IN THE MATTER OF
THE CLAIM OF CERIA MITCHELL
AGAINST THE
MARYLAND HOME IMPROVEMENT
GUARANTY FUND ON ACCOUNT OF
ALLEGED VIOLATIONS OF
MARCI KORNACKI,
t/a AMERIBUILT, LLC

MARYLAND HOME
IMPROVEMENT COMMISSION

Case No. 17 (75) 242

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FINAL ORDER

On this 18TH day of April , 2017, Panel B of the Maryland Home Improvement Commission ORDERS that:

- 1) Pursuant to Business Regulation Article, §8-408(b)(3)(i), Annotated Code of Maryland, the Claimant has provided the Commission with a copy of a final civil judgment, dated May 10, 2016, with all rights of appeal exhausted, in which the District Court for Anne Arundel County, after a trial on the merits, found that the conditions precedent to recovery, as set forth in Business Regulation Article, §8-405(a), Annotated Code of Maryland, have been met, and found that the Claimant sustained an actual loss of \$23,217.00, as a result of the cost to repair the Respondent's unworkmanlike home improvement.
- 2) Pursuant to Business Regulation Article, §8-405(e)(5), Annotated Code of Maryland, the Commission may not award to a Guaranty Fund claimant an amount greater than the amount paid by or on behalf of the claimant to the original contractor against whom the claim is filed.
- 3) According to the claim form filed by the Claimant, the Claimant paid a total of \$12,946.00 to the Respondent contractor. Pursuant to Business Regulation Article, §8-405(e)(5), Annotated Code of Maryland, the Commission may not award more than \$12,946.00 to the Claimant.

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- 4) The Commission directs payment from the Home Improvement Guaranty Fund of \$12,946.00 to the Claimant, Ceria Mitchell.
- 5) Pursuant to Business Regulation Article, §8-411(a), Annotated Code of Maryland, any home improvement licenses held by the Respondent, Marci Kornacki, t/a Ameribuilt, LLC, shall be Suspended, and the Respondent shall be ineligible for any home improvement licenses, until the Respondent has repaid any money paid from the Home Improvement Guaranty Fund pursuant to this Order, with 10 percent annual interest.
- 6) The records and publications of the Maryland Home Improvement Commission shall reflect this decision.
- 7) The payment to the Claimant from the Home Improvement Guaranty Fund shall be authorized thirty (30) days from the date of this Order. During the thirty (30) day period, any party may file an appeal of this decision to Circuit Court.

| Joseph | Tunney | |
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| Chair | | |

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