

BEFORE THE ARKANSAS HVAC/R LICENSING BOARD

IN THE MATTER OF TREY BUTLER LYLE, RESPONDENT

CASE NO. JB05292024B

FINDINGS OF FACT, CONCLUSION OF LAW, AND ORDER

A hearing in this matter was held at 10:00 a.m. on September 11, 2024, before the Arkansas HVAC/R Board (“Board”) located at 900 West Capitol Ave., Suite 400, Little Rock, AR 72201. Trey Butler Lyle (“Respondent”) appeared via ZOOM on his own behalf. The Arkansas Department of Labor and Licensing General Counsel Daniel L. Parker appeared on behalf of the Board. From all the evidence presented the Board makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On May 29, 2024, HVAC/R Board field inspector Jeffrey Brenaman (“Brenaman”) conducted an investigation and inspection of an HVAC unit located at 6146 Old Concord Rd., Van Buren, Arkansas 72756 in response to a complaint from the homeowner concerning an assessment provided by Respondent on May 28, 2024.
2. A copy of the inspection report was authenticated by Brenaman, received in evidence at the hearing, and is attached hereto as Exhibit A.
3. Contrary to Respondent’s assessment that the HVAC unit was not operating due to the wear and tear of the equipment, Brenaman found evidence that the unit had been compromised due to a recent lightning strike beyond normal wear and tear.
4. Respondent conducted the assessment pursuant to registration card 0001858 registered with Green County Refrigeration and Class A License Holder Dustin Green. Respondent was not given authority to use Mr. Green’s Class A license and did not conduct the inspection under Mr. Green’s supervision.
5. Respondent testified at the hearing that he was unaware at the time of the inspection that a Class A HVAC/R license was required but admitted upon cross examination that his HVAC/R registration card did not under Arkansas law allow him to perform

independent inspections outside the scope of his Green County Refrigeration registration.

6. Respondent knowingly performed HVAC work without the required license in violation of Arkansas Code § 17-33-301 and should be assessed a civil penalty of two hundred fifty dollars (\$250) pursuant to Arkansas Code § 17-33-105.

CONCLUSIONS OF LAW

1. Respondent's actions constitute one (1) violation of Arkansas Code § 17-33-301 for performing HVAC work without the required license.
2. Respondent should be assessed a civil penalty of two hundred fifty dollars (\$250) pursuant to Arkansas Code § 17-33-105.

ORDER

1. Based upon the foregoing Findings of Fact and Conclusions of Law, Respondent is found guilty of one (1) count of violating Arkansas Code § 17-33-301 for performing HVAC work without the required license and assessed a civil penalty of two hundred fifty dollars (\$250) pursuant to Arkansas Code § 17-33-105.

Pursuant to Arkansas Code § 25-15-212 of the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq., Respondent may petition for judicial review of this decision by filing a petition in the Circuit Court in the County in which he resides or does business or in the Circuit Court of Pulaski County within thirty (30) days after service of this Order.

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

By: 
Alan Dean, Chairman

Date: 9-18-2024

Approved as to form:

/s/ Daniel L. Parker

Daniel L. Parker

Ark. Bar No. 87130

General Counsel

Arkansas Department of Labor and Licensing

CERTIFICATE OF SERVICE

I, Samantha L. Martinez, do hereby swear and affirm that a true and correct copy of the above and foregoing was sent via regular and certified mail, # _____, to the following on this 24 day of September, 2024:

Respondent _____

Trey Butler Lyle

25805 Prairie bell Rd.

Bokoshe, Oklahoma 74930

Batch #: 9

Article #: 92148969009997902402048427

Date/Time: 9/24/2024 1:11:58 PM

Internal File #:

Internal Code:

Samantha L. Martinez

Code Enforcement Coordinator Supervisor

Arkansas Department of Labor and Licensing