

OCTOBER 23, 2024 HEARINGS

SETTLEMENT AGREEMENTS

56075 ALL AMERICAN FENCE AND STAIN LLC \$200.00

**BEFORE THE RESIDENTIAL CONTRACTORS COMMITTEE
STATE OF ARKANSAS**

ARKANSAS RESIDENTIAL CONTRACTORS COMMITTEE

PETITIONER

vs.

ID # 54820

**LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC
HOT SPRINGS VILLAGE, AR**

RESPONDENT

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER**

A hearing on the above captioned matter was held before the Arkansas Residential Contractors Committee on October 23, 2024, at the Committee's offices at 4100 Richards Road, North Little Rock, Arkansas.

Respondent, LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC was properly notified and did appear and was represented by its owner James Brown and attorneys Elijah Kemp and David Wallach. The Committee was represented by Jonathan Hutto, Attorney. Dewey Watson served as Hearing Officer. From testimony and other evidence presented the Committee makes the following findings of fact and conclusion of law.

FINDINGS OF FACT

1. LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC has undertaken the position of residential contractor as defined in Section 17-25-505, a **New Residence in Hot Springs Village, AR.**
2. LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC is not licensed by the Residential Contractors Committee.
3. Darryl Geiken entered into a contract with LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC to build a home at 31 Sabiote Way in Hot Springs Village on January 5, 2024, for \$800,000. Mr. Geiken paid LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC a total of \$40,000 toward this contract. After this, Mr. Geiken discovered that LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC would not be allowed to obtain a permit to perform the project by the City of Hot Springs Village. He canceled the contract and requested a refund.
4. LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC admitted that it does not have a contractors license but made two arguments that it should be exempt from the licensing law. First it argued that it was acting as an owner on this project and so should be exempt. However, it had a contract with Mr. Geiken to build the home for Mr. Geiken and so it was not a personal residence for the contractor. Secondly LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC argued that it was acting as a developer on the project and should be exempt from the need for a license. The developers exemption requires that the developer hire a licensed contractor to perform a turn key project and that the builder provide a one year written warranty on the project. In this project, LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC would be providing the steel panels for the home making the project not turn key. LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC also provided a written warranty in the contract to Mr. Geiken. The Committee found neither of the arguments persuasive.
5. The Committee found that there were 30 days of activity on this project, based on un rebutted testimony offered by the State.

CONCLUSIONS OF LAW

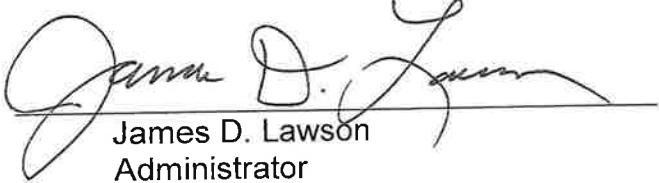
LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC is guilty of violating Section 17-25-505, as amended.

ORDER

The Committee voted unanimously that LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC shall pay a civil penalty of \$400 per day for 30 days of activity for a total of \$12,000 for violation of Section 17-25-505 payable to the Committee within twenty (20) days. The Committee further ordered that a cease and desist order be issued against LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC to prevent it from performing work in violation. LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC shall refrain from bidding on or performing work as a residential contractor prior to being licensed with the Residential Contractors Committee. LEGACY CUSTOM STEEL HOMES-ARKANSAS LLC have the right to appeal this decision pursuant to the provisions of Ark. Code Ann. 17-25-511.

DONE AND SO ORDERED this 23rd day of October, 2024.

RESIDENTIAL CONTRACTORS COMMITTEE



James D. Lawson
Administrator

BEFORE THE RESIDENTIAL CONTRACTORS COMMITTEE
STATE OF ARKANSAS

ARKANSAS RESIDENTIAL CONTRACTORS COMMITTEE

PETITIONER

vs.

ID # 55755

TREY MOORE, D/B/A FOUNDATIONS & MOORE, LLC
MABLEVALE, AR

RESPONDENT

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER

A hearing on the above captioned matter was held before the Arkansas Residential Contractors Committee on October 23, 2024, at the Committee's offices at 4100 Richards Road, North Little Rock, Arkansas.

Respondent, TREY MOORE, d/b/a FOUNDATIONS & MOORE, LLC was properly notified and did not appear. The Committee was represented by Jonathan Hutto, Attorney. Dewey Watson served as Hearing Officer. From testimony and other evidence presented the Committee makes the following findings of fact and conclusion of law.

