

**BEFORE THE HVACR BOARD  
DEPARTMENT OF LABOR AND LICENSING  
STATE OF ARKANSAS**

**IN RE:           JONATHAN HAWARD– WAIVER REQUEST**

**ORDER**

This matter came before the HVACR Board (the “Board”) on Wednesday October 12, 2022. The petitioner, Jonathan Haward (“Haward”), seeks approval to obtain an HVACR registrant license which he is currently ineligible due to a prior felony conviction. The 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 Arkansas Code § 17-3-102(b)(2). Mr. Haward did appear before the Board via zoom for the hearing.

**FINDING OF FACT:**

1. Haward is requesting approval from the Board to obtain a registrant license. Due to his prior felony conviction from July 2017, he is currently ineligible to obtain the license.
2. Haward did appear before the Board via zoom.
3. Staff reviewed documents and recommended to approve Haward’s waiver request based on personal and professional letters of recommendation.

**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. The Board was informed of the nature of the criminal conviction and reviewed Haward's letters of recommendation.
4. The Board reviewed staff's recommendation to approve Haward's waiver request.

THEREFORE, the board grants Jonathan Haward's waiver request for the HVACR registrant license.

IT IS SO ORDERED.

HVACR BOARD

  
Alan Dean, Chairman

10-19-2022  
Date

Approved by:

/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