

Claim Report

Informal Claim

Claim Number LRF-2014-0804-01

October 1, 2014

Claim Examined by: Dane

Claimant: V3 Construction Inc

LRF Registration #:

Registration Date:

Expiration Date:

Contractor License #: 7923303

Issue Date: 3/1/2011

Expiration Date: 11/30/2015

Claimant Classification: Contractor

Claimant's Attorney: Brian J Babcock

Nonpaying Party: Picasso Custom Homes LLC

Contractor License # 7464077

NPP Classification: Specialty Contractor

Original Contractor: Picasso Custom Homes LLC

Type: Licensed Contractor

Contractor License #: 7464077

License Issuance Date: 11/30/2009

License End Date: 11/30/2013

Homeowner(s) Ryan & Jann Campbell

Abstract and Recommendation

Division's recommended disposition: Approve Partial Payment

Detailed Analysis and Findings of Facts

Date of Final Completion of Contract

10/23/2013

Evidence in support of date: C of O

Date Claimant file civil action or NPP filed bankruptcy: 5/30/2014

Evidence in support of date: Statement for Judgment

Number of days difference: 218

Did Claimant obtain judgment against NPP? Yes

Date Claimant obtained judgment or NPP filed for bankruptcy 5/30/2014

Evidence in support of date: Judgment by Confession

Is Claimant a qualified beneficiary? Yes

Did Homeowner enter into a written contract with Original Contractor for the performance of qualified services? Yes

Evidence of a written contract Certificate of Compliance

Was Original Contractor Licensed on contract date? Yes

Did Homeowner pay Original Contractor in full? Yes

Evidence of full payment: Certificate of Compliance

Does residence qualify as "owner-occupied"? Yes

Evidence of Owner Occupancy: Certificate of Compliance

Did Claimant provide qualified services? Yes

Evidence of qualified services: Invoice

Was NPP Licensed? Yes

Did NPP pay Claimant for qualified services? No

Evidence of nonpayment: Judgment

Did Claimant exhaust collection remedies? Yes

Payment Checklist

	<u>Claimed</u>	<u>Approved</u>	<u>Difference*</u>
Qualified Services: \$	24,501.41	\$ 24,501.41	\$ 0.00
Pre-judgment Atty Fees:	4,674.51	3,675.21	-999.30
Pre-judgment Costs:	0.00	0.00	0.00
Post-judgment Atty Fees:	0.00	0.00	0.00
Post-judgment Costs:	0.00	0.00	0.00
Interest:	1,168.01	767.26	-400.75
Totals \$	30,343.93	\$ 28,943.88	\$ -1,400.05

* Positive differences denote amounts approved in excess of amounts claimed; negative differences denote amounts denied.

Evidence of qualified services amount: Invoice

Evidence of pre-judgment attorney fee amount: Judgment

Attorney fees limit per Utah Code Ann. § 38-11-203(3)(f) \$3,675.21

Evidence of pre-judgment costs: Other (see comments)

None Claimed

Evidence of post-judgment attorney fees: Other (see comments)

**Schedule of Interest
All Payments Due in Same Calendar Year
LRF-2014-0804-01**

Terms of Sale: Upon Receipt
Claim Filing Date: 8/4/2014
Payment Due Date: 9/18/2013
Interest Rate per UCA 38-11-203(3)(c) 3.250%
Daily Interest Rate 0.0089%

Total Interest Allowed per UCA 38-11-203(3)(c) \$ 767.26

<u>Event Date</u>	<u>Stop Interest?</u>	<u>Event Description</u>	<u>Changes to Qualified Service Balance</u>	<u>Qualified Service Balance</u>	<u>Number of Days Since Last Event</u>	<u>Interest Accrued Since Last Event</u>
9/18/2013	N	Payment due	\$ 3,504.24	3,504.24	0	\$ -
10/14/2013	N	Payment due	\$ 12,752.22	16,256.46	26	8.11
10/23/2013	N	Payment due	\$ 8,244.95	24,501.41	9	13.03
10/23/2013	N	Project completion date		24,501.41	0	-
5/30/2014	N	Claimant filed statement for judgment		24,501.41	219	477.78
5/30/2014	N	Claimant obtained judgment by confession		24,501.41	0	-
8/4/2014	N	Claimant filed application for payment		24,501.41	66	143.99
9/23/2014	Y	Application conditionally denied		24,501.41	50	109.08
10/1/2014	N	Claimant responded to conditional denial		24,501.41	8	-
10/8/2014	N	Division director authorizes payment		24,501.41	7	15.27