FINDINGS OF FACT

1. TREY MOORE, d/b/a FOUNDATIONS & MOORE, LLC has undertaken the position of residential contractor as defined in Section 17-25-505, **multiple Home Improvement projects in Benton, AR.**

2. TREY MOORE, d/b/a FOUNDATIONS & MOORE, LLC is not licensed by the Residential Contractors Committee.

3. Our office received a complaint from Ragan Majors against TREY MOORE, d/b/a FOUNDATIONS & MOORE, LLC stating that he had hired the contractor to perform a home improvement project for \$2,200 and paid \$1,100 down. No work was ever performed and no materials were ever delivered. There were 12 days of activity on this project.

4. Our office received a complaint from Sarra Kehner against TREY MOORE, d/b/a FOUNDATIONS & MOORE, LLC stating that she had hired the contractor to perform a two home improvement projects totalling \$10,000. She paid \$5,000 down on the project but no work was performed and no material was delivered. There were 3 days of activity on this project.

CONCLUSIONS OF LAW

TREY MOORE, d/b/a FOUNDATIONS & MOORE, LLC is guilty of violating Section 17-25-505, as amended.

ORDER

The Committee voted unanimously that TREY MOORE, d/b/a FOUNDATIONS & MOORE, LLC shall pay a civil penalty of \$400 per day for 15 days of activity for a total of \$6,000 for violation of Section 17-25-505 payable to the Committee within twenty (20) days. The Committee further ordered that a cease and desist order be issued against TREY MOORE, d/b/a FOUNDATIONS & MOORE, LLC to prevent them from performing work in violation. TREY MOORE, d/b/a FOUNDATIONS & MOORE, LLC shall refrain from bidding on or performing work as a residential contractor prior to being licensed with the Residential Contractors Committee. You have the right to appeal this decision pursuant to the provisions of Ark. Code Ann. 17-25-511.

DONE AND SO ORDERED this 23rd day of October, 2024.

RESIDENTIAL CONTRACTORS COMMITTEE



James D. Lawson
Administrator

**BEFORE THE RESIDENTIAL CONTRACTORS COMMITTEE
STATE OF ARKANSAS**

ARKANSAS RESIDENTIAL CONTRACTORS COMMITTEE

PETITIONER

vs.

ID # 55736

**NATHAN GRAY, D/B/A NG CONSTRUCTION
HORSESHOE BEND, AR**

RESPONDENT

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER**

A hearing on the above captioned matter was held before the Arkansas Residential Contractors Committee on October 23, 2024, at the Committee's offices at 4100 Richards Road, North Little Rock, Arkansas.

Respondent, NATHAN GRAY, d/b/a NG CONSTRUCTION was properly notified and did not appear. The Committee was represented by Jonathan Hutto, Attorney. Dewey Watson served as Hearing Officer. From testimony and other evidence presented the Committee makes the following findings of fact and conclusion of law.

FINDINGS OF FACT

1. NATHAN GRAY, d/b/a NG CONSTRUCTION has undertaken the position of residential contractor as defined in Section 17-25-505, a **home improvement project in Salem, AR.**
2. NATHAN GRAY, d/b/a NG CONSTRUCTION is not licensed by the Residential Contractors Committee.
3. Our office received a complaint from Loyd King against NATHAN GRAY, d/b/a NG CONSTRUCTION stating that he entered into a contract with NATHAN GRAY, d/b/a NG CONSTRUCTION to perform a home improvement project for \$24,000. Mr. King paid \$20,000 but NATHAN GRAY, d/b/a NG CONSTRUCTION abandoned the project prior to completion and would not return the money. There were 48 days of activity on the project.

CONCLUSIONS OF LAW


NATHAN GRAY, d/b/a NG CONSTRUCTION is guilty of violating Section 17-25-505, as amended.

ORDER

The Committee voted unanimously that NATHAN GRAY, d/b/a NG CONSTRUCTION shall pay a civil penalty of \$400 per day for 48 days of activity for a total of \$19,200 for violation of Section 17-25-505 payable to the Committee within twenty (20) days. The Committee further ordered that a cease and desist order be issued against NATHAN GRAY, d/b/a NG CONSTRUCTION to prevent them from performing work in violation. NATHAN GRAY, d/b/a NG CONSTRUCTION shall refrain from bidding on or performing work as a residential contractor prior to being licensed with the Residential Contractors Committee. You have the right to appeal this decision pursuant to the provisions of Ark. Code Ann. 17-25-511.

DONE AND SO ORDERED this 23rd day of October, 2024.

RESIDENTIAL CONTRACTORS COMMITTEE



James D. Lawson
Administrator

BEFORE THE RESIDENTIAL CONTRACTORS COMMITTEE
STATE OF ARKANSAS

ARKANSAS RESIDENTIAL CONTRACTORS COMMITTEE

PETITIONER

vs.

