

**BEFORE THE HVAC/R BOARD
DEPARTMENT OF LABOR AND LICENSING
STATE OF ARKANSAS**

**IN RE: Benedicto Meneses
 DBA – BYM Heating – Cooling & Mechanical
 233 E. Colorado Ave
 Springdale, AR 72764**

ORDER

On this 7th day of February 2024, this matter came before the HVACR board of the Department of Labor and Licensing of the State of Arkansas (the “Board”). Samantha L. Martinez, Code Enforcement Coordinator Supervisor, Arkansas Department of Labor and Licensing, presented to the Board. Benedicto Meneses (“Meneses”) was properly notified and did not appear before the Board. Based on testimony and other evidence, the Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT:

1. On November 6, 2023, ADLL Inspector Don Brannen performed an HVACR inspection at the residence of John & Charity Ford (“Ford”) located in Hindsville, Arkansas following a complaint filed by Mrs. Ford.
2. Meneses performed HVACR work for the Fords from December 2022 until October 2023.
3. Meneses’ HVACR license was revoked by the Board on or about January 11, 2023, and has not been reinstated.
4. The inspection revealed ninety-two (92) specific violations of Arkansas Code § 17-33-101 et seq. and IMC mechanical code, including without limitation Meneses continuing to perform HVACR work after the revocation of his license on January 11, 2023.
5. Meneses was served with a hearing notice on or about December 18, 2023, but did not appear before the Board.
6. ADLL field inspector Don Brannen testified before the Board and recommended the maximum civil money penalty of \$23,000.00 (\$250.00 per violation) be assessed to Meneses.

CONCLUSIONS OF LAW:

1. It shall be the duty of the HVACR Board of the state of Arkansas to review all matters brought to them related to licensing and inspection of HVACR work. Arkansas Code § 17-33-202(4).
2. Arkansas Code § 17-33-305(2) states the Board shall have the power to revoke or suspend any license or registration for cause. This includes, but is not limited to, the performance of HVACR work which does not comply with the provisions of the current mechanical code, as adopted by the Board.
3. Arkansas Code § 17-33-105 states the Board may find monetary penalties may be warranted as a result of violations based upon the testimony, evidence, staff recommendations, and all other matters presented. Penalties assessed may not exceed \$250.00 per day per violation.
4. The Board agrees with the staff recommendation to assess a civil money penalty in the amount of \$23,000.00 and to continue with the revocation of Meneses' license.

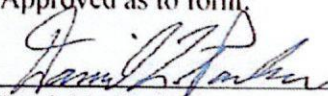
IT IS THEREFORE ORDERED that a civil money penalty is hereby assessed against Benedicto Meneses in the amount of \$23,000.00.

HVACR LICENSING BOARD



Alan Dean, Chairman

2-15-2024
Date

Approved as to form:


Daniel L. Parker
Chief Legal Counsel
Arkansas Department of Labor and Licensing
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