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

**DATE:** December 5, 2019

**TIME:** 10:00 a.m.

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

**MEMBERS PRESENT:** James Berndt  
Lawrence Helminiak  
William McCoy II  
William B. Quackenbush, Jr.  
Michael Shilling  
Joseph Tunney, Chair  
I Jean White

**MEMBERS ABSENT:** Robert Altieri  
Lauren E. Lake

**DLLR OFFICIALS AND  
STAFF PRESENT:** David Finneran, Executive Director  
John Hart, Assistant Attorney General  
Deborah Irvin-Cromwell, Assistant Executive Director  
Lance Franklin, Licensing Supervisor  
Kimberly Rosenthal, Administrative Officer  
Binita Sharma, Complaint Secretary  
Victoria L. Wilkins, Commissioner

**Call to Order**

Chair Tunney called the meeting to order at 10:07 a.m.

**Approval of the October 3, 2019 Minutes**

Mr. Quackenbush made a motion to approve the minutes of the October 3, 2019 Commission meeting. Ms. White seconded the motion and all approved the minutes.

**Guaranty Fund Activity Report**

The MHIC Guaranty Fund Activity Report dated November 22, 2019 is as follows:

Balance as of July 1, 2019	\$ 3,366,195.42
Receipts	\$ 432,244.83
Interest	-0-
Disbursements	
Claims	(\$364,074.94)
Refunds	(\$5,131.00)
Balance as of October 20, 2019	<u>\$3,429,234.31</u>
Reserve	
Anticipated Large Claims	\$300,000.00
FMIS Balance	\$3,350,109.31
Difference	\$79,125.00

**Prorated Claims Report - MHIC Business Meeting  
12/5/2019**

<u>Contractor</u>	<u>Suspended date</u>
<b>Contractor A</b> Payout completed on March 27, 2018	<b>June 9, 2015</b>
<b>Contractor B</b> Payout completed on December 6, 2018	<b>June 16, 2016</b>
<b>Contractor C</b> Payout completed on October 4, 2018	<b>February 1, 2017</b>
<b>Contractor D</b> Payout completed on January 1, 2019	<b>June 29, 2017</b>
<b>Contractor E</b> 24 – Complaints Claims date closed as of <b>January 1, 2019</b>	<b>June 29, 2017 (Emergency Suspended)</b> Latest complaint opened May, 2018
<b>Contractor F</b> Payout completed on <b>September 3, 2019</b>	<b>December 21, 2017</b>

**Contractor G**

9 – Complaints

**May 8, 2019 (voluntary termination)**Latest one opened May 20, 2019  
One complaint reopened Nov. 4, 2019**Contractor H**

7 – Complaints

**June 24, 2019 (Emergency Suspension)**

Latest one opened October 29, 2019

**Contractor I**

5 – Complaints

**March 8, 2019 (license expired)**

Latest one opened May 20, 2019

**Review of Exam Results**

Below is the examination statistics summary for the month of October and November 2019

October 2019

<b>Home Improvement</b>	<b>Candidates</b>			
	<b>Tested</b>	<b>Passed</b>	<b>Failed</b>	<b>Pass %</b>
Contractor	150	108	42	72%
Contractor Spanish	74	36	38	49%
Salesperson	106	64	42	60%
Salesperson Spanish	0	0	0	
<b>TOTAL</b>	<b>330</b>	<b>208</b>	<b>122</b>	<b>63%</b>

November 2019

Contractor	141	105	36	74%
Contractor Spanish	93	43	50	46%
Salesperson	89	59	30	66%
Salesperson Spanish	0	0	0	
<b>TOTAL</b>	<b>323</b>	<b>207</b>	<b>116</b>	<b>64%</b>

Ms. White asked if the pass rate was improving over the last year. Mr. Finneran said that for the last three months they were a little lower results with the Spanish test. However, Mr. Finneran informed the Commission that there are three schools that are available that will teach the Spanish test. Ms. White would like for the Cumulative report to go back only 10 years instead of 20. Mr. Finneran will have the report changed.

**Maryland Home Improvement Stats**

<b>September 2019</b>	
<b>LICENSING ACTIVITY</b>	
<b>Current Licenses Total</b>	<b>32,420</b>
<i>Contractor/Salesperson</i>	<b>17,143</b>
<i>Salesperson</i>	<b>2,947</b>
<i>Contractor/Salesperson (Corp/Part)</i>	<b>11,368</b>
<i>Applications Approved</i>	<b>149</b>
<i>Applications Denied</i>	<b>0</b>
<b>COMPLAINTS RECEIVED</b>	
<b>Complaints Received</b>	<b>102</b>
<i>Licensed</i>	<b>66</b>
<i>Unlicensed</i>	<b>36</b>
Pending Show Cause Hearings	<b>53</b>
Waiting to be sent to OAH	<b>76</b>
Pending Hearing/Decision at OAH	<b>80</b>
Mediation	<b>35</b>
<b>CLAIMS</b>	
New Claims Received	<b>38</b>
Total Open Claims	<b>373</b>

