



**Rhode Island Department of Business Regulation
Contractors' Registration and Licensing Board
560 Jefferson Blvd. Ste. 100, Warwick, Rhode Island 02886
Telephone: (401) 921-1590 Fax: (401) 889-5535**

VIA- Certified Mail
June 7, 2022

HAMMERING HAMRICK HOME IMPROV
MILES HAMRICK JR

Registration/License Number: GC-37113
Claim Associated with Violation: C-C-10311

RE: FINAL ORDER AND SUSPENSION OF REGISTRATION
Disciplinary Action - Violation # V-6523

On or about May 18, 2022 , you were provided with a Notice of Violation/Proposed Order, a copy of which is attached and incorporated as if stated again in full, that the Rhode Island Contractors' Registration and Licensing Board determined that you were in violation of Rhode Island General Laws and intended to assess civil penalties.

Because you did not request a hearing or pay the fines as assessed within the time allowed, the Notice of Violation/Proposed Order has converted to a Final Order. The fines, as listed above, are now due and payable. If payment is not received within twenty (20) days, your registration will be suspended and your case may be referred to the Office of the Attorney General for criminal prosecution pursuant to RIGL § 5-65-19 and/or referred to the Central Collections Unit pursuant to RIGL § 42-142-8.

You have the right to appeal this Final Order by completing the attached form and returning to the CRLB within twenty (20) days of the date of this mailing. For additional information, please see our website at www.crb.ri.gov, or contact us by telephone at (401) 921-1590.

Sincerely,



**Rhode Island Department of Business Regulation
Contractors' Registration and Licensing Board**

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HAMMERING HAMRICK HOME IMPROV

MILES HAMRICK JR

Registration/License Number: GC-37113
Claim Associated with Violation: C-C-10311

RE: NOTICE OF INTENT TO ASSESS CIVIL PENALTY AND OPPORTUNITY FOR HEARING –
PROPOSED ORDER
Disciplinary Action - Violation # V-6523

This letter serves to notify you that the Rhode Island Contractors' Registration and Licensing Board(CRLB) has determined that on or about February 24, 2022, at 18 Carpenter Street, Cumberland, RI 02864 violations of the following section(s) of Rhode Island General Laws were discovered and the CRLB intends to assess civil penalties as proposed.

Violation

5-65-3(m) - Failure to secure permits prior to commencing work

Violation Penalty

5,000

Description

On February 24, 2020, the respondent began Interior Demolition and Remodeling Construction upon the Interior of a Residence, located at 18 Carpenter St, Cumberland. The work included ripping out and rebuilding the Floor joists of the Kitchen area, replacing a window in the Kitchen, installing a sub floor, etc This work is of the type which requires that a building/electrical/plumbing/mechanical permit(s) be taken out prior to commencing work. Upon request, the respondent could not produce the required permit along with a check of the Cumberland Permitting database that showed that no permit(s) had been issued by Cumberland.

Violation

5-65-10(a)(9) - Engaged in repeated acts in violation of this chapter and the Board's rules and regulations inclusive of substandard workmanship and any misuse of registration.

Violation Penalty

5,000

Description

Engaging in repeated acts in violation of this chapter and the Board's rules and regulations inclusive of substandard workmanship and any misuse of registration.

Mr. Hamrick has a combined track record of 10+ Claims and Violations between 2019 and the most current, to substantiate this Violation being written.

Violation

5-65-10(a)(11) - Breach of contract

Violation Penalty

5,000

Description

Respondent entered into a contract with Myles Hamrick Jr on or about February 17, 2020 for (see below)

On or about March 15, 2021, the homeowner filed a complaint with the CRLB alleging, in pertinent part, that the Respondent had breached the contract. The investigation showed that the Respondent breached the contract as follows: (- those in YELLOW were NOT COMPLETED and/or NOT STARTED.)

