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8
9 **BEFORE THE**
REGISTRAR OF CONTRACTORS
10 **CONTRACTORS STATE LICENSE BOARD**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. N2019-156

14 **ECO TECHNOLOGY INC.**
15 **PATRICK KAZIMIERZ WILANOWSKI, RMO**
16 **JOSEF ALAN RUIZ, RME**
17 **NORBERTAS SINICA, CEO/PRES**
MARIJA POPOV, OFFICER,
16255 Ventura Blvd, Ste 910
Encino, CA 91436

ACCUSATION

18 **Contractor's License No. 1030029, B, C-36**

19 **PATRICK KAZIMIERZ WILANOWSKI,**
20 **DBA WORX CONTRACTING**
1151 Westcreek Lane
Westlake Village, CA 91362

21 **Contractor's License No. 999849, B**

22 Respondents.
23

24
25 **PARTIES**

26 1. Christina Delp (Complainant) brings this Accusation solely in her official capacity as
27 the Supervising Special Investigator II of the Contractors State License Board (Board),
28 Department of Consumer Affairs.

1 8. Code section 7106.5 states:

2 The expiration, cancellation, forfeiture, revocation, or suspension of a license
3 by operation of law or by order or decision of the registrar or a court of law, or the
4 voluntary surrender of a license by a licensee, shall not deprive the registrar of
jurisdiction to proceed with any investigation of or action or disciplinary proceeding
against the license, or to render a decision suspending or revoking the license.

5 9. Code section 7121 states:

6 A person who has been denied a license for a reason other than failure to
7 document sufficient satisfactory experience for a supplemental classification for an
8 existing license, or who has had his or her license revoked, or whose license is under
9 suspension, or who has failed to renew his or her license while it was under
10 suspension, or who has been a partner, officer, director, manager, or associate of any
11 partnership, corporation, limited liability company, firm, or association whose
12 application for a license has been denied for a reason other than failure to document
13 sufficient satisfactory experience for a supplemental classification for an existing
14 license, or whose license has been revoked, or whose license is under suspension, or
who has failed to renew a license while it was under suspension, and while acting as a
partner, officer, director, manager, or associate had knowledge of or participated in
any of the prohibited acts for which the license was denied, suspended, or revoked,
shall be prohibited from serving as an officer, director, associate, partner, manager,
qualifying individual, or member of the personnel of record of a licensee, and the
employment, election, or association of this type of person by a licensee in any
capacity other than as a nonsupervising bona fide employee shall constitute grounds
for disciplinary action.

15 10. Code section 7121.5 states:

16 A person who was the qualifying individual on a revoked license, or of a
17 license under suspension, or of a license that was not renewed while it was under
18 suspension, shall be prohibited from serving as an officer, director, associate, partner,
19 manager, or qualifying individual of a licensee, whether or not the individual had
knowledge of or participated in the prohibited acts or omissions for which the license
was revoked, or suspended, and the employment, election, or association of that
person by a licensee shall constitute grounds for disciplinary action.

20 **STATUTORY PROVISIONS**

21 11. Code section 7068.1 states:

22 (a) The person qualifying on behalf of an individual or firm under paragraph
23 (1), (2), (3), or (4) of subdivision (b) of Section 7068 shall be responsible for
24 exercising that direct supervision and control of his or her employer's or principal's
25 construction operations to secure compliance with this chapter and the rules and
regulations of the board. This person shall not act in the capacity of the qualifying
person for an additional individual or firm unless one of the following conditions
exists:

26 (1) There is a common ownership of at least 20 percent of the equity of each
27 individual or firm for which the person acts in a qualifying capacity.

28 (2) The additional firm is a subsidiary of or a joint venture with the first.
'Subsidiary,' as used in this subdivision, means any firm at least 20 percent of the

1 equity of which is owned by the other firm.

2 (3) With respect to a firm under paragraph (2), (3), or (4) of subdivision (b) of
3 Section 7068, the majority of the partners, officers, or managers are the same.

4 (b) Notwithstanding paragraphs (1) to (3), inclusive, of subdivision (a), a
5 qualifying individual may act as the qualifier for no more than three firms in any one-
6 year period.

7 (c) The following definitions shall apply for purposes of this section:

8 (1) "Firm" means a partnership, a limited partnership, a corporation, a limited
9 liability company, or any other combination or organization described in Section
10 7068.

11 (2) "Person" is limited to natural persons, notwithstanding the definition of
12 "person" in Section 7025.

13 (d) The board shall require every applicant or licensee qualifying by the
14 appearance of a qualifying individual to submit detailed information on the qualifying
15 individual's duties and responsibilities for supervision and control of the applicant's
16 construction operations.

17 (e) Violation of this section shall constitute a cause for disciplinary action and
18 shall be punishable as a misdemeanor by imprisonment in a county jail not to exceed
19 six months, by a fine of not less than three thousand dollars (\$3,000), but not to
20 exceed five thousand dollars (\$5,000), or by both the fine and imprisonment.

21 12. Code section 7109 states:

22 (a) A willful departure in any material respect from accepted trade standards for
23 good and workmanlike construction constitutes a cause for disciplinary action, unless
24 the departure was in accordance with plans and specifications prepared by or under
25 the direct supervision of an architect.

26 13. Code section 7110 states:

27 Willful or deliberate disregard and violation of the building laws of the state, or
28 of any political subdivision thereof, or of Section 8550 or 8556 of this code, or of
Sections 1689.5 to 1689.15, inclusive, of the Civil Code, or of the safety laws or labor
laws or compensation insurance laws or Unemployment Insurance Code of the state,
or of the Subletting and Subcontracting Fair Practices Act (Chapter 4 (commencing
with Section 4100) of Part 1 of Division 2 of the Public Contract Code), or violation
by any licensee of any provision of the Health and Safety Code or Water Code,
relating to the digging, boring, or drilling of water wells, or Article 2 (commencing
with Section 4216) of Chapter 3.1 of Division 5 of Title 1 of the Government Code,
constitutes a cause for disciplinary action.

14. Code section 7113 states:

Failure in a material respect on the part of a licensee to complete any
construction project or operation for the price stated in the contract for such
construction project or operation or in any modification of such contract constitutes a

1 cause for disciplinary action.

2 15. Code section 7116 states:

3 The doing of any wilful or fraudulent act by the licensee as a contractor in
4 consequence of which another is substantially injured constitutes a cause for
disciplinary action.

5 16. Code section 7117.6 states:

6 Acting in the capacity of a contractor in a classification other than that currently
7 held by the licensee constitutes a cause for disciplinary action.

8 17. Code section 7122.5 states:

9 The performance by an individual, partnership, corporation, limited liability
10 company, firm, or association of an act or omission constituting a cause for
disciplinary action, likewise constitutes a cause for disciplinary action against a
11 licensee who at the time that the act or omission occurred was the qualifying
individual of that individual, partnership, corporation, limited liability company, firm,
12 or association, whether or not he or she had knowledge of or participated in the
prohibited act or omission.

13 18. Code section 7125.4 states:

14 (a) The filing of the exemption certificate prescribed by this article that is false,
15 or the employment of a person subject to coverage under the workers' compensation
laws after the filing of an exemption certificate without first filing a Certificate of
16 Workers' Compensation Insurance or Certification of Self-Insurance in accordance
with the provisions of this article, or the employment of a person subject to coverage
17 under the workers' compensation laws without maintaining coverage for that person,
constitutes cause for disciplinary action.

18 (b) Any qualifier for a license who, under Section 7068.1, is responsible for
19 assuring that a licensee complies with the provisions of this chapter is also guilty of a
misdemeanor for committing or failing to prevent the commission of any of the acts
20 that are cause for disciplinary action under this section.

21 19. Code section 7154 states:

22 (a) A home improvement contractor licensed under this chapter shall notify the
23 registrar in writing, on a form prescribed by the registrar, about the employment of a
registered home improvement salesperson, pursuant to the terms of this article. This
24 notification requirement shall include, but not be limited to, the name and registration
number of the home improvement salesperson who is employed by the contractor.
25 The form shall be submitted prior to the home improvement salesperson beginning
work for the contractor.

26 (b) A home improvement contractor shall notify the registrar in writing, on a
27 form prescribed by the registrar, when a registered home improvement salesperson
ceases to be employed by the contractor. This notification requirement shall include,
28 but not be limited to, the name and registration number of the home improvement
salesperson who had been employed by the contractor. The form shall be submitted

1 within 90 days after the home improvement salesperson ceases to be employed by the
2 contractor.

3 (c) A home improvement contractor who employs a registered home
4 improvement salesperson to sell home improvement contracts, but who fails to report
5 to the registrar pursuant to subdivision (a) or (b), is subject to disciplinary action by
6 the registrar.

7 (d) A home improvement contractor who employs a person to sell home
8 improvement contracts while that person is not registered by the registrar as a home
9 improvement salesperson as provided in this article, is subject to disciplinary action
10 by the registrar.

11 20. Code section 7159 states, in pertinent part:

12 (c) In addition to the specific requirements listed under this section, every home
13 improvement contract and any person subject to licensure under this chapter or his or
14 her agent or salesperson shall comply with all of the following:

15 ...

