

MEMORANDUM

To: Utah Residence Lien Recovery Fund Advisory Board
From: Lien Recovery Fund Staff
Date: June 4, 2014
Subject: Information Packet for Upcoming Board Meeting

Enclosed please find the application reports and other documents for the upcoming Board meeting. That meeting is scheduled to begin at **8:15 am on Wednesday, June 11, 2014** in the **North Conference Room**, on the first floor of the Heber M. Wells Building - **160 East 300 South, Salt Lake City, Utah**. We anticipate the meeting will last until 9:30 a.m.

We appreciate your service on the Board - see you at the meeting.

Agenda

Utah Residence Lien Recovery Fund Advisory Board

June 11, 2014 8:15 am
North Conference Room, First Floor
Heber M. Wells Building
160 E. 300 S. Salt Lake City, Utah

This agenda is subject to change up to 24 hours prior to the meeting.

ADMINISTRATIVE BUSINESS

1. Review and approve minutes from previous board meeting
2. Travel reimbursement

HOMEOWNER APPLICATIONS APPROVED PRIOR TO BOARD MEETING

- a) Jeannine Orr v Ikon Construction Inc
- b) Josiah & Tina Scheid v Picasso Custom Homes LLC
- c) Christina Blais v T J Barnham Construction Inc

HOMEOWNER AFFIDAVITS OF COMPLIANCE APPROVED PRIOR TO BOARD MEETING

- a) Michael Gleiden v James Saxton Drywall Inc

HOMEOWNER APPLICATIONS FOR REVIEW

1. Recommended for Denial and Explanation required
 - a) BAIHEI001 Robert & Melanie Heightman v Bailey Builders Inc - Dane

CLAIMS FOR REVIEW

1. Recommended for Approval and No Explanation Required
 - a) LRF-2012-1019-01 Allred's Inc v Jake's Heating & Air Conditioning Inc (Smith) - Dane
 - b) LRF-2012-1019-03 Allred's Inc v Jake's Heating & Air Conditioning Inc (Mortimer) - Dane
 - c) LRF-2013-0815-01 TS Electric Inc v DZ Home Improvement LC (Smith) - Dane

NEXT SCHEDULED MEETING:

July 9, 2014

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify, Dave Taylor, ADA Coordinator, at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 300 South, Salt Lake City, Utah 84115, 801-530-6628 or toll-free in Utah only 866-275-3675

MINUTES

**UTAH
RESIDENCE LIEN RECOVERY FUND
ADVISORY BOARD
MEETING**

**April 9, 2014
North Conference Room– 8:15 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 8:20

ADJOURNED: 9:07

Board Members Present:

Bradley Stevens, Chair
Patty Fullmer, Vice Chair
Douglas Darrington
Jeff Park
Dave McArthur
Calvin Bowen

Board Members Absent:

Jeff Richards

DOPL Staff Present:

Program Manager, Dane Ishihara
Fund Secretary, Tracy Naff
Division Director, Mark Steinagel

Guests:

John Mann, counsel for Ryan & Jan Campbell
Ryan & Jan Campbell, homeowners
Ben Johnson, counsel for Picasso Homes LLC
Jon Nielsen, homeowner

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Review and approve March 12, 2014
Board minutes.

Mr Darrington made a motion to approve the March 12, 2014
minutes. Mr Bowen seconded the motion. Motion passed with
unanimous vote.

Discuss S.B.189

Mr Ishihara gave a brief summary of S.B.189

Homeowner applications for Review

1. Recommended for Board Review
 - a) PICCAM001 Ryan & Jann Campbell v Picasso Custom Homes LLC- Mr Ishihara gave an explanation of the application. Mr Darrington made a motion to approve the application. Mr Bowen seconded the motion. Mr Mann

discussed homeowners' satisfying requirements. Motion passed by unanimous vote.