Claim Report

Informal Claim

Claim Number LRF-2014-0815-01

October 1, 2014

Claim Examined by: Dane

Claimant: Ash Construction Inc

LRF Registration #:

Registration Date:

Expiration Date:

Contractor License #: 338373

Issue Date: 4/16/1997

Expiration Date: 11/30/2015

Claimant Classification: Contractor

Claimant's Attorney: Jason H Robinson

Nonpaying Party: Picasso Custom Homes LLC

Contractor License # 7464077

NPP Classification: Specialty Contractor

Original Contractor: Picasso Custom Homes LLC

Type: Licensed Contractor

Contractor License #: 7464077

License Issuance Date: 11/30/2009

License End Date: 11/30/2013

Homeowner(s) Kevin & Marie Louise Nicol

Abstract and Recommendation

Division's recommended disposition: Approve Partial Payment

Detailed Analysis and Findings of Facts

Date of Final Completion of Contract

12/24/2013

Evidence in support of date: C of O

Date Claimant file civil action or NPP filed bankruptcy: 5/29/2014

Evidence in support of date: Statement for Judgment

Number of days difference: 155

Did Claimant obtain judgment against NPP? Yes

Date Claimant obtained judgment or NPP filed for bankruptcy 6/13/2014

Evidence in support of date: Judgment by Confession

Is Claimant a qualified beneficiary? Yes

Did Homeowner enter into a written contract with Original Contractor for the performance of qualified services? Yes

Evidence of a written contract Certificate of Compliance

Was Original Contractor Licensed on contract date? Yes

Did Homeowner pay Original Contractor in full? Yes

Evidence of full payment: Certificate of Compliance

Does residence qualify as "owner-occupied"? Yes

Evidence of Owner Occupancy: Certificate of Compliance

Did Claimant provide qualified services? Yes

Evidence of qualified services: Invoice

Was NPP Licensed? Yes

Did NPP pay Claimant for qualified services? No

Evidence of nonpayment: Judgment

Did Claimant exhaust collection remedies? Yes

Payment Checklist

		<u>Claimed</u>		<u>Approved</u>		<u>Difference*</u>
Qualified Services:	\$	12,656.50	\$	12,656.50	\$	0.00
Pre-judgment Atty Fees:		1,300.60		1,300.60		0.00
Pre-judgment Costs:		0.00		0.00		0.00
Post-judgment Atty Fees:		0.00		0.00		0.00
Post-judgment Costs:		0.00		0.00		0.00
Interest:		658.83		409.92		-248.91
Totals	\$	14,615.93	\$	14,367.02	\$	-248.91

* Positive differences denote amounts approved in excess of amounts claimed; negative differences denote amounts denied.

Evidence of qualified services amount: Invoice

Evidence of pre-judgment attorney fee amount: Judgment

Attorney fees limit per Utah Code Ann. § 38-11-203(3)(f) \$1,898.48

Evidence of pre-judgment costs: Other (see comments)

None Claimed

Evidence of post-judgment attorney fees: Other (see comments)

**Schedule of Interest
All Payments Due in Same Calendar Year
LRF-2014-0815-01**

Terms of Sale: Upon Receipt
Claim Filing Date: 8/15/2014
Payment Due Date: 9/5/2013
Interest Rate per UCA 38-11-203(3)(c): 3.250%
Daily Interest Rate: 0.0089%

Total Interest Allowed per UCA 38-11-203(3)(c) \$ 409.92

<u>Event Date</u>	<u>Stop Interest?</u>	<u>Event Description</u>	<u>Changes to Qualified Service Balance</u>	<u>Qualified Service Balance</u>	<u>Number of Days Since Last Event</u>	<u>Interest Accrued Since Last Event</u>
9/15/2013	N	Payment due	\$ 2,730.10	2,730.10	0	\$ -
10/7/2013	N	Payment due	\$ 9,926.40	12,656.50	22	5.35
12/24/2013	N	Project completion date		12,656.50	78	87.90
5/29/2014	N	Claimant filed statement for judgment		12,656.50	156	175.80
6/13/2014	N	Claimant obtained judgment by confession		12,656.50	15	16.90
8/15/2014	N	Claimant filed application for payment		12,656.50	63	71.00
9/24/2014	Y	Application conditionally denied		12,656.50	40	45.08
10/1/2014	N	Claimant responded to conditional denial		12,656.50	7	-
10/8/2014	N	Division director authorizes payment		12,656.50	7	7.89