

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

IN RE: Brent Ventres – WAIVER REQUEST

ORDER

This matter came before the HVAC/R (Heating, Ventilation, Air Conditioning/Refrigeration) Board on Wednesday July 13, 2022. The petitioner, Brent Ventres, seeks approval to obtain an HVAC/R registrant license which he is currently ineligible due to prior felony conviction. The HVAC/R Board has authority to waive disqualification of a license based on a criminal conviction if the Board decides that the applicant meets requirements listed in the Ark. Code Annotated § 17-3-102(b)(2). Mr. Ventres did appear before the Board via zoom for the hearing.

FINDING OF FACT:

1. The petitioner (“Ventres”) is requesting approval from the Board to obtain an HVAC/R registrant license. Due to his prior felony conviction from October 12, 2017, he is currently ineligible to obtain a license.
2. Ventres did appear before the Board via zoom.
3. Staff reviewed files and recommended denial based on the remaining years of probation Ventres must complete.

CONCLUSIONS OF LAW:

1. The Board has authority to waive disqualification of a registrant license based on a criminal conviction pursuant to Ark. Code Ann. § 17-3-102(b)(1).

2. A basis upon which a waiver may be granted includes without limitation:
 - a. The age at which the offense was committed;
 - b. The circumstances surrounding the offense;
 - c. The length of time since the offense was committed;
 - d. Subsequent work history since the offense was committed;
 - e. Employment references since the offense was committed;
 - f. Character references since the offense was committed;
 - g. Relevance of the offense to the occupational license; and
 - h. Other evidence demonstrating that licensure of the applicant does not pose a threat to the health and safety of the public. Ark. Code Ann. § 17-3-102(b)(2).
3. In the present case, the Board was informed of the nature of the criminal conviction and the fact that Ventres's probation is to expire in 2037.
4. Ventres provided a professional reference letter from his employer for the Board to review.
5. The Board considered that Ventres will be working as a registrant under the supervision of his employer as opposed to working on his own as a licensee.
6. The Board voted to grant Ventres a registrant license.

THEREFORE, the Board grant's Brent Ventres, an HVAC/R registrant license.

IT IS SO ORDERED.

HVAC/R BOARD



Alan Dean, Chairman

7-25-22

Date

Approved as to form:

/s/ Miles Morgan

Miles Morgan, 2017-049
Associate General Counsel
Arkansas Department of Labor and Licensing
900 West Capitol Ave Suite 400
Little Rock, AR 72201