ID # 56215

BILL CALVEN, D/B/A NEA HOME IMPROVEMENTS
JONESBORO, AR

RESPONDENT

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER

A hearing on the above captioned matter was held before the Arkansas Residential Contractors Committee on October 23, 2024, at the Committee's offices at 4100 Richards Road, North Little Rock, Arkansas.

Respondent, BILL CALVEN, d/b/a NEA HOME IMPROVEMENTS was properly notified and did not appear. The Committee was represented by Jonathan Hutto, Attorney. Dewey Watson served as Hearing Officer. From testimony and other evidence presented the Committee makes the following findings of fact and conclusion of law.

FINDINGS OF FACT

1. BILL CALVEN, d/b/a NEA HOME IMPROVEMENTS has undertaken the position of residential contractor as defined in Section 17-25-505, a **home improvement project in Jonesboro, AR.**

2. BILL CALVEN, d/b/a NEA HOME IMPROVEMENTS is not licensed by the Residential Contractors Committee.

3. Our office received a complaint from Christyn Greenhaw against BILL CALVEN, d/b/a NEA HOME IMPROVEMENTS stating that she had hired the contractor to perform a home improvement project for \$2,800 but the contractor abandoned the project prior to completion. There were 20 days of activity on the project.

CONCLUSIONS OF LAW

BILL CALVEN, d/b/a NEA HOME IMPROVEMENTS is guilty of violating Section 17-25-505, as amended.

ORDER

The Committee voted unanimously that BILL CALVEN, d/b/a NEA HOME IMPROVEMENTS shall pay a civil penalty of \$400 per day for 20 days of activity for a total of \$8,000 for violation of Section 17-25-505 payable to the Committee within twenty (20) days. The Committee further ordered that a cease and desist order be issued against BILL CALVEN, d/b/a NEA HOME IMPROVEMENTS to prevent them from performing work in violation. BILL CALVEN, d/b/a NEA HOME IMPROVEMENTS shall refrain from bidding on or performing work as a residential contractor prior to being licensed with the Residential Contractors Committee. You have the right to appeal this decision pursuant to the provisions of Ark. Code Ann. 17-25-511.

DONE AND SO ORDERED this 23rd day of October, 2024.

RESIDENTIAL CONTRACTORS COMMITTEE



James D. Lawson
James D. Lawson
Administrator

**BEFORE THE RESIDENTIAL CONTRACTORS COMMITTEE
STATE OF ARKANSAS**

ARKANSAS RESIDENTIAL CONTRACTORS COMMITTEE

PETITIONER

vs.

ID # 55868

**BLAINE AXTON
ASH FLAT, AR**

RESPONDENT

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER**

A hearing on the above captioned matter was held before the Arkansas Residential Contractors Committee on October 23, 2024, at the Committee's offices at 4100 Richards Road, North Little Rock, Arkansas.

Respondent, BLAINE AXTON was properly notified and did not appear. The Committee was represented by Jonathan Hutto, Attorney. Dewey Watson served as Hearing Officer. From testimony and other evidence presented the Committee makes the following findings of fact and conclusion of law.

FINDINGS OF FACT

1. BLAINE AXTON has undertaken the position of residential contractor as defined in Section 17-25-505, **a home improvement project in Hardy, AR.**
2. BLAINE AXTON is not licensed by the Residential Contractors Committee.
3. Our office received a complaint from Andrea Anderson stating that she had hired BLAINE AXTON to perform a home improvement project for \$40,000 and had paid \$14,000 up front. The contractor did very little work before abandoning the project. There were 18 days of activity on the project.

CONCLUSIONS OF LAW

BLAINE AXTON is guilty of violating Section 17-25-505, as amended.

ORDER

The Committee voted unanimously that BLAINE AXTON shall pay a civil penalty of \$400 per day for 18 days of activity for a total of \$7,200 for violation of Section 17-25-505 payable to the Committee within twenty (20) days. The Committee further ordered that a cease and desist order be issued against BLAINE AXTON to prevent them from performing work in violation. BLAINE AXTON shall refrain from bidding on or performing work as a residential contractor prior to being licensed with the Residential Contractors Committee. You have the right to appeal this decision pursuant to the provisions of Ark. Code Ann. 17-25-511.

DONE AND SO ORDERED this 23rd day of October, 2024.

RESIDENTIAL CONTRACTORS COMMITTEE



James D. Lawson

James D. Lawson
Administrator

**BEFORE THE RESIDENTIAL CONTRACTORS COMMITTEE
STATE OF ARKANSAS**

ARKANSAS RESIDENTIAL CONTRACTORS COMMITTEE

PETITIONER

vs.