16 (4) The contract shall include a statement that, upon satisfactory payment being
17 made for any portion of the work performed, the contractor, prior to any further
18 payment being made, shall furnish to the person contracting for the home
19 improvement or swimming pool work a full and unconditional release from any
20 potential lien claimant claim or mechanics lien authorized pursuant to Sections 8400
21 and 8404 of the Civil Code for that portion of the work for which payment has been
22 made.

23 ...

24 (6) The contract shall contain, in close proximity to the signatures of the owner
25 and contractor, a notice stating that the owner or tenant has the right to require the
26 contractor to have a performance and payment bond.

27 ...

28 (d) A home improvement contract and any changes to the contract shall be in
writing and signed by the parties to the contract prior to the commencement of work
covered by the contract or an applicable change order and, except as provided in
paragraph (8) of subdivision (a) of Section 7159.5, shall include or comply with all of
the following:

(1) The name, business address, and license number of the contractor.

...

(e) Except as provided in paragraph (8) of subdivision (a) of Section 7159.5, all
of the following notices shall be provided to the owner as part of the contract form as
specified or, if otherwise authorized under this subdivision, may be provided as an
attachment to the contract:

...

1 (4) A notice with the heading "Mechanics Lien Warning" written as follows:

2 "MECHANICS LIEN WARNING:

3 Anyone who helps improve your property, but who is not paid, may record
4 what is called a mechanics lien on your property. A mechanics lien is a claim, like a
5 mortgage or home equity loan, made against your property and recorded with the
6 county recorder.

7 Even if you pay your contractor in full, unpaid subcontractors, suppliers, and
8 laborers who helped to improve your property may record mechanics liens and sue
9 you in court to foreclose the lien. If a court finds the lien is valid, you could be forced
10 to pay twice or have a court officer sell your home to pay the lien. Liens can also
11 affect your credit.

12 To preserve their right to record a lien, each subcontractor and material supplier
13 must provide you with a document called a 'Preliminary Notice.' This notice is not a
14 lien. The purpose of the notice is to let you know that the person who sends you the
15 notice has the right to record a lien on your property if he or she is not paid.

16 BE CAREFUL. The Preliminary Notice can be sent up to 20 days after the
17 subcontractor starts work or the supplier provides material. This can be a big problem
18 if you pay your contractor before you have received the Preliminary Notices.

19 You will not get Preliminary Notices from your prime contractor or from
20 laborers who work on your project. The law assumes that you already know they are
21 improving your property.

22 PROTECT YOURSELF FROM LIENS. You can protect yourself from liens by
23 getting a list from your contractor of all the subcontractors and material suppliers that
24 work on your project. Find out from your contractor when these subcontractors
25 started work and when these suppliers delivered goods or materials. Then wait 20
26 days, paying attention to the Preliminary Notices you receive.

27 PAY WITH JOINT CHECKS. One way to protect yourself is to pay with a
28 joint check. When your contractor tells you it is time to pay for the work of a
subcontractor or supplier who has provided you with a Preliminary Notice, write a
joint check payable to both the contractor and the subcontractor or material supplier.

For other ways to prevent liens, visit CSLB's Internet Web site at
www.cslb.ca.gov or call CSLB at 800-321-CSLB (2752).

REMEMBER, IF YOU DO NOTHING, YOU RISK HAVING A LIEN
PLACED ON YOUR HOME. This can mean that you may have to pay twice, or face
the forced sale of your home to pay what you owe."

(5) The following notice shall be provided in at least 12-point typeface:

"Information about the Contractors' State License Board (CSLB): CSLB is the
state consumer protection agency that licenses and regulates construction contractors.

Contact CSLB for information about the licensed contractor you are
considering, including information about disclosable complaints, disciplinary actions,
and civil judgments that are reported to CSLB.

1 Use only licensed contractors. If you file a complaint against a licensed
2 contractor within the legal deadline (usually four years), CSLB has authority to
3 investigate the complaint. If you use an unlicensed contractor, CSLB may not be able
4 to help you resolve your complaint. Your only remedy may be in civil court, and you
5 may be liable for damages arising out of any injuries to the unlicensed contractor or
6 the unlicensed contractor's employees.

7 For more information:

8 Visit CSLB's Internet Web site at www.cslb.ca.gov

9 Call CSLB at 800-321-CSLB (2752)

10 Write CSLB at P.O. Box 26000, Sacramento, CA 95826."

11 (6) (A) The notice set forth in subparagraph (B) and entitled "Three-Day Right
12 to Cancel," shall be provided to the buyer unless the contract is:

13 (i) Negotiated at the contractor's place of business.

14 (ii) Subject to the "Seven-Day Right to Cancel," as set forth in paragraph (7).

15 (iii) Subject to licensure under the Alarm Company Act (Chapter 11.6
16 (commencing with Section 7590)), provided the alarm company licensee complies
17 with Sections 1689.5, 1689.6, and 1689.7 of the Civil Code, as applicable.

18 21. Code section 7159.5 states, in pertinent part:

19 This section applies to all home improvement contracts, as defined in Section
20 7151.2, between an owner or tenant and a contractor, whether a general contractor or
21 a specialty contractor, that is licensed or subject to be licensed pursuant to this
22 chapter with regard to the transaction.

23 (a) Failure by the licensee or a person subject to be licensed under this chapter,
24 or by his or her agent or salesperson, to comply with the following provisions is cause
25 for discipline:

26 ...

27 (5) Except for a downpayment, the contractor may neither request nor accept
28 payment that exceeds the value of the work performed or material delivered.

29 22. Code section 7159.10 states, in pertinent part:

30 ...

31 (d) Every service and repair contract described in subdivision (a) shall include,
32 or otherwise comply with, all of the following:

33 ...

34 (4) Before any work is started, the contractor shall give the buyer a copy of the
35 contract signed and dated by the buyer and by the contractor or the contractor's
36 representative.

1 23. Code section 7161 states, in pertinent part:

2 It is a misdemeanor for any person to engage in any of the following acts, the
3 commission of which shall be cause for disciplinary action against any licensee or
4 applicant:

5 ...

6 (b) Making any substantial misrepresentation in the procurement of a contract
7 for a home improvement or other work of improvement or making any false promise
8 of a character likely to influence, persuade or, induce any person to enter into the
9 contract.

10 (c) Any fraud in the execution of, or in the material alteration of, any contract,
11 trust deed, mortgage, promissory note, or other document incident to a home
12 improvement transaction or other transaction involving a work of improvement.

13 LICENSE CLASSIFICATIONS

14 24. Code section 7055 states:

15 For the purpose of classification, the contracting business includes any or all of
16 the following branches:

17 (a) General engineering contracting.

18 (b) General building contracting.

19 (c) Specialty contracting.

20 25. Code section 7056 states:

21 A general engineering contractor is a contractor whose principal contracting
22 business is in connection with fixed works requiring specialized engineering
23 knowledge and skill, including the following divisions or subjects: irrigation,
24 drainage, water power, water supply, flood control, inland waterways, harbors, docks
25 and wharves, shipyards and ports, dams and hydroelectric projects, levees, river
26 control and reclamation works, railroads, highways, streets and roads, tunnels,
27 airports and airways, sewers and sewage disposal plants and systems, waste reduction
28 plants, bridges, overpasses, underpasses and other similar works, pipelines and other
systems for the transmission of petroleum and other liquid or gaseous substances,
parks, playgrounds and other recreational works, refineries, chemical plants and
similar industrial plants requiring specialized engineering knowledge and skill,
powerhouses, powerplants and other utility plants and installations, mines and
metallurgical plants, land leveling and earthmoving projects, excavating, grading,
trenching, paving and surfacing work and cement and concrete works in connection
with the above-mentioned fixed works.

26 26. Code section 7057 states:

27 (a) Except as provided in this section, a general building contractor is a
28 contractor whose principal contracting business is in connection with any structure
built, being built, or to be built, for the support, shelter, and enclosure of persons,

1 animals, chattels, or movable property of any kind, requiring in its construction the
2 use of at least two unrelated building trades or crafts, or to do or superintend the
whole or any part thereof.

3 This does not include anyone who merely furnishes materials or supplies under
4 Section 7045 without fabricating them into, or consuming them in the performance
of, the work of the general building contractor.

5 (b) A general building contractor may take a prime contract or a subcontract for
6 a framing or carpentry project. However, a general building contractor shall not take a
7 prime contract for any project involving trades other than framing or carpentry unless
8 the prime contract requires at least two unrelated building trades or crafts other than
9 framing or carpentry, or unless the general building contractor holds the appropriate
10 license classification or subcontracts with an appropriately licensed contractor to
11 perform the work. A general building contractor shall not take a subcontract
involving trades other than framing or carpentry, unless the subcontract requires at
least two unrelated trades or crafts other than framing or carpentry, or unless the
general building contractor holds the appropriate license classification. The general
building contractor shall not count framing or carpentry in calculating the two
unrelated trades necessary in order for the general building contractor to be able to
take a prime contract or subcontract for a project involving other trades.

