

BEFORE THE MARYLAND HOME IMPROVEMENT COMMISSION

**IN THE MATTER OF
THE CLAIM OF JENNETTE DEMBECK**

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Claimant

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

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M.H.I.C. No.: 19 (90) 1216

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**ALLAN JOSEPH GIBBONS, JR
GIBBONS & LUCKY HOME IMPROVEMENT
402 BEKSHIRE CT
JOPPA, MD 21085**

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LICENSE #01-32611

Respondent

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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

ARTICLE 1. THE STATE OF TEXAS, DO hereby certify that the following is the true and correct copy of the Constitution of the State of Texas, as amended to date.

1876

ARTICLE II. EXECUTIVE DEPARTMENT.

SECTION 1. The executive power shall be vested in the Governor.

SECTION 2.

The Governor shall hold office for four years, beginning on the 1st day of January next after his election, and shall be eligible for re-election only once.

SECTION 3.

The Governor shall be commander in chief of the military forces of the State.

He shall have the power to pardon and commute the sentences of all offenders against the laws of the State, except in cases of impeachment, and to grant reprieves and commutations of sentence in cases of impeachment.

SECTION 4.

The Governor shall have the power to remove any officer in the executive, legislative or judicial department, who may be incompetent, inefficient or guilty of malfeasance, misfeasance or nonfeasance in office.

ARTICLE III. JUDICIAL DEPARTMENT.

SECTION 1. The judicial power shall be vested in the Supreme Court, the Courts of Appeals, the County Courts and the Justices of the Peace.

SECTION 2.

The Supreme Court shall consist of five Justices, one of whom shall be Chief Justice.

SECTION 3.

The Courts of Appeals shall consist of one or more Justices in each of the following judicial districts, to-wit:

SECTION 4.

The County Courts shall consist of one or more Justices in each county.

SECTION 5.

The Justices of the Peace shall consist of one or more Justices in each precinct.

SECTION 6.

The Justices of the Peace shall be elected by the voters of each precinct.

SECTION 7.

The Justices of the Peace shall hold office for two years.

SECTION 8.

amount of \$6,036.99. Accordingly, the Commission hereby awards the Claimant \$6,036.99 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 Executive Director 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. Once the Commission's order becomes final, the parties by law have an additional thirty (30) day period, during which they may file for an appeal to the Circuit Court.

APPROVED: David Finneran
David Finneran

DATE: November 7, 2019

