

IN THE MATTER OF  
THE CLAIM OF WALTER AND HOLLY  
GEDDES AGAINST THE  
MARYLAND HOME IMPROVEMENT  
GUARANTY FUND ON ACCOUNT OF  
ALLEGED VIOLATIONS OF  
PHILIP THOMAS, t/a  
YARMOUTH CONSTRUCTION, LLC

\* MARYLAND HOME  
IMPROVEMENT COMMISSION

\*

\* Case No. 08 (90) 1940

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\* \* \* \* \*

**FINAL ORDER**

On this *16<sup>TH</sup>* day of *March*, 2011, Panel B of the Maryland Home Improvement Commission ORDERS that:

1) Pursuant to Business Regulation Article, §8-408(b)(3)(i), Annotated Code of Maryland, the Claimants have provided the Commission with a copy of a final judgment issued on March 22, 2010 by the Circuit Court for Kent County. The Circuit Court issued a total judgment of \$89,474.69 in favor of the Claimants against Yarmouth Construction, LLC.

2) The Respondent transacted business with the Claimants under his Maryland Home Improvement Commission contractor license (license no. 01-83094), using the trade name Yarmouth Construction, LLC. On or about February 21, 2006, the Respondent, Philip Thomas, t/a Yarmouth Construction, LLC, executed a home improvement contract with the Claimants under his Maryland Home Improvement Commission contractor license. The Respondent's license is identified in the contract, on the signature page, as "LICENSE NO. MHIC 83094"

3) Of the total of \$89,474.69 awarded to the Claimants, a total of \$31,140.00 was awarded as the cost to repair the Respondent's unworkmanlike work. Pursuant to Business Regulation Article, §8-401, Annotated Code of Maryland, the Commission may issue an award from the

Home Improvement Guaranty Fund for the cost to repair unworkmanlike work of a licensed contractor.

4) Pursuant to Business Regulation Article, §8-405(e)(1), Annotated Code of Maryland, the Commission may not award more than \$20,000.00 from the Home Improvement Guaranty Fund for any one claim.

5) The Commission directs payment of \$20,000.00 from the Home Improvement Guaranty Fund to the Claimants.

6) Pursuant to Business Regulation Article, §8-411(a), Annotated Code of Maryland, any home improvement licenses held by the Respondent, Philip Thomas, shall be Suspended, and the Respondent shall be ineligible for any home improvement licenses, until the Respondent has repaid any money paid from the Home Improvement Guaranty Fund pursuant to this Order, with 10 percent annual interest.

7) The records and publications of the Maryland Home Improvement Commission shall reflect this decision.

8) The payment to the Claimants from the Home Improvement Guaranty Fund shall be authorized thirty (30) days from the date of this Order. During the thirty (30) day period, any party may file an appeal of this decision to Circuit Court.

Joseph Tunney

Chair - Panel B