12 (c) A general building contractor shall not contract for any project that includes
13 a fire protection system as provided for in Section 7026.12 or 7026.13, or the "C-57"
14 Well Drilling classification as provided for in Section 13750.5 of the Water Code,
unless the general building contractor holds the appropriate license classification, or
subcontracts with the appropriately licensed contractor.

15 27. Code section 7058(a) states:

16 A specialty contractor is a contractor whose operations involve the performance
17 of construction work requiring special skill and whose principal contracting business
involves the use of specialized building trades or crafts.

18 28. Code section 7059(a) states:

19 The board may adopt reasonably necessary rules and regulations to effect the
20 classification of contractors in a manner consistent with established usage and
21 procedure as found in the construction business, and may limit the field and scope of
22 the operations of a licensed contractor to those in which he or she is classified and
23 qualified to engage, as defined by Sections 7055, 7056, 7057, and 7058. A licensee
24 may make application for classification and be classified in more than one
classification if the licensee meets the qualifications prescribed by the board for such
additional classification or classifications. The application shall be in a form as
prescribed by the registrar and shall be accompanied by the application fee fixed by
this chapter. No license fee shall be charged for an additional classification or
classifications.

25 Nothing contained in this section shall prohibit a specialty contractor from
26 taking and executing a contract involving the use of two or more crafts or trades, if
27 the performance of the work in the crafts or trades, other than in which he or she is
28 licensed, is incidental and supplemental to the performance of the work in the craft
for which the specialty contractor is licensed.

1 29. California Code of Regulations, title 16, section 830 states:

2 (a) All contractors to whom licenses are issued shall be classified by the
3 Registrar as a specialty contractor, as defined in this article; a general engineering
4 contractor (Class A), as defined in Section 7056 of the Code; or a general building
5 contractor (Class B), as defined in Section 7057 of the Code.

6 (b) Contractors licensed in one classification shall be prohibited from
7 contracting in the field of any other classification unless they are also licensed in that
8 classification or are permitted to do so by Section 831.

9 30. California Code of Regulations, title 16, section 831 states:

10 For purposes of Section 7059, work in other classifications is "incidental and
11 supplemental" to the work for which a specialty contractor is licensed if that work is
12 essential to accomplish the work in which the contractor is classified. A specialty
13 contractor may use subcontractors to complete the incidental and supplemental work,
14 or he may use his own employees to do so.

15 31. California Code of Regulations, title 16, section 832 states, in pertinent part:

16 Specialty contractors shall perform their trade using the art, experience, science
17 and skill necessary to satisfactorily organize, administer, construct and complete
18 projects under their classification, in accordance with the standards of their trade.

19 They are classified into the following subclassifications:

20 ...

21 Plumbing.....C-36

22 32. California Code of Regulations, title 16, section 832.36 states:

23 A plumbing contractor provides a means for a supply of safe water, ample in
24 volume and of suitable temperatures for the purpose intended and the proper disposal
25 of fluid waste from the premises in all structures and fixed works. This classification
26 includes but is not limited to:

27 (a) Complete removal of waste from the premises or the construction and
28 connection of on-site waste disposal systems;

(b) Piping, storage tanks and venting for a safe and adequate supply of gases
and liquids for any purpose, including vacuum, compressed air and gases for medical,
dental, commercial and industrial uses;

(c) All gas appliances, flues and gas connections for all systems including
suspended space heating units. This does not include forced warm air units;

(d) Water and gas piping from the property owner's side of the utility meter to
the structure or fixed works;

(e) Installation of any type of equipment to heat water, or fluids, to a
temperature suitable for the purposes listed in this section, including the installation
of solar equipment for this purpose; and

1 (f) The maintenance and replacement of all items described above and all health
2 and safety devices such as, but not limited to, gas earthquake valves, gas control
3 valves, back flow preventors, water conditioning equipment and regulating valves.

3 **COST RECOVERY, RESTITUTION, AND OTHER AUTHORITY**

4 33. Code section 125.3 states, in pertinent part:

5 (a) Except as otherwise provided by law, in any order issued in resolution of a
6 disciplinary proceeding before any board within the department or before the
7 Osteopathic Medical Board, upon request of the entity bringing the proceeding, the
8 administrative law judge may direct a licentiate found to have committed a violation
9 or violations of the licensing act to pay a sum not to exceed the reasonable costs of
10 the investigation and enforcement of the case.

11 (b) In the case of a disciplined licentiate that is a corporation or a partnership,
12 the order may be made against the licensed corporate entity or licensed partnership.

13 34. Government Code section 11519 states:

14 (a) The decision shall become effective 30 days after it is delivered or mailed to
15 respondent unless: a reconsideration is ordered within that time, or the agency itself
16 orders that the decision shall become effective sooner, or a stay of execution is
17 granted.

18 (b) A stay of execution may be included in the decision or if not included
19 therein may be granted by the agency at any time before the decision becomes
20 effective. The stay of execution provided herein may be accompanied by an express
21 condition that respondent comply with specified terms of probation provided;
22 provided, however, that the terms of probation shall be just as reasonable in light of
23 the findings and decision.

24 (c) If respondent was required to register with any public officer, a notification
25 of any suspension or revocation shall be sent to the officer after the decision has
26 become effective.

27 (d) As used in subdivision (b), specified terms of probation may include an
28 order of restitution. Where restitution is ordered and paid pursuant to the provisions
of this subdivision, the amount paid shall be credited to any subsequent judgment in a
civil action.

(e) The person to which the agency action is directed may not be required to
comply with a decision unless the person has been served with the decision in the
manner provided in Section 11505 or has actual knowledge of the decision.

(f) A nonparty may not be required to comply with a decision unless the agency
has made the decision available for public inspection and copying or the nonparty has
actual knowledge of the decision.

(g) This section does not preclude an agency from taking immediate action to
protect the public interest in accordance with Article 13 (commencing with Section
11460.10) of Chapter 4.5.

28 ///

1 35. Code section 143.5(b) states:

2 Any board, bureau, or program within the Department of Consumer Affairs that
3 takes disciplinary action against a licensee or licensees based on a complaint or report
4 that has also been the subject of a civil action and that has been settled for monetary
5 damages providing for full and final satisfaction of the parties may not require its
6 licensee or licensees to pay any additional sums to the benefit of any plaintiff in the
7 civil action.

8 36. Code section 7095 states:

9 The decision may:

10 (a) Provide for the immediate complete suspension by the licensee of all
11 operations as a contractor during the period fixed by the decision.

12 (b) Permit the licensee to complete any or all contracts shown by competent
13 evidence taken at the hearing to be then uncompleted.

14 (c) Impose upon the licensee compliance with such specific conditions as may
15 be just in connection with his operations as a contractor disclosed at the hearing and
16 may further provide that until such conditions are complied with no application for
17 restoration of the suspended or revoked licensee shall be accepted by the registrar.

18 37. Code section 7097 states:

19 Notwithstanding the provisions of Sections 7121 and 7122, when any licensee
20 has been suspended by a decision of the registrar pursuant to an accusation or
21 pursuant to subdivision (b) of Section 7071.17, Section 7085.6 or 7090.1, any
22 additional license issued under this chapter [the Contractors' State License Law] in
23 the name of the licensee or for which the licensee furnished qualifying experience and
24 appearance under the provisions of Section 7068, may be suspended by the registrar
25 without further notice.

26 38. Code section 7098 states:

27 Notwithstanding the provisions of Sections 7121 and 7122, when any license
28 has been revoked under the provisions of this chapter [the Contractors' State License
Law], any additional license issued under this chapter in the name of the licensee or
for which the licensee furnished qualifying experience and appearance under the
provisions of Section 7068, may be revoked by the registrar without further notice.

39. Code section 7102 states:

After suspension of a license upon any of the grounds set forth in this chapter
[the Contractors' State License Law], the registrar may reinstate the license upon
proof of compliance by the contractor with all provisions of the decision as to
reinstatement or, in the absence of a decision or any provisions of reinstatement, in
the sound discretion of the registrar.

After revocation of a license upon any of the grounds set forth in this chapter,
the license shall not be reinstated or reissued and a license shall not be issued to any
member of the personnel of the revoked licensee found to have had knowledge of or

1 participated in the acts or omissions constituting grounds for revocation, within a
2 minimum period of one year and a maximum period of five years after the final
3 decision of revocation and then only on proper showing that all loss caused by the act
or omission for which the license was revoked has been fully satisfied and that all
conditions imposed by the decision of revocation have been complied with.

4 The board shall promulgate regulations covering the criteria to be considered
5 when extending the minimum one-year period. The criteria shall give due
6 consideration to the appropriateness of the extension of time with respect to the
following factors:

- 7 (a) The gravity of the violation.
8 (b) The history of previous violations.
9 (c) Criminal convictions.

10 When any loss has been reduced to a monetary obligation or debt, however, the
11 satisfaction of the monetary obligation or debt as a prerequisite for the issuance,
12 reissuance, or reinstatement of a license shall not be required to the extent the
monetary obligation or debt was discharged in a bankruptcy proceeding. However,
any nonmonetary condition not discharged in a bankruptcy proceeding shall be
complied with prior to the issuance, the reissuance, or reinstatement of the license.

