

BEFORE THE HEATING, VENTILATION, AIR CONDITIONING AND REFRIGERATION
LICENSING BOARD
DIVISION OF LABOR
DEPARTMENT OF LABOR AND LICENSING
STATE OF ARKANSAS

IN RE: **CLAY MCGILL, Architect**
 BiLD Architects
 525 South School Avenue
 Suite 110
 Fayetteville, AR 72701
 Request for Mechanical Code Variance

ORDER

On the 14th day of April 2021, this matter came before the Heating, Ventilation, Air Conditioning and Refrigeration (HVACR) Licensing Board of the State of Arkansas. Marcus C. Devine, Associate Counsel, Department of Labor and Licensing, represented the agency. Clay McGill appeared personally in his capacity as Architect/Consultant and requestor of the Variance on behalf of his client. Based on the testimony and other evidence, the Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT:

1. The Board after questions and testimony from parties, decided that the variance was not necessary and denied the variance request.
2. The Board has the authority to grant variances if certain criteria are met.
3. The Board did not conclude that the criteria were met to warrant the grant of a variance in the instant case.

CONCLUSIONS OF LAW:

1. Ark. Code Ann. § 17-33-202 grants the Board the power to adopt certain rules and regulations to ensure the proper administration of the program for heating, ventilation, air conditioning and refrigeration work in Arkansas.

2. Ark. Code Ann. § 17-33-202 et. seq. also grants the Board to authority to hear and decide cases that come before the Board.

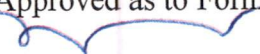
IT IS THEREFORE ORDERED that the request for a variance is hereby **DENIED** and the denial recommendation of the Department staff is affirmed.

**HEATING, VENTILATION, AIR CONDITIONING
and REFRIGERATION LICENSING BOARD
DEPARTMENT OF LABOR AND LICENSING
STATE OF ARKANSAS**

By: 
Alan Dean, Chairman

Date: 4/22/2021

Approved as to Form:


Marcus C. Devine, 98097
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