

GENERAL/ HOME IMPROVEMENT LICENSING BOARD OF REVIEW
December 2, 2020
VIA WebEx
Columbus, OH 43215

The **Board of General and Home Improvement Contractors** of the City of Columbus held a public hearing for the following agenda items on **Wednesday, December 2, 2020** beginning at **1:00 P.M.** by WebEx virtual meeting (due to Covid-19).

The following duly appointed members were present via WebEx: **Chairman Mike Pione, Ross Appeldorn, Shane Kaylor and Tom Sintic.** 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. Appeldorn** made a motion to accept the minutes of the November 4, 2020 meeting as written. **Mr. Kaylor** seconded the motion. **MOTION CARRIED.**

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

The following applications were approved by the Board:

<u>NAME</u>	<u>LICENSE TYPE</u>	<u>APPROVED/TABLED</u>
Curley, Shawn Patrick	Limited - Swimming Pools & Spas	Approval
Elswick, Mark Douglas	Limited - Basement Waterproofing	Approval
Engle, Jeffrey M.	(6) Limited - Siding Windows & Doors; Deck Installation; Basement Waterproofing; Gypsum Board; Roofing and Fencing	Approval
Ferrell, Shawn Christopher	Limited - Deck Installation	Approval
Hinkle, Robert R.	(4) Limited - Siding Windows & Doors; Deck Installation; Roofing and Fencing	Approval
Kirk, Kyle R.	(2) Limited - Siding Windows & Doors and Roofing	Approval
Moore, Tim	(2) Limited - Gypsum Board & Roofing	Approval
Moreland, Brock	(2) Limited - Siding Widows & Doors and Roofing	Approval
Needham, Eben	General	Approval
Reynolds, Raymond Matthew	(5) Limited - Siding Windows & Doors; Deck Installation; Exterior Lathing & Stucco; Roofing and Fencing	Approval

Each application was voted on by a motion and a second by Board Members and then each voted on separately

and then forwarded to the Department of Building & Zoning Services for the issuance of a Contractor's License.

DUE PROCESS HEARING:

GARRABRANT EXCAVATING & DEMOLITION, LLC.

The first Due Process Hearing to come before the Board was a complaint regarding the property located at **1005 Clan Court**. **Laura & William Woods** filed a complaint against **Garrabrant Excavating & Demolition LLC**. License Holder **Rick Garrabrant** was present for the meeting. The complaint alleged that Columbus Building Code Sections 4123.23(h) Remove structures down 24" below grade, 4123.23(b) Demolition debris removed from site, 4123.23(j) Debris removed from sub-grade cavity were violated on the property.

Cliff Spruill presented the complaint and the information provided by the complainant and the Inspectors. **Mr. Garrabrant** provided testimony and information about the job for the record, stating that there was debris in the ground opening only momentarily until it was hauled away, prior to filling the hole.

After testimony and evidence presented and discussion among the Board, **Mr. Appeldorn** made a **Finding of Fact** that **Garrabrant Excavating & Demolition, LLC DID NOT** remove structures below grade or leave debris onsite. **Mr. Kaylor** seconded.

MOTION CARRIED

Mr. Appeldorn made a motion as to **Conclusion of Law** that **Garrabrant Excavating & Demolition, LLC** be found **NOT GUILTY** of violating Columbus Building Code Sections 4123.23(h) Remove structures down 24" below grade, 4123.23(b) Demolition debris removed from site, 4123.23(j) Debris removed from sub-grade cavity were violated on the property. **Mr. Sintic** seconded.

MOTION CARRIED

Due to the fact that **Garrabrant Excavating & Demolition, LLC, Rick Garrabrant**, was found **NOT GUILTY** of the violations, **Mr. Appeldorn** made a motion to **TAKE NO ACTION** against his license. **Mr. Kaylor** seconded.

MOTION CARRIED

BRADLEY BUILDERS

The next item to come before the Board was a due process hearing regarding the **City of Columbus and Tammy Daroczy vs. Bradley Builders, Bradley Arensburg**, for the property located at **993 Freida Court**. The complaint alleges that Bradley Builders had violated 4113.37(b) Building Permits Required, 4115.01 Inspections Required, 4115.03 - Approvals Required

Cliff Spruill presented the complaint and the information provided by the Inspectors. **Mr. Arensburg** provided testimony and information for the record, stating that the permit was obtained due to a complaint from the homeowner. The permit was pulled, an inspection performed and approval was given. After discussion and questions by the Board with the City and Mr. Arensburg, the Board felt that a permit was not necessary on this project. **Mr. Appeldorn** made a **Finding of Fact** that **Bradley Builders** did work that did not require a building permit, therefore, would not require an inspection or approvals. **Mr. Kaylor** seconded.

MOTION CARRIED

Based on the **Finding of Fact**, **Mr. Appeldorn** made a motion to find Bradley Builders **NOT GUILTY** of violating City of Columbus Building Code Sections 4113.37(b) Building Permits Required, 4115.01 Inspections Required and 4115.03 Approvals Required. **Mr. Kaylor** seconded.

MOTION CARRIED

Due to the fact that **Bradley Builders** was found **NOT GUILTY** of the violations, **Mr. Appeldorn** made a motion to **TAKE NO ACTION** against the license. **Mr. Kaylor** seconded.

MOTION CARRIED

WINDOWS FOR LESS

The last Due Process Hearing on the agenda was a complaint filed by **Patrick McAloon & Monica Xia/Franklin XM LLC** against **Leslie Herrbach dba Windows for Less, Leslie Herrbach**, regarding work done on the property located at **125-129 Dakota Avenu, Columbus, Ohio 43222**. **Mr. Herrbach** was not present.

It was alleged that **Leslie Herrbach dba Windows for Less** had violated Columbus Building Code Sections 4113.37(b) Building Permits Required, 4115.01 Inspections Required, 4115.03 - Approvals Required, 4115.05 - Inspection before covering, 4114.111 - Work of a registered OCILB Licensed Specialty Contractor at the property. **Cliff Spruill** presented the complaint and the information provided by the complainant and the Inspectors. The Board found the violations to be egregious. **Cliff** let them know that **Mr. Herrbach** had not been before the Board before and has not pulled any permits in the last 12 months.

After testimony and evidence presented and discussion among the Board, **Mr. Appeldorn** made a **Finding of Fact** that **Leslie Herrbach dba Windows for Less** did work without a permit, did not get required inspections or approvals. Did cover his work before inspections and did do the work for which he did not have a license. **Mr. Sintic** seconded.

MOTION CARRIED

Due to the Finding of Fact, **Mr. Appeldorn** made a motion to the **Conclusion of Law** that **Leslie Herrbach dba Windows for Less is GUILTY** violating Sections 4113.37(b) Building Permits Required, 4115.01 Inspections Required, 4115.03 - Approvals Required, 4115.05 - Inspection before covering, 4114.111 - Work of a registered OCILB Licensed Specialty Contractor. **Mr. Kaylor** seconded.

MOTION CARRIED

Due to the fact that **Leslie Herrbach dba Windows for Less** was found **GUILTY** of the violations, **Mr. Appeldorn** made a motion to **TABLE** any action against his license to allow another opportunity for the City to obtain official notice of the complaint to the contractor. **Mr. Kaylor** seconded.

MOTION CARRIED

Mr. Kaylor made a motion to adjourn. **Mr. Sintic** seconded the motion. Adjourned at 2:30 p.m.

Mike Pione, Chairman

Cliff Spruill, Secretary

DECEMBER 2020
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