13 DAVENTRY STREET PROJECT A

14 40. On or about May 24, 2019, homeowner G.R. was solicited by unregistered
15 salespersons Kelliams Chavistad from Respondent Eco Technology at her residence located on
16 Daventry Street in Pacoima, California (Daventry Street Project A). Kelliams Chavistad said
17 G.R. could qualify for free home improvement work through a government program. G.R. agreed
18 to have her roof replaced with a cool roof, a tankless water heater installed, and water lines
19 replaced. G.R. provided Kelliams Chavistad her tax return and driver's license. Kelliams
20 Chavistad and Respondent Eco Technology failed to provide G.R. with a written contract prior to
21 the start of work. Kelliams Chavistad told G.R. the project would be handled by another Eco
22 Technology employee, Selena Garcia.

23 Work began on or about June 6, 2019 and was completed on or about June 19, 2019.
24 Respondent Eco Technology was paid \$52,750 on the project by a Property Assessed Clean
25 Energy (PACE) loan.

26 The Property Assessed Clean Energy (PACE) Act allows the cost of energy saving
27 investments like solar panels to be paid via property taxes rather than with traditional loan
28 payments. A PACE assessment is tied to the property as opposed to the property owner.

1 G.R. later discovered that a PACE loan had been opened and assessed on her property in
2 the amount of \$52,750. G.R. had no knowledge of the loan and never knowingly signed or
3 authorized the funding of the loan. G.R. also discovered that her signature had been forged on the
4 home improvement contract and finance documents. G.R. observed a phone number and email
5 address on the documents which did not belong to her. During the investigation, PACE Funding
6 provided a recorded telephone call that included a person identified as Selena Garcia, and an
7 unknown female voice that impersonated G.R. provided personal identification to PACE in order
8 to apply for the loan. A second telephone call has an unknown female voice impersonating G.R.
9 and purports to certify the Respondent Eco Technology's work as completed and authorized
10 Respondent Eco Technology to receive payment from the loan.

11 An industry expert inspected the project and determined that Respondent Eco Technology's
12 work was substandard with an estimated \$17,551 in costs to correct.

13 **FIRST CAUSE FOR DISCIPLINE**

14 **(Departure from Accepted Trade Standards - Respondent Eco Technology)**

15 41. Respondent Eco Technology is subject to disciplinary action under Code section
16 7109(a), in that on the Daventry Street Project A, Respondent Eco Technology willfully departed
17 in a material respect from accepted trade standards for good and workmanlike construction as
18 follows:

- 19 a. Respondent Eco Technology failed to install a Cool Roof.
- 20 b. Respondent Eco Technology failed to properly adhered the torch down membrane
21 and trim at perimeter locations.
- 22 c. Respondent Eco Technology failed to replace metal edge flashings to allow for
23 positive adhesion for the torch down membrane.
- 24 d. Respondent Eco Technology failed to properly integrate newly installed vent pipe
25 flashing with the torch down membrane. Areas of negative slope and ponding occur within the
26 field of the roof which creates a reduction in useful life of the membrane.
- 27 e. Respondent Eco Technology failed to install hot and cold supply tubing, piping, and
28 connections under sink basins at kitchen and bath locations.

1 f. Respondent Eco Technology failed to properly secure and support PEX hot and cold
2 supply lines to floor joists. The supply lines were buried in soil.

3 **SECOND CAUSE FOR DISCIPLINE**

4 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

5 42. Respondent Eco Technology is subject to disciplinary action under Code section
6 7116, in that on the Daventry Street Project A, Respondent Eco Technology committed willful
7 and/or fraudulent acts, which caused a substantial injury to G.R.

8 **THIRD CAUSE FOR DISCIPLINE**

9 **(Contracting Out of Classification - Respondent Eco Technology)**

10 43. Respondent Eco Technology is subject to disciplinary action under Code section
11 7117.6, in that on the Daventry Street Project A, Respondent Eco Technology contracted for work
12 which required a B classification while licensed only as a C-36 classification.

13 **FOURTH CAUSE FOR DISCIPLINE**

14 **(Employed Unregistered Salesperson - Respondent Eco Technology)**

15 44. Respondent Eco Technology is subject to disciplinary action under Code section
16 7154, in that on the Daventry Street Project A, Respondent Eco Technology's home improvement
17 salespersons, Kelliams Chavistad and Selena Garcia, were not registered with the Board.

18 **FIFTH CAUSE FOR DISCIPLINE**

19 **(Failed to Provide Signed Contract - Respondent Eco Technology)**

20 45. Respondent Eco Technology is subject to disciplinary action under Code section
21 7159.10(d)(4), in that on the Daventry Street Project A, Respondent Eco Technology failed to
22 provide a signed contract to the buyer prior to the start of work.

23 **SIXTH CAUSE FOR DISCIPLINE**

24 **(Substantial Misrepresentation in the Procurement of a Contract -
25 Respondent Eco Technology)**

26 46. Respondent Eco Technology is subject to disciplinary action under Code section
27 7161(b), in that on the Daventry Street Project A, Respondent Eco Technology made substantial
28 misrepresentations in the procurement of a contract for work improvement.

1 **SEVENTH CAUSE FOR DISCIPLINE**

2 **(Fraud in the Execution - Respondent Eco Technology)**

3 47. Respondent Eco Technology is subject to disciplinary action under Code section
4 7161(c), in that on the Daventry Street Project A, Respondent Eco Technology fraudulently
5 executed or altered documents.

6 **RIVERTON AVENUE PROJECT**

7 48. On or about May 16, 2019, elderly homeowners F.N. and L.N. were solicited by an
8 unknown male representative from Respondent Eco Technology at their residence located on
9 Riverton Avenue in Sun Valley, California (Riverton Avenue Project). The representative told
10 F.N. that his current solar water heater is known to leak, and he could replace the system at no
11 cost. F.N. agreed to the water heater replacement under the representation that it would be at no
12 cost to him. Respondent Eco Technology and the salesperson failed to provide F.N. a written
13 contract prior to the start of work.

14 Work began on or about May 17, 2019 and ended on or about May 20, 2019. While
15 Respondent Eco Technology was replacing the water heater, the work crew began to remove a
16 section of the roof, claiming it had suffered water damage. F.N. questioned if the roof work was
17 going to cost extra and he was assured that it was covered under the same program. The workers
18 proceeded to replace a shower faucet and a sink faucet as well.

19 In October 2019, F.N. discovered a lien on his property from PACE Funding. PACE then
20 provided loan contracts, completion certificates, home improvement contract, DocuSign
21 certificates, and recorded telephone contacts. The documents revealed a phony email and
22 telephone number, which did not belong to F.N. A recorded telephone call with the voice of an
23 unknown male impersonating F.N. purported to agree to the loan terms and conditions. A second
24 telephone call with the voice of an unknown male impersonating F.N. purported to certify the
25 construction project and allow Respondent Eco Technology to obtain payment from the PACE
26 loan.

27 Respondent Eco Technology was paid \$36,850 on the project by proceeds from the
28 Property Assessed Clean Energy (PACE) loan.

1 **EIGHTH CAUSE FOR DISCIPLINE**

2 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

3 49. Respondent Eco Technology is subject to disciplinary action under Code section
4 7116, in that on the Riverton Avenue Project, Respondent Eco Technology committed willful
5 and/or fraudulent acts, which caused a substantial injury to F.N.

6 **NINTH CAUSE FOR DISCIPLINE**

7 **(Failed to Provide Signed Contract - Respondent Eco Technology)**

8 50. Respondent Eco Technology is subject to disciplinary action under Code section
9 7159.10(d)(4), in that on the Riverton Avenue Project, Respondent Eco Technology failed to
10 provide a signed contract to the buyer prior to the start of work.

11 **TENTH CAUSE FOR DISCIPLINE**

12 **(Substantial Misrepresentation in the Procurement of a Contract -**
13 **Respondent Eco Technology)**

14 51. Respondent Eco Technology is subject to disciplinary action under Code section
15 7161(b), in that on the Riverton Avenue Project, Respondent Eco Technology made substantial
16 misrepresentations in the procurement of a contract for work improvement.

17 **ELEVENTH CAUSE FOR DISCIPLINE**

18 **(Fraud in the Execution - Respondent Eco Technology)**

19 52. Respondent Eco Technology is subject to disciplinary action under Code section
20 7161(c), in that on the Riverton Avenue Project, Respondent Eco Technology fraudulently
21 executed or altered documents.

22 **DAVENTRY STREET PROJECT B**

23 53. On or about May 11, 2019, elderly homeowner R.S. was solicited by unregistered
24 salesperson Kelliams Chavistad from Respondent Eco Technology at his residence located on
25 Daventry Street in Pacoima, California (Daventry Street Project B). Kelliams Chavistad told R.S.
26 he could benefit from a new roof and HVAC system and would see savings on his utility bills.
27 Kelliams Chavistad told R.S. that the work would be covered under a government program. R.S.
28 provided Kelliams Chavistad his tax returns. Kelliams Chavistad requested R.S. sign a tablet to

1 provide authorization for work to start. Kelliams Chavistad and Respondent Eco Technology
2 failed to provide R.S. with a written contract prior to the start of work. Work began on or about
3 May 12, 2019 and ended on or about May 25, 2019.

