

October 4, 2018

Wayne Shadow
3905 Winchester Lane
Bowie, MD 20715

RE: Complaint/Claim: 16 (05) 1159

Dear Wayne Shadow:

The Maryland Home Improvement Commission has completed adjudication of a total of 11 Guaranty Fund claims against contractor Richard Stearns t/a Honest Exteriors. The awards in those 11 cases total \$106,008.14.

As you were previously advised, under the Maryland Home Improvement Law, the Commission may not pay a total of more than \$100,000.00 in Guaranty Fund Claims against any one contractor. Because the total of the approved claims exceeds the \$100,000.00 limit, it is necessary for the Commission to pay the claims on a "*pro-rated*" percentage basis. Based on the total award amount of \$106,008.14 and the \$100,000.00 payment limit under the law, the Commission may pay 93.85% of each approved claim award.

You will receive a *pro-rated* payment from the Guaranty Fund totaling 93.85% of your approved claim award. Therefore, you will receive a payment in the amount of **\$3,518.80**.

Please allow six (6) to eight (8) weeks from the date of this letter to receive the award from the State Treasury. If you have any questions concerning this matter, please feel free to contact this office at 410-230-6178.

Very truly yours,

Keyonna Penick

Keyonna Penick
Panel Specialist
Maryland Home Improvement Commission

BEFORE THE MARYLAND HOME IMPROVEMENT COMMISSION

IN THE MATTER OF *
THE CLAIM OF WAYNE SHADOW *

Claimant *

AGAINST THE MARYLAND *
HOME IMPROVEMENT COMMISSION *
GUARANTY FUND AND *

M.H.I.C. No.: 16 (05) 1159

RICHARD STEARNS t/a *
HONEST EXTERIORS *
22835 AVENMAR DRIVE *
LEONARDTOWN MD 20650 *

LICENSE #01-103677 *

Respondent

* * * * *

PROPOSED ORDER

Upon a review of the available evidence, the Commission concludes that the Claimant has established a valid claim against the Maryland Home Improvement Commission Guaranty Fund. It has been established that the Claimant entered into a home improvement contract with the above named contractor and that the Respondent performed the work in a poor and unworkmanlike manner in violation of Business Regulation Article 8, Section 311(a)(10). It has further been established that, as a

result of the violation by the Respondent, the Claimant has sustained an actual loss in the amount of \$3,749.23. Accordingly, the Commission hereby awards the Claimant \$3,749.23 from the Maryland Home Improvement Commission Guaranty Fund, and Orders that:

1. Pursuant to Business Regulation Article 8, Section 411(a) any home improvement licenses held by the Respondent are suspended and the Respondent is ineligible for any home improvement license until the Respondent has repaid any money paid from the Home Improvement Guaranty Fund pursuant to this Order with 10% annual interest.

2. The records and publications of the Maryland Home Improvement Commission reflect this decision.

3. This decision is a proposed decision only and may be challenged by either the Claimant or the Respondent. If either party disagrees with this Proposed Order they may request a hearing or file written exceptions with the Commission. Any request for a hearing or exceptions must be in writing addressed to the Panel Chairman signed below, Maryland Home Improvement Commission, 500 N. Calvert Street, Room 306, Baltimore, Maryland 21202 and must be received within twenty-one (21) days of receipt of this decision. If neither party files a timely request for hearing or written exceptions, this proposed decision will become final at the end of the twenty-one (21) day period.

APPROVED: David Finneran
David Finneran, Executive Director

DATE: August 10, 2017