ID # 47696

**FRANCISCO JAVIER ZAVALA DIAZ, D/B/A J DIAZ CONSTRUCTION
JONESBORO, AR**

RESPONDENT

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER**

A hearing on the above captioned matter was held before the Arkansas Residential Contractors Committee on October 23, 2024, at the Committee's offices at 4100 Richards Road, North Little Rock, Arkansas.

Respondent, FRANCISCO JAVIER ZAVALA DIAZ, d/b/a J DIAZ CONSTRUCTION was properly notified and did not appear. The Committee was represented by Jonathan Hutto, Attorney. Dewey Watson served as Hearing Officer. From testimony and other evidence presented the Committee makes the following findings of fact and conclusion of law.

FINDINGS OF FACT

1. FRANCISCO JAVIER ZAVALA DIAZ, d/b/a J DIAZ CONSTRUCTION has undertaken the position of residential contractor as defined in Section 17-25-505, **a home improvement project in Jonesboro, AR.**
2. FRANCISCO JAVIER ZAVALA DIAZ, d/b/a J DIAZ CONSTRUCTION is not licensed by the Residential Contractors Committee.
3. FRANCISCO JAVIER ZAVALA DIAZ, d/b/a J DIAZ CONSTRUCTION entered into a contract with Hannah Towell to perform a home improvement project for \$130,000. FRANCISCO JAVIER ZAVALA DIAZ, d/b/a J DIAZ CONSTRUCTION has had 5 previous violations, some of which remain unpaid, and his contractors license has been revoked for misconduct. There were 100 days of activity on this project.

CONCLUSIONS OF LAW

FRANCISCO JAVIER ZAVALA DIAZ, d/b/a J DIAZ CONSTRUCTION is guilty of violating Section 17-25-505, as amended.

ORDER

The Committee voted unanimously that FRANCISCO JAVIER ZAVALA DIAZ, d/b/a J DIAZ CONSTRUCTION shall pay a civil penalty of \$400 per day for 100 days of activity for a total of \$40,000 for violation of Section 17-25-505 payable to the Committee within twenty (20) days. The Committee further ordered that a cease and desist order be issued against FRANCISCO JAVIER ZAVALA DIAZ, d/b/a J DIAZ CONSTRUCTION to prevent them from performing work in violation. FRANCISCO JAVIER ZAVALA DIAZ, d/b/a J DIAZ CONSTRUCTION shall refrain from bidding on or performing work as a residential contractor prior to being licensed with the Residential Contractors Committee. You have the right to appeal this decision pursuant to the provisions of Ark. Code Ann. 17-25-511.

DONE AND SO ORDERED this 23rd day of October, 2024.

RESIDENTIAL CONTRACTORS COMMITTEE



James D. Lawson
Administrator

**BEFORE THE RESIDENTIAL CONTRACTORS COMMITTEE
STATE OF ARKANSAS**

ARKANSAS RESIDENTIAL CONTRACTORS COMMITTEE

PETITIONER

vs.

ID # 54777

**AUSTIN DRUMMOND
EL DORADO, AR**

RESPONDENT

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER**

A hearing on the above captioned matter was held before the Arkansas Residential Contractors Committee on October 23, 2024, at the Committee's offices at 4100 Richards Road, North Little Rock, Arkansas.

Respondent, AUSTIN DRUMMOND was properly notified and did not appear. The Committee was represented by Jonathan Hutto, Attorney. Dewey Watson served as Hearing Officer. From testimony and other evidence presented the Committee makes the following findings of fact and conclusion of law.

FINDINGS OF FACT

1. AUSTIN DRUMMOND has undertaken the position of residential contractor as defined in Section 17-25-505, on a **home improvement project in El Dorado, AR.**
2. AUSTIN DRUMMOND is not licensed by the Residential Contractors Committee.
3. Our office received a complaint from Sheila Curley against AUSTIN DRUMMOND stating that she had hired the contractor to perform a home improvement project for \$3,000. The workmanship was very poor on the project. There were 3 days of activity on the project.

CONCLUSIONS OF LAW


AUSTIN DRUMMOND is guilty of violating Section 17-25-505, as amended.

ORDER

The Committee voted unanimously that AUSTIN DRUMMOND shall pay a civil penalty of \$400 per day for 3 days of activity for a total of \$1,200 for violation of Section 17-25-505 payable to the Committee within twenty (20) days. The Committee further ordered that a cease and desist order be issued against AUSTIN DRUMMOND to prevent them from performing work in violation. AUSTIN DRUMMOND shall refrain from bidding on or performing work as a residential contractor prior to being licensed with the Residential Contractors Committee. You have the right to appeal this decision pursuant to the provisions of Ark. Code Ann. 17-25-511.

DONE AND SO ORDERED this 23rd day of October, 2024.

RESIDENTIAL CONTRACTORS COMMITTEE


James D. Lawson
Administrator