited - Siding, Windows & Doors, and Roofing	APPROVED
Parisey, Jeffery	(2)Limited - Siding, Windows & Doors, and Roofing	APPROVED
Seymore, Jon Ryan	Limited – Roofing	APPROVED

Mr. Sintic made a motion to certify the results of the applicants who were approved to the Department of Building & Zoning Services for the issuance of a Home Improvement Contractor's License. **Mr. Kaylor** seconded the motion. **MOTION CARRIED.**

The following applications were disapproved:

NAME	LICENSE TYPE
Marcello DaSilva	(7)Limited Siding, Windows & Doors, Deck Installation, Sidewalks & Driveway Approaches, Masonry Fireplaces, Gypsum Board, Fencing & Roofing

DUE PROCESS HEARING FOR THE METAL ROOF COMPANY

The next item to come before the Board was a due process complaint filed by **Lisa Allbright**, regarding work done by **The Metal Roof Company**, license holder, **Daniel Toland**, for the property located at **697 Drummond Court**. **Ms. Allbright**, **Eric Pindell**, **Mr. Toland** and his attorney, **Karl Snyder** were present. Board Member **Ross Appledorn** recused himself from this case. **Ms. Allbright** filed a complaint about work that was done at her home alleging that **The Metal Roof Company** had violated the Columbus Building Code Sections **4113.37 (b)** Building Permits Required, **4115.01**, Inspections Required, and **4115.03** Approvals Required at the property listed above. The Board asked Mr. Toland to begin. Mr. Toland stated that in the initial consultation there was never to be a rafter cut throughout the job; this conversation was had with the homeowner many times. The Project Manager did not relay this information to the crew. When the crew arrived, the customer had the room marked out as to where they wanted the skylights installed, regardless of the rafters that was where they wanted them. The crew cut the rafter to block it in, and that is when Mr. Toland got a phone call. There were not supposed to be any rafters cut, they had had that conversation several times, however, there was one cut. So, they were going to fix it, header it off, hit the reset button and start over. Before they could do that, the homeowner had placed a Stop Work Order. **Mr. Spruill** interjected that there were actually to be four skylights and 14 sun tubes, so there were multiple rafters cut and there was only one permit obtained, which only allows to repair one rafter, to do the work. The Board asked who made the cuts and how many rafters were cut. Mr. Toland said that the crew made the cuts and he wasn't sure how many rafters were actually cut. But, he guessed possibly three or so. So, now that there was a rafter cut, they had to get a structural permits. Mr. Spruill stated that there was only one permit to do the work and then the homeowner got a second permit to do exploratory work to see how much was actually cut and damaged and what repairs would need to be made. Mr. Toland added that he had hired a structural engineer to assess and make sure that everything was done correctly, but when they tried to do this, they were denied access due to the Stop Work Order.

Ms. Allbright then testified that the work started on September 19th and that, yes, she and Mr. Toland had agreed not to cut any rafters, so she had chosen smaller sky lights but, every single rafter was cut. She has had to remove all of the ceiling drywall throughout her house, every room but two, so that the engineer she hired could see how much damage was done. There are jacks holding it right now, he said if the jacks weren't there, the ceiling would have caved in. The Board asked who put the jacks in; Ms. Allbright said it was a combination effort between Metal Roof Company and herself. It was a panic because they actually watched it sink. The board asked how she would like this issue to be resolved and her response was that she would not trust him to come back into her home. He had said he was licensed, that the permit was coming. He actually received his license the day the Stop Work Order was issued and he kept saying that he was going to send proof

of the permit. She was expecting a businessman she could trust was coming to her home and she was waiting for the truth and it never came. When the ceiling collapsed, she lost all ability to see him as a contractor and she didn't want any more of his people in her home. The Board asked if that was still the case, her reply was yes, absolutely. She currently has no drywall or insulation in her home. The engineer came to her home on Monday, January 7th and he said he didn't know where to start and he estimated \$30-\$35,000 in structural damage to her house. There was no care taken. Anything that was in the way was cut.

The Board asked if there was a permit pulled prior to the Stop Work Order, Mr. Spruill said no, there were no permits pulled, no roofing permit prior to the Order. They then pulled a permit to repair one rafter. The work has not been inspected. Ms. Allbright stated that she still has leaks, she has tarps over the northeast corner of the house. Half the roof is missing.

Blocking was put into that hole. Rafters were cut; they were not supposed to be cut. Mr. Toland stated that he has fired the Project Manager who failed to pass along that message. His crew tried to mitigate things on site. The blocking is not installed correctly. The crew tried to make it right really quick. Once he realized they had an issue, he went to BZS to get a permit for the rafters and Ms. Allbright obtained the Stop Work Order. We were going to fix the problem and were not allowed to do so.

The Board had questions about how this could happen. Metal Roof Company's Project Manager works for Mr. Toland, he is accountable for him and the people working for the him. How do such major mistakes happen? They stated that he didn't have a license to pull the permit to fix the problem. Yet, he pulled the permit, and was not permitted back on the property.

After much discussion with both parties, and input from the City, **Mr. Neverman** made a motion as to **Finding of Fact**, The Board finds that Daniel Toland, The Metal Roof Company did Work without a permit, failed to get inspections and did not get approvals at the property located at 697 Drummond Court. **Mr. Sintic** seconded.

MOTION CARRIED 4-0-1

Mr. Neverman made a motion as to **Conclusion of Law**: that by doing so, Mr. Toland is **GUILTY** of violating the City of Columbus Building Code Section 4113.37(b) Building Permits Required, 4115.01 – Inspections Required, 4115.03 - Approvals Required. **Mr. Sintic** seconded the motion.

MOTION CARRIED 4-0-1

Due to the fact that he was found **GUILTY** of violating the Columbus Building Code Sections 4113.37 (B), Building Permits Required, 4115.01, Inspections Required, and 4115.03, Approvals Required at 697 Drummond Court, **Mr. Kaylor** made a motion to **SUSPEND** Daniel Toland's HIC License #HIC-L00517, for **60 Days effective immediately**. **Mr. Neverman** seconded.

MOTION CARRIED 4-0-1

DUE PROCESS HEARING FOR RHI HOME INSPECTION SERVICES

The next item to come before the Board was a continuation of the Due Process Hearing regarding the **City of Columbus vs. Dan Rogers, RHI Home Inspection Services**, for the property located at **5955 Ferdinand Drive**. **Dan Rogers, RHI Home Inspection Services** was present, as was **Ms. Porter**. At the December 5, 2018 meeting of the Board **Mr. Rogers** was found GUILTY of violating City of Columbus Building Code Section 4113.37(b) Building Permits Required, 4115.01 – Inspections Required, 4115.03 - Approvals Required, 4115.05 – Inspection before covering and 4114.111 – Work of a registered OCILB Licensed Specialty Contractor. Due to the fact that Ms. Parker and Mr. Rogers agreed that he would finish the work to her satisfaction and have a licensed plumber pull a permit and get the inspections, the Board voted to table any action against Mr. Rogers' license for 30 days.

After testimony from Ms. Porter that she was still not satisfied with the workmanship and the testimony of Mr. Rogers and Mr. Spruill that the work was completed with permits and inspections, the Board felt these violations were egregious and **Mr. Neverman** made a motion to **suspend the license #HIC01379, of Mr. Rogers RHI Home Inspection Services for 60 days, effective immediately**. **Mr. Sintic** seconded.

MOTION CARRIED 5-0

Mr. Sintic made a motion to adjourn. **Mr. Appledorn** seconded the motion. Adjourned at 2:20 p.m.