- b) PICDIX001 Tyler & Marianne Dixon v Picasso Custom Homes LLC - Mr Ishihara gave a brief explanation of the application. Mr Darrington made a motion to approve the application. Mrs Fullmer seconded the motion. Mr Johnson clarified business practices of the original contractor regarding lot purchases. Motion passed by unanimous vote.
- c) PICSAU001 Steven & Andrea Saunders v Picasso Custom Homes LLC - Mr Ishihara gave a brief explanation of the application. Mr Darrington made a motion to approve the application. Mrs Fullmer seconded the motion. Mr Johnson clarified the business practices of the original contractor regarding lot purchases. Motion passed by unanimous vote.

2. Recommended for Board Review

- a) ASHNIE001 Jon Nielsen v Ashley Drywall Inc - Mr Ishihara gave a brief explanation of the application. Mr Park made a motion to approve the application. Mrs Fuller seconded the motion. Open discussion about new technology and cell phone transactions qualifying as a written contract. Mr Ishihara reviewed written contract definition and explained how the text messages satisfy written contract requirements. Motion passed by unanimous vote.

3. Recommended for Approval and Explanation Required

- a) Heidi Wilson & Michael Steele v Irontown Housing Company Inc - Mr Ishihara gave a brief explanation of the application. Mr Darrington made a motion to approve the application. Mr Bowen seconded the motion. Motion passed by unanimous vote.

4. Recommended for Denial and Explanation Required

- a) CUSMEC001 Rex & Illene Mecham v Custom Craft Homes LLC - Mr Ishihara gave a brief explanation of the application. Mr Park made a motion to deny the application. Mr Darrington seconded the motion. Motion passed by unanimous vote.

Claims for Review

1. Recommended for Approval & No Explanation Required

- a) LRF-2014-0221-01 Rocky Mountain Window's & Doors Inc v SMA Enterprises Inc dba Elite Builder Group (Peterman) - Mr Darrington made a motion to approve the application. Mrs Fullmer seconded the motion. Motion

- passed by unanimous vote.
- b) LRF-2014-0221-02 Rocky Mountain Window's & Doors Inc v SMA Enterprises Inc dba Elite Builder Group (Owens) - Mr Darrington made a motion to approve the application. Mrs Fullmer seconded the motion. Motion passed by unanimous vote.
 - c) LRF-2014-0227-01 Burton Lumber & Hardware v Israelsen Construction Inc - Mr Darrington made a motion to approve the application. Mrs Fullmer seconded the motion. Motion passed by unanimous vote.

ADJOURN: 9:07

Meeting adjourned:

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

Date Approved

(ss) Brad Stevens
Chairperson, Residence Lien Recovery Fund Advisory Board

Date Approved

(ss) Dane Ishihara
Program Coordinator, Division of Occupational & Professional Licensing

Applications for Certificate of Compliance Disposition Report

June 4, 2014

Processing Status	Active Pending Action By	Disposition	Number of Apps	
Active	Board		1	0.1%
Active	Homeowner		4	0.2%
Active	LRF		47	2.5%
Closed		Approved	1152	62.5%
Closed		Denied	555	30.1%
Closed		Withdrawn	76	4.1%
Prolonged			9	0.5%
Total Applications Filed			1,844	

Claim Disposition Report

June 4, 2014

Processing Status	Active Pending Action By	Disposition	Number of Claims	
Active	Board		3	0.1%
Active	Claimant		5	0.2%
Active	LRF		1	0.0%
Closed		Denied	562	20.0%
Closed		Dismissed	244	8.7%
Closed		Paid	1,986	70.7%
Prolonged			8	0.3%
Total Claims Filed			2,809	

Summary of Payments

Sorted by Claimant Type

June 4, 2014

Claimant Type	Number of Paid Claims	Total Payments	
Contractor	834	4,742,457.97	38.2%
Laborer	10	17,070.17	0.1%
Other	1	3,001.75	0.0%
Supplier	1141	7,652,825.79	61.6%
Total Paymen	1986	\$12,415,355.68	100.0%

Summary of Payments

Sorted by Nonpaying Party Type

June 4, 2014

Nonpaying Party Type	Number of Paid Claims	Total Payments	
Home Builder	1218	7,807,357.19	62.9%
Other	25	179,357.47	1.4%
Real Estate Developer	72	462,183.51	3.7%
Specialty Contractor	671	3,966,457.51	31.9%
Total Payments	1986	\$12,415,355.68	100.0%