BEFORE THE
REGISTRAR OF CONTRACTORS
CONTRACTORS STATE LICENSE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

EVR GARD CONSTRUCTION,
5711 W. Slauson Ave., #150
Culver City, CA 90230
RANDOLPH JAMES MALVEAUX, RMO/CEO-President,
ERMA JEAN MALVEAUX, Officer

Contractor's License No. 621683,

Respondent.

RANDY JAMES MALVEAUX,
5711 W. Slauson Ave., Ste. 150
Culver City, CA 90230
RANDOLPH JAMES MALVEAUX, Sole Owner

Contractor's License No. 353838,

PARADISE MANAGEMENT AND DEVELOPERS INC.,
5711 W. Slauson Ave., #150
Culver City, CA 90230
ERMA JEAN MALVEAUX, RMO/CEO-President,
RANDOLPH JAMES MALVEAUX, Officer,
RANDI JEAN MALVEAUX, Officer

Contractor's License No. 809155,

ERMA MALVEAUX,
5711 W. Slauson Ave., #150
Culver City, CA 90230
ERMA JEAN MALVEAUX, Sole Owner

Contractor's License No. 753182,

CASE NO. N2012-259

ORDER TO ADOPT
STIPULATED SETTLEMENT
(As to License No's. 809155 and 891138 only)

and

KVS ENTERPRISES INC.,
4 Conch Reef
Aliso Viejo, CA 92656
ERMA JEAN MALVEAUX, RMO/CEO-President
KENT VISER SMITH, Officer

Contractor's License No. 891138

Affiliated Parties.

The attached Stipulated Settlement is hereby adopted by the Registrar of Contractors as her Decision in the above-entitled matter.

IT IS FURTHER ORDERED pursuant to Section 7102 of the Business and Professions Code and Section 870 of the Code of Regulations, that Respondent, PARADISE MANAGEMENT AND DEVELOPERS INC., License Number, 809155 shall not apply for reissuance or reinstatement of any license for one year(s) from the effective date of this Decision.

IT IS FURTHER ORDERED pursuant to Section 7102 of the Business and Professions Code and Section 870 of the Code of Regulations that Respondent, KVS ENTERPRISES INC., License Number, 891138, shall not apply for reissuance or reinstatement of any license for one year(s) from the effective date of this Decision.

IT IS THE responsibility of the Respondents, named in this Order, to read and follow the Order. The deadlines for meeting the terms and conditions are based upon the EFFECTIVE DATE of the Order to Adopt Stipulation and Waiver. No notices or reminders will be sent, as to the compliance of the terms and conditions. Proof of payments of restitution, and payments for the Cost of Investigation and Enforcement if ordered, are to be sent to CSLB, Sacramento Case Management, Post Office Box 26888, Sacramento, CA 95826.

This Order shall become effective on July 15, 2015.

IT IS SO ORDERED June 10, 2015.

Cindi A. Christenson
Registrar of Contractors

A14FORM-5/09

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Attorneys for Complainant

BEFORE THE
REGISTRAR OF CONTRACTORS
CONTRACTORS' STATE LICENSE BOARD
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STATE OF CALIFORNIA

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ERMA JEAN MALVEAUX, RMO/CEO-President,
RANDOLPH JAMES MALVEAUX, Officer,
RANDI JEAN MALVEAUX, Officer

Contractor's License No. 809155,

Case No. N2012-259
OAH No. 2014080510

STIPULATED SETTLEMENT AND DISCIPLINARY ORDER

AS TO AFFILIATED PARTIES
PARADISE MANAGEMENT AND DEVELOPERS INC. -
Contractor's License No. 809155
AND
KVS ENTERPRISES INC. -
Contractor's License No. 891138
ONLY

ERMA MALVEAUX,
5711 W. Slauson Ave., #150
Culver City, CA 90230
ERMA JEAN MALVEAUX,
Sole Owner

Contractor's License No. 753182,

and

KVS ENTERPRISES INC.,
4 Conch Reef
Aliso Viejo, CA 92656
ERMA JEAN MALVEAUX, RMO/CEO-President,
KENT VISER SMITH, Officer

Contractor's License No. 891138

Affiliated Parties

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings that the following matters are true:

PARTIES

1. Wood Robinson ("Complainant") is the Enforcement Supervisor I of the Contractors' State License Board. He brought this action solely in his official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the State of California, by Susan Melton Wilson, Deputy Attorney General.