4 R.S. subsequently discovered that Respondent Eco Technology obtained a Property
5 Assessed Clean Energy (PACE) loan to pay for the project and a lien had been placed on the
6 property. R.S. had no knowledge of the loan and never signed or authorized the funding of the
7 loan. R.S. discovered the phone number and email address listed on the documents did not
8 belong to him. PACE Funding provided two telephone recorded conversations which have an
9 unknown male voice impersonating R.S. providing his personal identification to authorize the
10 loan.

11 Respondent Eco Technology was paid \$63,000 on the project by PACE Funding. An
12 industry expert inspected the project and determined that Respondent Eco Technology's work
13 was substandard with an estimated \$34,878 in costs to correct.

14 **TWELFTH CAUSE FOR DISCIPLINE**

15 **(Departure from Accepted Trade Standards - Respondent Eco Technology)**

16 54. Respondent Eco Technology is subject to disciplinary action under Code section
17 7109(a), in that on the Daventry Street Project B, Respondent Eco Technology willfully departed
18 in a material respect from accepted trade standards for good and workmanlike construction as
19 follows:

- 20 a. Respondent Eco Technology failed to install a Cool Roof.
- 21 b. Respondent Eco Technology failed to reconnected furnace gas line and abandoned
22 the through-roof ventilation pipe for existing furnace.
- 23 c. Respondent Eco Technology failed to prime and paint the Facia boards.
- 24 d. Respondent Eco Technology failed to properly install connecting joints. Connecting
25 joints do not have sufficient attachment or mending plate to prevent separation.
- 26 e. Respondent Eco Technology failed to clean out roof debris from tear off phase in attic
27 space.

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THIRTEENTH CAUSE FOR DISCIPLINE

(Willful and/or Fraudulent Act - Respondent Eco Technology)

55. Respondent Eco Technology is subject to disciplinary action under Code section 7116, in that on the Daventry Street Project B, Respondent Eco Technology committed willful and/or fraudulent acts, which caused a substantial injury to R.S.

FOURTEENTH CAUSE FOR DISCIPLINE

(Contracting Out of Classification - Respondent Eco Technology)

56. Respondent Eco Technology is subject to disciplinary action under Code section 7117.6, in that on the Daventry Street Project B, Respondent Eco Technology contracted for work, which required a B classification while licensed only as a C-36 classification.

FIFTEENTH CAUSE FOR DISCIPLINE

(Employed Unregistered Salesperson - Respondent Eco Technology)

57. Respondent Eco Technology is subject to disciplinary action under Code section 7154, in that on the Daventry Street Project B, Respondent Eco Technology's home improvement salesperson, Kelliams Chavistad, was not registered with the Board.

SIXTEENTH CAUSE FOR DISCIPLINE

(Failed to Provide Signed Contract - Respondent Eco Technology)

58. Respondent Eco Technology is subject to disciplinary action under Code section 7159.10(d)(4), in that on the Daventry Street Project B, Respondent Eco Technology failed to provide a signed contract to the buyer prior to the start of work.

SEVENTEENTH CAUSE FOR DISCIPLINE

**(Substantial Misrepresentation in the Procurement of a Contract -
Respondent Eco Technology)**

59. Respondent Eco Technology is subject to disciplinary action under Code section 7161(b), in that on the Daventry Street Project B, Respondent Eco Technology made substantial misrepresentations in the procurement of a contract for work improvement.

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1 **EIGHTEENTH CAUSE FOR DISCIPLINE**

2 **(Fraud in the Execution - Respondent Eco Technology)**

3 60. Respondent Eco Technology is subject to disciplinary action under Code section
4 7161(c), in that on the Daventry Street Project B, Respondent Eco Technology fraudulently
5 executed or altered documents.

6 **HERRICK AVENUE PROJECT**

7 61. On or about May 10, 2019, elderly homeowners M.F. and J.R. were solicited by
8 unregistered salesperson Kelliams Chavistad from Respondent Eco Technology at their residence
9 located on Herrick Avenue in Pacoima, California (Herrick Avenue Project). Kelliams Chavistad
10 told M.F. and J.R. that they could qualify for free water heater replacement through a government
11 program. M.F. and J.R. provided Kelliams Chavistad their tax return and driver's licenses.
12 Kelliams Chavistad and Respondent Eco Technology failed to provide J.R. with a written contract
13 prior to the start of work. During the work, Kelliams Chavistad returned with unregistered
14 salesperson Selena Garcia from Respondent Eco Technology and convinced J.R. to add a roof
15 replacement since it was covered under the program. J.R. agreed to the additional work. Work
16 began on or about May 15, 2019 and ended on or about June 19, 2019.

17 M.F. and J.R. discovered that a Property Assessed Clean Energy (PACE) loan had been
18 opened and assessed on their property. M.F. and J.R. had no knowledge of the loan and never
19 authorized the funding of any loan. J.R. discovered that her signature had been forged on the
20 home improvement contract. M.F. and J.R.'s unauthorized digital signatures were used on the
21 finance documents. The phone number and email address on the contract do not belong to M.F.
22 or J.R. PACE Funding provided recorded telephone conversations that have an unknown male
23 voice impersonating M.F. and obtaining access codes needed to sign the assessment contract.
24 The second recorded call consists of an unknown male voice acknowledging the completion of
25 the project and confirming the terms of the loan.

26 Respondent Eco Technology was paid \$39,750 on the project by PACE Funding. An
27 industry expert inspected the project and determined that Respondent Eco Technology's work
28 was substandard with an estimated \$5,258 in costs to correct.

1 **NINETEENTH CAUSE FOR DISCIPLINE**

2 **(Departure from Accepted Trade Standards - Respondent Eco Technology)**

3 62. Respondent Eco Technology is subject to disciplinary action under Code section
4 7109(a), in that on the Herrick Avenue Project, Respondent Eco Technology willfully departed in
5 a material respect from accepted trade standards for good and workmanlike construction as
6 follows:

- 7 a. Respondent Eco Technology failed to properly install the roof membrane over the
8 carport. It was poorly adhered and missing a section located on the northwest corner.
- 9 b. Respondent Eco Technology failed to reinstall the solar system they removed.
- 10 c. Respondent Eco Technology failed to properly tend to the main distribution power
11 supply. It was left abandoned and created a safety issue for the homeowner.

12 **TWENTIETH CAUSE FOR DISCIPLINE**

13 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

14 63. Respondent Eco Technology is subject to disciplinary action under Code section
15 7116, in that on the Herrick Avenue Project, Respondent Eco Technology committed willful
16 and/or fraudulent acts, which caused a substantial injury to M.F. and J.R.

17 **TWENTY-FIRST CAUSE FOR DISCIPLINE**

18 **(Contracting Out of Classification - Respondent Eco Technology)**

19 64. Respondent Eco Technology is subject to disciplinary action under Code section
20 7117.6, in that on the Herrick Avenue Project, Respondent Eco Technology contracted for work,
21 which required a B classification while licensed only as a C-36 classification.

22 **TWENTY-SECOND CAUSE FOR DISCIPLINE**

23 **(Employed Unregistered Salesperson - Respondent Eco Technology)**

24 65. Respondent Eco Technology is subject to disciplinary action under Code section
25 7154, in that on the Herrick Avenue Project, Respondent Eco Technology's home improvement
26 salespersons, Kelliams Chavistad and Selena Garcia, were not registered with the Board.

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1 **TWENTY-THIRD CAUSE FOR DISCIPLINE**

2 **(Failed to Provide Signed Contract - Respondent Eco Technology)**

3 66. Respondent Eco Technology is subject to disciplinary action under Code section
4 7159.10(d)(4), in that on the Herrick Avenue Project, Respondent Eco Technology failed to
5 provide a signed contract to the buyer prior to the start of work.

6 **TWENTY-FOURTH CAUSE FOR DISCIPLINE**

7 **(Substantial Misrepresentation in the Procurement of a Contract -**
8 **Respondent Eco Technology)**

9 67. Respondent Eco Technology is subject to disciplinary action under Code section
10 7161(b), in that on the Herrick Avenue Project, Respondent Eco Technology made substantial
11 misrepresentations in the procurement of a contract for work improvement.

12 **TWENTY-FIFTH CAUSE FOR DISCIPLINE**

13 **(Fraud in the Execution - Respondent Eco Technology)**

14 68. Respondent Eco Technology is subject to disciplinary action under Code section
15 7161(c), in that on the Herrick Avenue Project, Respondent Eco Technology fraudulently
16 executed or altered documents.