<b>October 2019</b>	
<b>LICENSING ACTIVITY</b>	
<b>Current Licenses Total</b>	<b>32,587</b>
<i>Contractor/Salesperson</i>	<b>17,228</b>
<i>Salesperson</i>	<b>2,941</b>
<i>Contractor/Salesperson (Corp/Part)</i>	<b>11,446</b>
<i>Applications Approved</i>	<b>133</b>
<i>Applications Denied</i>	<b>0</b>
<b>COMPLAINTS RECEIVED</b>	
<b>Complaints Received</b>	<b>93</b>
<i>Licensed</i>	<b>61</b>
<i>Unlicensed</i>	<b>32</b>
Pending Show Cause Hearings	<b>56</b>
Waiting to be sent to OAH	<b>79</b>
Pending Hearing/Decision at OAH	<b>84</b>
Mediation	<b>38</b>
<b>CLAIMS</b>	
New Claims Received	<b>25</b>
Total Open Claims	<b>398</b>

Mr. Finneran informed the Commission that Tenaea A. Thomas, Panel secretary is doing a wonderful job with the Show Cause hearings.

Ms. White asked Ms. Rosenthal if the mediation numbers on the report are mediations that took place and were successful. Ms. Rosenthal informed her that the mediation numbers reflects complaints that are currently in mediation.

## Maryland Home Improvement Commission Citation Report

### Civil Citations October & November 2019

<b>OCTOBER 2019</b>					
<i>Citation #</i>	<i>Total \$ Amount</i>	<i>Violations</i>	<i>Investigator</i>	<i>Due Date</i>	<i>Citation Date</i>
705	\$2,500	Y01, BB-01	K. Niebuhr	12/1/2019	10/2/2019
706	\$2,500	Y=01, BB-01	C. Corbin	12/27/2019	10/28/2019
707	\$1,500	N-01, K-01, O-01	K. Niebuhr	12/30/2019	10/31/2019

<b>NOVEMBER 2019</b>					
<i>Citation #</i>	<i>Total \$ Amount</i>	<i>Violations</i>	<i>Investigator</i>	<i>Due Date</i>	<i>Citation Date</i>
708	\$500	J-01	William Banks, Jr.	1/20/2020	11/23/2019

Mr. Finneran introduced the new Complaint Secretary, Binita Sharma to the Commissioners. Ms. Sharma will be learning the Investigator process. Also, Ms. Sharma will be learning the Civil Citation process which will make the numbers go up each month. The Commissioners look forward to working with Ms. Sharma.

#### **Comments from the Chair**

Mr. Tunney welcomed Commissioners William McCoy, II and James Berndt to the board. The Commissioners are looking forward to working with each other.

Mr. Tunney wished everyone a very Merry Christmas and a Happy New Year.

### **Comments from the Executive Director**

Mr. Finneran informed the Commissioners that former Commissioner Andrew Snyder retired from the board. The Commissioners stated how wonderful it was to work with Mr. Snyder and how they will miss him. Mr. Finneran and Mr. Hart also expressed how they will miss Mr. Snyder at the Commission Meetings and Hearings. The Commissioners wished Mr. Snyder well in all his future endeavors.

Mr. Finneran gave the Commissioners a copy of the 2020 Legislative Session Policy. The Commissioner of the Division of Occupational and Professional Licensing, Vickie Wilkins, informed the Commissioners that if they wanted to testify on a bill related to home improvement, then they needed to get the permission of the Secretary's office first. If they were testifying on a bill unrelated to their position on the Commission, then she asked that they still inform the Secretary's office as a courtesy.

Mr. Finneran informed the Commissioners that he and Commissioner Tunney met with Secretary Tiffany P. Robinson. Secretary Robinson is interested in knowing how each board works. Mr. Finneran and Commissioner Tunney look forward to working with Secretary Robinson.

Mr. Finneran informed the Commission that Teresa Rigby-Menendez gave birth to a baby boy. Ms. Rigby-Menendez will return to work in February, 2020.

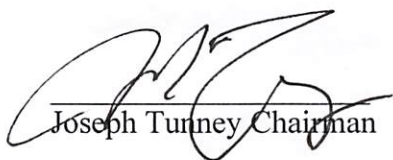
Mr. Finneran informed the Commission that John Hart's and his wife had a baby girl.

Mr. Hart informed the Commissioners that he is leaving his position as advice counsel for the MHIC to take another position within the Office of the Attorney General. In his new role, Mr. Hart will be the advice counsel to the Office of Cemetery Oversight, and act as a litigator for various divisions of the Department of Labor.

Mr. Finneran informed the Commissioners that the Department will not be moving out of the building for at least another two years. Although he doesn't know where the Department is moving to, we will be located in the Baltimore business district. The garage will still be closed for structural issues.

### **Adjournment**

The meeting was adjourned at 10:40 a.m.

  
Joseph Tunney, Chairman

  
David Finneran, Executive Director