2. **License Histories**

EVR Gard Construction

a. On or about June 10, 1991, the Registrar of Contractors (Registrar) issued Contractor's License No. 621683 to EVR Gard Construction, Randolph James Malveaux, RMO/CEO-President, Erma Jean Malveaux, Officer (Respondent). The Contractor's License was in full force and effect at all times relevant to the charges brought herein and will expire on June 30, 2015, unless renewed.

Randy James Malveaux

b. On or about April 12, 1978, the Registrar issued Contractor's License No. 353838 to Randy James Malveaux, Randolph James Malveaux, Sole Owner (Affiliated Party). The

Contractor's License will expire on November 30, 2015, unless renewed.

Paradise Management and Developers Inc.

c. On or about June 10, 2002, the Registrar issued Contractor's License No. 809155 to Paradise Management and Developers Inc., Erma Jean Malveaux, RMO/CEO-President, Randolph James Malveaux, Officer, Randi Jean Malveaux, Officer (Affiliated Party). The Contractor's License expired on June 30, 2012, and has not been renewed.

Erma Malveaux

d. On or about August 19, 1998, the Registrar issued Contractor's License No. 753182 to Erma Malveaux, Erma Jean Malveaux, Sole Owner (Affiliated Party). The Contractor's License will expire on August 31, 2016, unless renewed.

KVS Enterprises Inc.

e. On or about February 16, 2007, the Registrar issued Contractor's License No. 891138 to KVS Enterprises Inc., Erma Jean Malveaux, RMO/CEO-President, Kent Viser Smith, Officer (Affiliated Party). The Contractor's License expired on February 28, 2013, and has not been renewed.

3. ERMA JEAN MALVEAUX, is an officer of Respondent EVR Gard Construction, holder of affiliated sole ownership license (Contractor's license No. 753182), and the RMO/CEO-President and authorized representative of two additional affiliated licenses - **Paradise Management and Developers Inc.** (Contractor's License No. 809155) and **KVS Enterprises Inc.**, (Contractor's License No. 891138). She is represented in this proceeding by attorney Donny Adonis Ekine, whose address is 3250 Wilshire Boulevard, 9th Floor, Los Angeles, CA 90010.

4. It is understood and agreed that this Stipulated Settlement and Order is intended to resolve this accusation matter as against affiliated licenses **Paradise Management and Developers Inc.** and **KVS Enterprises Inc.**, only.

JURISDICTION

5. Accusation No. N2012-259 was filed before the Registrar of Contractors (Registrar) for the Contractors' State License Board, Department of Consumer Affairs, and is currently

pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on October 2, 2013. Respondent timely filed its Notice of Defense contesting the Accusation.

6. A copy of Accusation No.N2012-259 is attached as **Exhibit A** and incorporated herein by reference.

ADVISEMENT AND WAIVERS

7. Erma Jean Malveaux, as an officer of Respondent and as authorized representative of affiliated licenses herein, has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No.N2012-259. She has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

8. Erma Jean Malveaux, as an officer of Respondent and as authorized representative of affiliated licenses herein, is fully aware of Respondent's legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at its own expense; the right to confront and cross-examine the witnesses against them; the right to present evidence and to testify on its own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

9. Erma Jean Malveaux, as an officer of Respondent and as authorized representative of affiliated licenses herein voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

10. Erma Jean Malveaux, as an officer of Respondent and as authorized representative of affiliated licenses herein, understands and agrees that the charges and allegations in Accusation No. N2012-259, if proven at a hearing, constitute cause for imposing discipline upon EVR Gard Construction (Contractor's License No. 621683) and Paradise Management and Developers Inc. (Contractor's License No. 809155); and KVS Enterprises Inc., (Contractor's License No. 891138), as affiliated licenses.

11. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Erma Jean Malveaux, as an officer of Respondent and as authorized representative of affiliated licenses herein, agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation, and hereby gives up all rights to contest those charges as to affiliated licenses Paradise Management and Developers Inc. (Contractor's License No. 809155); and KVS Enterprises Inc., (Contractor's License No. 891138).

12. Erma Jean Malveaux, as an officer of Respondent and as authorized representative of affiliated licenses herein, agrees that Paradise Management and Developers Inc. (Contractor's License No. 809155); and KVS Enterprises Inc., (Contractor's License No. 891138) are subject to discipline and agrees to be bound by the Registrar's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

13. This stipulation shall be subject to approval by the Registrar of Contractors or her designee. Erma Jean Malveaux, as an officer of Respondent and as authorized representative of affiliated licenses herein understands and agrees that counsel for Complainant and the staff of the Contractors' State License Board may communicate directly with the Registrar regarding this stipulation and settlement, without notice to or participation by Respondent or its counsel. By signing the stipulation, Respondent understands and agrees that they may not withdraw its agreement or seek to rescind the stipulation prior to the time the Registrar considers and acts upon it. If the Registrar fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Registrar shall not be disqualified from further action by having considered this matter.

14.. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including Portable Document Format (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

15. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement.

It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

16. In consideration of the foregoing admissions and stipulations, the parties agree that the Registrar may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Contractor's License No. 809155 issued to **Paradise Management and Developers Inc.**, and Contractor's License No. 891138 issued to **KVS Enterprises Inc.**, are revoked.

1. The sole ownership license issued to Erma Jean Malveaux (Contractor's License No. 753182) is exempted from this order.

2. Erma Jean Malveaux, fully understands and agrees that if she ever files a new application for licensure or a petition for reinstatement of Paradise Management and Developers Inc. and/or KVS Enterprises Inc., in the State of California, she must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed.

3. Erma Jean Malveaux, fully understands and agrees that the Registrar shall further require as a condition precedent to the restoration of a Contractor's License, that it shall file or have on file a disciplinary contractor's bond in the sum to be fixed by the Registrar based upon the seriousness of the violation, but which sum shall not be less than fifteen thousand dollars ($15,000) nor more than 10 times that amount required by Business and Professions Code section 7071.6. The disciplinary bond is in addition to, may not be combined with, and does not replace any other type of contractor's bond. The disciplinary bond shall remain on file with the Registrar for a period of at least two years and for such additional time as the Registrar may determine, as required under Business and Professions Code section 7071.8.

4. The parties agree to recommend to the Registrar that Paradise Management and Developers Inc. and KVS Enterprises Inc., pursuant to Business and Professions Code section 7102, not be allowed to reinstate these licenses, or apply for another license, for a period of three (3) years from the effective date of the decision.

ACCEPTANCE

I, ERMA JEAN MALVEAUX, as an officer of Respondent and the authorized representative of affiliated licenses herein have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Donny Adonis Ekine. I understand the stipulation and the effect it will have on my Contractor's Licenses. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Registrar of Contractors, Contractors' State License Board.

DATED: 5-1-2015

X Erma Jean Malveaux

ERMA JEAN MALVEAUX
RMO/CEO – President of Affiliated Licenses
PARADISE MANAGEMENT AND DEVELOPERS INC., and KVS ENTERPRISES INC.

I have read and fully discussed with my client, ERMA JEAN MALVEAUX the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: May 1, 2015

DONNY ADONIS EKINE
Attorney for Erma Jean Malveaux
Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Registrar of Contractors, Contractors' State License Board.

Dated: 5-6-15

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
GREGORY J. SALUTE
Supervising Deputy Attorney General

SUSAN MELTON WILSON
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. N2012-259