17 **FUSANO AVENUE PROJECT**

18 69. On or about May 8, 2019, homeowners E.S. and A.S. were solicited by two female
19 representatives from Respondent Eco Technology at their residence located at Fusano Avenue in
20 Los Angeles, California (Fusano Avenue Project). The sales representatives told E.S. and A.S.
21 they could qualify for energy efficient home upgrades through a government program at no cost.
22 E.S. provided the representatives his tax returns in order to qualify for the free program. E.S.
23 agreed to have a tankless water heater and a new HVAC unit installed under the impression that
24 the work would be covered under the program. Respondent Eco Technology and the salesperson
25 failed to provide E.S. with a written contract prior to the start of work. Work began on or about
26 May 13, 2019 and ended on or about May 20, 2019.

27 In October 2019, E.S. received his property tax bill and discovered a Property Assessed
28 Clean Energy (PACE) loan had been assessed to the property taxes. PACE Funding provided a

1 telephone recorded conversations that have an unknown male voice impersonating E.S. and
2 providing a fictitious email address to PACE Funding. The second recorded telephone call
3 consists of an unknown male voice acknowledging the completion of the project and confirming
4 the terms of the loan. E.S. and A.S. never authorized their signature to be used on any financing
5 documents.

6 Respondent Eco Technology was paid \$55,000 on the project by PACE Funding. An
7 industry expert inspected the project and determined that Respondent Eco Technology's work
8 was substandard with an estimated \$1,750 in costs to correct.

9 **TWENTY-SIXTH CAUSE FOR DISCIPLINE**

10 **(Departure from Accepted Trade Standards - Respondent Eco Technology)**

11 70. Respondent Eco Technology is subject to disciplinary action under Code section
12 7109(a), in that on the Fusano Avenue Project, Respondent Eco Technology willfully departed in
13 a material respect from accepted trade standards for good and workmanlike construction as
14 follows:

15 a. Respondent Eco Technology failed to properly sealed fasteners and
16 missing/abandoned fasteners creating holes through the raised sheet metal plenum (platform).
17 Deficiencies allowed water intrusion into the home and caused damage to the interior ceiling.

18 b. Respondent Eco Technology failed to provide a furnace which they billed for in the
19 amount of \$5,000.

20 **TWENTY-SEVENTH CAUSE FOR DISCIPLINE**

21 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

22 71. Respondent Eco Technology is subject to disciplinary action under Code section
23 7116, in that on the Fusano Avenue Project, Respondent Eco Technology committed willful
24 and/or fraudulent acts, which caused a substantial injury to E.S.

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1 **TWENTY-EIGHTH CAUSE FOR DISCIPLINE**

2 **(Failed to Provide Signed Contract - Respondent Eco Technology)**

3 72. Respondent Eco Technology is subject to disciplinary action under Code section
4 7159.10(d)(4), in that on the Fusano Avenue Project, Respondent Eco Technology failed to
5 provide a signed contract to the buyer prior to the start of work.

6 **TWENTY-NINTH CAUSE FOR DISCIPLINE**

7 **(Substantial Misrepresentation in the Procurement of a Contract -**
8 **Respondent Eco Technology)**

9 73. Respondent Eco Technology is subject to disciplinary action under Code section
10 7161(b), in that on the Fusano Avenue Project, Respondent Eco Technology made substantial
11 misrepresentations in the procurement of a contract for work improvement.

12 **THIRTIETH CAUSE FOR DISCIPLINE**

13 **(Fraud in the Execution - Respondent Eco Technology)**

14 74. Respondent Eco Technology is subject to disciplinary action under Code section
15 7161(c), in that on the Fusano Avenue Project, Respondent Eco Technology fraudulently
16 executed or altered documents.

17 **DEL SUR STREET PROJECT**

18 75. On or about April 28, 2019, elderly homeowners A.A. and T.A. were solicited by
19 unregistered salesperson Kelliams Chavistad from Respondent Eco Technology at their residence
20 located at Del Sur Street in Los Angeles, California (Del Sur Street Project). Kelliams Chavistad
21 told A.A. and T.A. that they could qualify for a state funded program for the elderly and have an
22 air conditioning unit installed in her house at no cost. A.A. and T.A. provided Kelliams
23 Chavistad their social security statements and utility bill. Kelliams Chavistad told A.A. and T.A.
24 they qualified for the program. Kelliams Chavistad recommended that A.A. and T.A. have a new
25 furnace, tankless water heater, water efficient shower head, and faucet installed since it was
26 included in the program. A.A. and T.A. agreed to the extra work. Kelliams Chavistad and
27 Respondent Eco Technology failed to provide A.A. and T.A. with a written contract prior to the
28 start of work. Work began on or about May 1, 2019 and ended on or about May 15, 2019.

1 In October 2019, T.A. received their property tax bill and noticed it had significantly
2 increased. T.A. discovered that two Property Assessed Clean Energy (PACE) loan assessments
3 had been applied on her home for the work performed. T.A. had no knowledge of the loans and
4 never authorized them to be funded. PACE Funding provided loan contracts, completion
5 certificates, home improvement contract, DocuSign certificates, and recorded telephone contacts.
6 The documents revealed a fictitious email and phone number which did not belong to A.A. and
7 T.A. Four telephone calls consist of an unknown male voice impersonating A.A. providing
8 personal information and authorization to PACE Funding. One telephone call consists of a
9 Selena Garcia contacting PACE Funding to send access codes to the email provided and claimed
10 she was with T.A. during the call.

11 Respondent Eco Technology was paid \$44,600 on the project by PACE Funding.

12 **THIRTY-FIRST CAUSE FOR DISCIPLINE**

13 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

14 76. Respondent Eco Technology is subject to disciplinary action under Code section
15 7116, in that on the Del Sur Street Project, Respondent Eco Technology committed willful and/or
16 fraudulent acts, which caused a substantial injury to T.A.

17 **THIRTY-SECOND CAUSE FOR DISCIPLINE**

18 **(Contracting Out of Classification - Respondent Eco Technology)**

19 77. Respondent Eco Technology is subject to disciplinary action under Code section
20 7117.6, in that on the Del Sur Street Project, Respondent Eco Technology contracted for work,
21 which required a B classification while licensed only as a C-36 classification.

22 **THIRTY-THIRD CAUSE FOR DISCIPLINE**

23 **(Employed Unregistered Salesperson - Respondent Eco Technology)**

24 78. Respondent Eco Technology is subject to disciplinary action under Code section
25 7154, in that on the Del Sur Street Project, Respondent Eco Technology's home improvement
26 salesperson, Kelliams Chavistad, was not registered with the Board.

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1 In June 2019, M.F. discovered a PACE assessment was on the title of the home. PACE
2 Funding provided loan documents and recorded telephone calls. M.F. discovered the phone
3 number and email address listed on the contract did not belong to him. The telephone calls have
4 an unknown male voice and female voice impersonating M.F. and E.F. in order to obtain access
5 codes used to DocuSign loan documents. M.F. was never made aware of this contract and
6 financing.

7 Respondent Eco Technology was paid \$51,000 on the project by PACE Funding. An
8 industry expert inspected the project and determined that Respondent Eco Technology's work
9 was substandard with an estimated \$7,358 in costs to correct and complete.

10 **THIRTY-SEVENTH CAUSE FOR DISCIPLINE**

11 **(Departure from Accepted Trade Standards - Respondent Eco Technology)**

12 83. Respondent Eco Technology is subject to disciplinary action under Code section
13 7109(a), in that on the Corcoran Street Project, Respondent Eco Technology willfully departed in
14 a material respect from accepted trade standards for good and workmanlike construction as
15 follows:

16 a. Respondent Eco Technology failed to properly install the roof without driving nails
17 through ceiling.

18 b. Respondent Eco Technology failed to properly install and integrate asphalt shingle
19 confined rake. At the confined rake, counterflashing and step flashings are inadequately
20 integrated and sealed allowing for water intrusion.

21 **THIRTY-EIGHTH CAUSE FOR DISCIPLINE**

22 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

23 84. Respondent Eco Technology is subject to disciplinary action under Code section
24 7116, in that on the Corcoran Street Project, Respondent Eco Technology committed willful
25 and/or fraudulent acts, which caused a substantial injury to M.F. and E.F.

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THIRTY-NINTH CAUSE FOR DISCIPLINE

(Contracting Out of Classification - Respondent Eco Technology)

85. Respondent Eco Technology is subject to disciplinary action under Code section 7117.6, in that on the Corcoran Street Project, Respondent Eco Technology contracted for work, which required a B classification while licensed only as a C-36.

FORTIETH CAUSE FOR DISCIPLINE

(Employed Unregistered Salesperson - Respondent Eco Technology)

86. Respondent Eco Technology is subject to disciplinary action under Code section 7154, in that on the Corcoran Street Project, Respondent Eco Technology's home improvement salesperson, Selena Garcia, was not registered with the Board.

FORTY-FIRST CAUSE FOR DISCIPLINE

(Failed to Provide Signed Contract - Respondent Eco Technology)

87. Respondent Eco Technology is subject to disciplinary action under Code section 7159.10(d)(4), in that on the Corcoran Street Project, Respondent Eco Technology failed to provide a signed contract to the buyer prior to the start of work.