Hammering Hamrick Home Improvement LLC

Miles L. Hamrick Jr. Licensed & Insured Contractor (401) 644-2849 milshamrick@yahoo.com
Contractor #37113

Hammering Hamrick Home Improvement Contract

Hammering Hamrick Home Improvement (builder) and Mr. Tommy Matterson (client) are entering into this contract on February 17, 2020, for an interior remodel at 18 Carpenter Street in Cumberland RI.

- Client agrees to the estimate of \$23,400.00 provided by Hammering Hamrick Home Improvement. The breakdown of work to be provided is as follows:
 - Full Kitchen Remodel with cabinets and countertops and tile backsplash.
 - Recess lighting to be installed in Kitchen minor tape and mud.
 - Demo Kitchen floor rebuild to level with sistering of floor joist and plywood.
 - Remove carpet from entire living room and install laminate flooring throughout entire living room including kitchen area.
 - Demo first floor bathroom and turn into laundry a room and install new toilet and 36" vanity also recess lights in bathroom.
 - Mold resistant sheet rock in bathroom along with plaster.
 - New laminate flooring will be running inside existing first floor bathroom.
 - Baseboard trim throughout entire first floor.
 - New baseboard heat covers throughout entire first floor.
 - Remove old windows and install all new windows throughout first floor.
 - Remove carpet from hallway and stairs going to 2nd floor and install new laminate flooring.
 - Install door going into master suite.
 - Demo 2nd floor master bedroom ceiling and turn into cathedral ceiling with recess lighting.
 - Build walk in closet in master bedroom.
 - Build cased opening in master bedroom going from room into hallway.
 - Remove door in master bathroom and build a wall and build a door opening in bathroom leading into master bedroom.
 - Baseboard heat in master suite to be upgraded.
 - Build storage area in ceiling area on top of master bedroom doorway.

Violation

5-65-10(a)(12) - Contractor performed improper work

Violation Penalty

5,000

Description

The GC performed improper work at basically all aspects of this project.

- The floating floor was put down across the living and kitchen area, then a full kitchen floor cabinet system was dropped on top of the floor, deleting the concept of a floating floor.
- The floor joists in the kitchen are were all "sistered" and new sub flooring was laid down. Unfortunately, the center of the kitchen joists are now elevated at different spots causing more noise than originally, which is why the floor was ripped out and worked upon.
- The sub flooring used (2 x 1/2" I believe, it ,at be 3/4" , which explains why the kitchen floor is now approx 1/2" higher than the surrounding floors, the new flooring was laid in opposite grain direction in the back hall as well.
- The laminate flooring shows signs of mishandling and sloppy craftsmanship as there are multiple tiles with damage pointing to the method and carelessness during the installation.
- The damage to the stairs as a result of the GC cutting off approx 3" of tread has created a safety hazard, as there is no purchase of your feet on what is left of the tread, causing you to go up and down the stairs sideways.

Violation

5-65-10(a)(14) - Failure to complete a project(s) for construction or willfully failed to comply with the terms of a contract or written warranty.

Violation Penalty

5,000

Description

On or about 2/27/2020 consumer and respondent entered into an written contract to Perform Multiple General Demo and Rebuilding of the Kitchen area, the living area, main stairwell to be renovated, refaced, renovate a bathroom, paint a house, etc. Said written contract required project to be completed on or about April 1, 2020. On or about 3/31/2020, the Respondent ceased performing work prior to the completion of the project by removing their tools and walking off the jobsite, with the majority of work to be completed.

(See Breach of Contract for list)

Violation

5-65-18 - Failure to provide mechanic's lien notice

Violation Penalty

5,000

Description

Contracts for work require notice that the contractor provide the consumer with a notice that the contractor may file a lien in accordance with the Mechanic' Lien Law, as found in R.I. Gen. Law 34-28. Upon review of the written contract, the required notice was absent from the contract.

Fine amount: \$30,000

You have the right to a hearing. You must request a hearing in writing, to the Contractors' Registration Board, 560 Jefferson Blvd, Warwick, RI 02886 within twenty (20) days of the date of this mailing or issuance of the Notice of Intent to Assess Civil Penalty. Failure to apply for, or to attend a scheduled hearing, will result in the issuance of a Final Order.