FORTY-SECOND CAUSE FOR DISCIPLINE

**(Substantial Misrepresentation in the Procurement of a Contract -
Respondent Eco Technology)**

88. Respondent Eco Technology is subject to disciplinary action under Code section 7161(b), in that on the Corcoran Street Project, Respondent Eco Technology made substantial misrepresentations in the procurement of a contract for work improvement.

FORTY-THIRD CAUSE FOR DISCIPLINE

(Fraud in the Execution - Respondent Eco Technology)

89. Respondent Eco Technology is subject to disciplinary action under Code section 7161(c), in that on the Corcoran Street Project, Respondent Eco Technology fraudulently executed or altered documents.

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1 **EUSTACE STREET PROJECT A**

2 90. On or about March 28, 2019, homeowners J.E. and R.E. were solicited by
3 unregistered salesperson Kelliams Chavistad from Respondent Eco Technology at their residence
4 located at Eustace Street in Pacoima, California (Eustace Street Project A). Kelliams Chavistad
5 told R.E. that a program through the Department of Water and Power could allow for home
6 improvements to be performed at no cost. J.E. provided Kelliams Chavistad with a W2 form and
7 driver's license. Kelliams Chavistad took photos of the information and informed J.E. and R.E.
8 that they were approved for new windows and exterior doors. J.E. and R.E. agreed to have 14
9 windows and two exterior doors installed based on the representations that the work would be
10 performed at no cost. Kelliams Chavistad and Respondent Eco Technology failed to provide R.E.
11 with a written contract prior to the start of work. Work began on or about April 10, 2019 and
12 ended on or about April 11, 2019.

13 In October 2019, R.E. received his property tax bill and noticed that a PACE assessment
14 had been applied to his property taxes. PACE Funding provided the DocuSign audit certificates,
15 loan contracts, home improvement contract, payment designation, completion certificates and
16 telephone contacts. The first telephone recording was of an unknown male voice impersonating
17 J.E. during a terms and conditions phone call confirming that the contract was received and
18 signed. The impersonator provided a fictitious email address and a phone number which did not
19 belong to J.E. The second recording consisted of an unknown male voice impersonating J.E.
20 during a project completion verification call and to approve the loan to be issued.

21 Respondent Eco Technology was paid \$41,800 on the project by PACE Funding.

22 **FORTY-FOURTH CAUSE FOR DISCIPLINE**

23 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

24 91. Respondent Eco Technology is subject to disciplinary action under Code section
25 7116, in that on the Eustace Street Project A, Respondent Eco Technology committed willful
26 and/or fraudulent acts, which caused a substantial injury to J.E.

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1 **FORTY-FIFTH CAUSE FOR DISCIPLINE**

2 **(Employed Unregistered Salesperson - Respondent Eco Technology)**

3 92. Respondent Eco Technology is subject to disciplinary action under Code section
4 7154, in that on the Eustace Street Project A, Respondent Eco Technology's home improvement
5 salesperson, Kelliams Chavistad, was not registered with the Board.

6 **FORTY-SIXTH CAUSE FOR DISCIPLINE**

7 **(Failed to Provide Signed Contract - Respondent Eco Technology)**

8 93. Respondent Eco Technology is subject to disciplinary action under Code section
9 7159.10(d)(4), in that on the Eustace Street Project A, Respondent Eco Technology failed to
10 provide a signed contract to the buyer prior to the start of work.

11 **FORTY-SEVENTH CAUSE FOR DISCIPLINE**

12 **(Substantial Misrepresentation in the Procurement of a Contract -**
13 **Respondent Eco Technology)**

14 94. Respondent Eco Technology is subject to disciplinary action under Code section
15 7161(b), in that on the Eustace Street Project A, Respondent Eco Technology made substantial
16 misrepresentations in the procurement of a contract for work improvement.

17 **FORTY-EIGHTH CAUSE FOR DISCIPLINE**

18 **(Fraud in the Execution - Respondent Eco Technology)**

19 95. Respondent Eco Technology is subject to disciplinary action under Code section
20 7161(c), in that on the Eustace Street Project A, Respondent Eco Technology fraudulently
21 executed or altered documents.

22 **EUSTACE STREET PROJECT B**

23 96. On or about January 28, 2019, elderly homeowner B.T. was solicited by unregistered
24 salesperson Selena Garcia from Respondent Eco Technology at her residence located at Eustace
25 Street in Pacoima, California (Eustace Street Project B). Selena Garcia told B.T. that she could
26 qualify for a government program designed for low income homeowners for energy efficient
27 upgrades. B.T. agreed to have six windows installed on her home. Selena Garcia told B.T. the
28 work was free. Selena Garcia and Respondent Eco Technology failed to provide B.T. with a

1 written contract prior to the start of work. Work began on or about February 1, 2019 and ended
2 on or about February 3, 2019.

3 B.T. received her property tax bill and noticed it had increased substantially. B.T.
4 discovered that a Property Assessed Clean Energy (PACE) assessment had been assessed to her
5 property from a company named Energy Efficient Equity. B.T. was never made aware of the loan
6 and did not authorized her signature on any loan documents. The phone number and email
7 address listed on the loan documents does not belong to B.T. Energy Efficient Equity provided
8 two recorded telephone conversations. One of the recordings was an unknown female voice
9 impersonating B.T.

10 Respondent Eco Technology was paid \$13,800 on the project by Energy Efficient Equity.

11 **FORTY-NINTH CAUSE FOR DISCIPLINE**

12 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

13 97. Respondent Eco Technology is subject to disciplinary action under Code section
14 7116, in that on the Eustace Street Project B, Respondent Eco Technology committed willful
15 and/or fraudulent acts, which caused a substantial injury to B.T.

16 **FIFTIETH CAUSE FOR DISCIPLINE**

17 **(Employed Unregistered Salesperson - Respondent Eco Technology)**

18 98. Respondent Eco Technology is subject to disciplinary action under Code section
19 7154, in that on the Eustace Street Project B, Respondent Eco Technology's home improvement
20 salesperson, Selena Garcia, was not registered with the Board.

21 **FIFTY-FIRST CAUSE FOR DISCIPLINE**

22 **(Failed to Provide Signed Contract - Respondent Eco Technology)**

23 99. Respondent Eco Technology is subject to disciplinary action under Code section
24 7159.10(d)(4), in that on the Eustace Street Project B, Respondent Eco Technology failed to
25 provide a signed contract to the buyer prior to the start of work.

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1 **FIFTY-SECOND CAUSE FOR DISCIPLINE**

2 **(Substantial Misrepresentation in the Procurement of a Contract -**
3 **Respondent Eco Technology)**

4 100. Respondent Eco Technology is subject to disciplinary action under Code section
5 7161(b), in that on the Eustace Street Project B, Respondent Eco Technology made substantial
6 misrepresentations in the procurement of a contract for work improvement.

7 **FIFTY-THIRD CAUSE FOR DISCIPLINE**

8 **(Fraud in the Execution - Respondent Eco Technology)**

9 101. Respondent Eco Technology is subject to disciplinary action under Code section
10 7161(c), in that on the Eustace Street Project B, Respondent Eco Technology fraudulently
11 executed or altered documents.

12 **DAVENTRY STREET PROJECT C**

13 102. On or about January 19, 2019, elderly homeowners R.G. and S.G. were solicited by
14 two unknown female representatives from Respondent Eco Technology at their home located on
15 Daventry Street in Pacoima, California (Daventry Street Project C). The representative told R.G.
16 and S.G. that they could qualify for a program through the city that would allow for the
17 installation of energy efficient products such as a tankless water heater and water filtration
18 system. The representatives told S.G. that the water filtration system would help with her
19 diabetes condition. R.G. supplied his tax returns to the representatives and was immediately told
20 they qualified for the program. R.G. inquired numerous times if there was a cost associated with
21 the project and was reassured that he would not have to pay anything. Respondent Eco
22 Technology and the salespersons failed to provide R.G. with a written contract prior to the start of
23 work. Work began on or about January 24, 2019 and ended on or about January 25, 2019.

24 In October 2019, R.G. received his property tax bill and observed it was significantly
25 higher than the previous years. R.G. discovered that a Property Assessed Clean Energy (PACE)
26 assessment had been recorded on his property by a company named Energy Efficient Equity. The
27 assessment was for the installation of the water heater and water filter contracted by Respondent
28 Eco Technology. Energy Efficient Equity provided copies of the assessment contract, completion

1 certificate, loan disbursement information, and a recorded telephone call. R.G. and noticed a
2 fictitious email address on the contract which did not belong to R.G. or S.G. A recorded call
3 consists of an unknown male voice and female voice impersonating R.G. and S.G. in the
4 confirmation phone call.

5 Respondent Eco Technology was paid \$31,500 on the project by Energy Efficient Equity.

6 **FIFTY-FOURTH CAUSE FOR DISCIPLINE**

7 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

8 103. Respondent Eco Technology is subject to disciplinary action under Code section
9 7116, in that on the Daventry Street Project C, Respondent Eco Technology committed willful
10 and/or fraudulent acts, which caused a substantial injury to R.G. and S.G.