For additional information, please see our website at www.crb.ri.gov, or contact us by telephone at: (401) 921-1590.

Sincerely,



**Rhode Island Department of Business Regulation
Division of Building, Design & Fire Professionals
STATE BUILDING OFFICE**

REQUEST FOR APPEAL

Please type or print legibly. Incomplete or unreadable applications will be returned. Please allow 7-10 business days for processing

**THIS FORM MUST BE RECEIVED BY THE BOARD WITHIN
TWENTY (20) DAYS OF THE NOTICE OF VIOLATION OR
DECISION OF HEARING OFFICER**

TYPE OF REQUEST	
APPEAL OF NOTICE OF VIOLATION TO HEARING OFFICER	<input type="checkbox"/>
APPEAL OF DECISION OF HEARING OFFICER TO FULL BOARD	<input type="checkbox"/>

APPLICANT INFORMATION			
Notice of Violation Date		Violation/File Number:	
Date of Decision/Final Order		Claim Number:	
Registration/License Type:		Registration/License #	
Name:			
Residential Address:			
City:	State:	Zip Code:	
Mailing Address (if different):			
City:	State:	Zip Code:	
Phone Number:	Cell Phone:	Email:	

BRIEFLY DESCRIBE REASON FOR APPEAL

STANDARD OF REVIEW AND PROCEDURE FOR APPEAL OF NOTICE OF VIOLATION/PROPOSED ORDER

At hearing, the CRLB must prove the alleged violation(s) by a preponderance of the evidence. If proven, the Hearing Office will issue a Decision/Final Order. Decisions/Final Orders may be appealed to the Board as indicated below.

STANDARD OF REVIEW AND PROCEDURE FOR APPEAL OF DECISION OF HEARING OFFICER

In accordance with § 1.13.2 of CRLB regulation 440-RICR-10-00-1,

- a. The Board shall only consider evidence presented to the Hearing Officer, issues raised in the appeal, and written and/or oral argument relative to the Decision/Final Order issued by the Hearing Officer.
- b. The Board may limit the time allowed for oral argument.
- c. The Board will not consider any new or additional evidence not already presented below to the Hearing Officer.
- d. The CRLB staff investigator may report on their investigative findings.

Consistent with §§ 5-65-20, 440-RICR-10-00-1.13.2, and the Administrative Procedures Act § 42-35-1 et seq., the Board will affirm the Hearing Officer’s Decision if it is supported by substantial evidence in the record. The Board will not substitute its judgment for that of the Hearing Officer as to the weight of the evidence on questions of fact. Alternatively, the Board may dismiss or modify the Hearing Officer’s decision if it was arbitrary or capricious, or affected by other error of law. The Board may remand the case for further proceedings, if applicable.

It shall be the Appellant’s sole responsibility, or that of his/her or its representative, to present his/her Appeal to the Board. The Appellant may be represented by legal counsel admitted in the State of Rhode Island. If Appellant fails to appear at the Hearing and has not otherwise notified the Board of his/her or its inability to attend, the Board shall dismiss the Appeal and affirm the Decision of the Hearing Officer.

The deadline for the Appellant to submit briefs and/or written arguments shall be fourteen (14) calendar days prior to the hearing. Oral arguments shall begin with the Party that filed the appeal. Time limits for oral arguments shall be limited to fifteen (15) minutes. A rebuttal time of three (3) minutes may be allowed. The Chair of the Board, or his/her designee, will oversee the proceedings.

AFFIRMATION

I swear, under the pains and penalties of perjury, that the information provided in connection with this Request for Appeal is true to the best of my knowledge, with the understanding that any omissions, inaccuracies, and/or failure to make full disclosures may be deemed sufficient reason to deny or revoke registration/licensure by the CRLB.:

Signature

Date

Print

SUBMISSION

Submit this application to:
RI Contractors’ Registration and Licensing Board
Attn: Matthew Lambert
560 Jefferson Boulevard
Warwick, RI 02886

OR
Email to Matthew.Lambert@dbr.ri.gov