11 **FIFTY-FIFTH CAUSE FOR DISCIPLINE**

12 **(Failed to Provide Signed Contract - Respondent Eco Technology)**

13 104. Respondent Eco Technology is subject to disciplinary action under Code section
14 7159.10(d)(4), in that on the Daventry Street Project C, Respondent Eco Technology failed to
15 provide a signed contract to the buyer prior to the start of work.

16 **FIFTY-SIXTH CAUSE FOR DISCIPLINE**

17 **(Substantial Misrepresentation in the Procurement of a Contract -**
18 **Respondent Eco Technology)**

19 105. Respondent Eco Technology is subject to disciplinary action under Code section
20 7161(b), in that on the Daventry Street Project C, Respondent Eco Technology made substantial
21 misrepresentations in the procurement of a contract for work improvement.

22 **FIFTY-SEVENTH CAUSE FOR DISCIPLINE**

23 **(Fraud in the Execution - Respondent Eco Technology)**

24 106. Respondent Eco Technology is subject to disciplinary action under Code section
25 7161(c), in that on the Daventry Street Project C, Respondent Eco Technology fraudulently
26 executed or altered documents.

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1 **KAGEL CANYON STREET PROJECT**

2 107. On or about January 16, 2019, homeowner G.G. contacted unregistered salesperson
3 Selena Garcia from Eco Technology, after being referred by a coworker. Selena Garcia
4 represented to G.G. that he could qualify through a county program to receive a tankless water
5 heater at no cost. G.G. provided Selena Garcia his tax returns and driver's license to qualify him
6 for the program. Selena Garcia told G.G. that he was approved for a tankless water heater and a
7 water filtration system at his residence located on Kagel Canyon Street in Arleta, California
8 (Kagel Canyon Street Project). Selena Garcia confirmed via text message that there was no cost
9 associated with the improvements. Selena Garcia and Respondent Eco Technology failed to
10 provide G.G. with a written contract prior to the start of work. Work began on or about January
11 18, 2019 and ended on or about January 18, 2019.

12 In October 2019, G.G. received his property tax bill and noticed a PACE assessment had
13 been placed on his property increasing his property taxes. G.G. obtained a copy of the loan
14 documents from Energy Efficient Equity. The documents revealed a fictitious email and phone
15 number on the loan application which did not belong to G.G. Energy Efficient Equity provided
16 two recorded telephone calls that consist of an unknown male voice impersonating G.G. during a
17 terms and conditions call and a project completion verification phone call.

18 Respondent Eco Technology was paid \$31,500 on the project by Energy Efficient Equity.

19 **FIFTY-EIGHTH CAUSE FOR DISCIPLINE**

20 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

21 108. Respondent Eco Technology is subject to disciplinary action under Code section
22 7116, in that on the Kagel Canyon Street Project, Respondent Eco Technology committed willful
23 and/or fraudulent acts, which caused a substantial injury to G.G.

24 **FIFTY-NINTH CAUSE FOR DISCIPLINE**

25 **(Employed Unregistered Salesperson - Respondent Eco Technology)**

26 109. Respondent Eco Technology is subject to disciplinary action under Code section
27 7154, in that on the Kagel Canyon Street Project, Respondent Eco Technology's home
28 improvement salesperson, Selena Garcia, was not registered with the Board.

1 loan contracts, completion certificates, home improvement contract, DocuSign certificates, and
2 recorded telephone contacts. The documents revealed that a fictitious email was listed on the
3 home improvement contract as well as a phone number which did not belong to P.C. The two
4 recorded telephone calls that consist of an unknown male voice impersonating P.C. during a
5 terms and conditions call and a project completion verification phone call with PACE Funding.

6 Respondent Eco Technology was paid \$12,000 on the project by PACE Funding.

7 **SIXTY-THIRD CAUSE FOR DISCIPLINE**

8 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

9 114. Respondent Eco Technology is subject to disciplinary action under Code section
10 7116, in that on the Carl Street Project, Respondent Eco Technology committed willful and/or
11 fraudulent acts, which caused a substantial injury to P.C.

12 **SIXTY-FOURTH CAUSE FOR DISCIPLINE**

13 **(Employed Unregistered Salesperson - Respondent Eco Technology)**

14 115. Respondent Eco Technology is subject to disciplinary action under Code section
15 7154, in that on the Carl Street Project, Respondent Eco Technology's home improvement
16 salespersons, Kelliams Chavistad and Luz Serrano, were not registered with the Board.

17 **SIXTY-FIFTH CAUSE FOR DISCIPLINE**

18 **(Failed to Provide Signed Contract - Respondent Eco Technology)**

19 116. Respondent Eco Technology is subject to disciplinary action under Code section
20 7159.10(d)(4), in that on the Carl Street Project, Respondent Eco Technology failed to provide a
21 signed contract to the buyer prior to the start of work.

22 **SIXTY-SIXTH CAUSE FOR DISCIPLINE**

23 **(Substantial Misrepresentation in the Procurement of a Contract -**
24 **Respondent Eco Technology)**

25 117. Respondent Eco Technology is subject to disciplinary action under Code section
26 7161(b), in that on the Carl Street Project, Respondent Eco Technology made substantial
27 misrepresentations in the procurement of a contract for work improvement.

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1 **SIXTY-SEVENTH CAUSE FOR DISCIPLINE**

2 **(Fraud in the Execution - Respondent Eco Technology)**

3 118. Respondent Eco Technology is subject to disciplinary action under Code section
4 7161(c), in that on the Carl Street Project, Respondent Eco Technology fraudulently executed or
5 altered documents.

6 **DESMOND STREET PROJECT**

7 119. On or about November 24, 2018, elderly homeowners J.H. and M.H. were solicited
8 by an unknown female representative from Respondent Eco Technology at their residence located
9 on Desmond Street in Pacoima, California (Desmond Street Project). The representative
10 informed J.H. that his existing solar water heater could be faulty. The representative told J.H. that
11 he could replace the water heater with a new one through a program at no cost. J.H. was asked to
12 sign a tablet to authorize access to the property and perform work. Respondent Eco Technology
13 and the salesperson failed to provide J.H. with a written contract prior to the start of work. Work
14 began on or about November 26, 2018 and ended on the same day.

15 In October 2019, J.H. received his property tax bill and observed it was significantly higher
16 than the previous years. J.H. discovered from PACE Funding that a Property Assessed Clean
17 Energy (PACE) assessment had been recorded on the property for the installation of the water
18 heater contracted by Respondent Eco Technology. PACE Funding provided the home
19 improvement contract, assessment contract, completion certificate, DocuSign certificates, loan
20 disbursement invoice, and two recorded telephone contacts. The documents revealed a fictitious
21 email and phone number which did not belong to J.H. The first call consists of an unknown male
22 voice and female voice impersonating J.H and M.H. in a terms and conditions phone call. The
23 second call consists of the same unknown male voice impersonating J.H. in a completion
24 verification phone call confirming the project has been completed and authorizing the funding of
25 the loan.

26 Respondent Eco Technology was paid \$12,000 on the project by PACE Funding.

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1 Chavistad and Respondent Eco Technology failed to provide E.N. with a written contract prior to
2 the start of work. Work began on or about November 30, 2018 and was completed on or about
3 December 3, 2018.

4 E.N. received his property tax bill for July 2019 – June 2020 and noticed that it had
5 significantly increased. E.N. discovered that a Property Assessed Clean Energy (PACE) loan
6 assessment had been applied on his home for the tankless water heater installed. E.N. had no
7 knowledge of the loans and never authorized them to be funded. PACE Funding provided loan
8 contracts, completion certificates, home improvement contract, DocuSign certificates, and a
9 recorded telephone contacts. The documents revealed a fictitious email and a phone number,
10 which did not belong to E.N. A recorded telephone call included an unknown female voice
11 impersonating J.N. and providing authorization to PACE Funding that the project was completed
12 and to fund the loan.

13 Respondent Eco Technology was paid \$12,000 on the project by PACE Funding.

14 **SEVENTY-SECOND CAUSE FOR DISCIPLINE**

15 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

16 125. Respondent Eco Technology is subject to disciplinary action under Code section
17 7116, in that on the Kamloops Street Project, Respondent Eco Technology committed willful
18 and/or fraudulent acts, which caused a substantial injury to J.N.

19 **SEVENTY-THIRD CAUSE FOR DISCIPLINE**

20 **(Employed Unregistered Salesperson - Respondent Eco Technology)**

21 126. Respondent Eco Technology is subject to disciplinary action under Code section
22 7154, in that on the Kamloops Street Project, Respondent Eco Technology's home improvement
23 salesperson, Kelliams Chavistad, was not registered with the Board.

24 **SEVENTY-FOURTH CAUSE FOR DISCIPLINE**

25 **(Failed to Provide Signed Contract - Respondent Eco Technology)**

26 127. Respondent Eco Technology is subject to disciplinary action under Code section
27 7159.10(d)(4), in that on the Kamloops Street Project, Respondent Eco Technology failed to
28 provide a signed contract to the buyer prior to the start of work.

1 of an unknown female voice impersonating R.C. in a terms and conditions. The second phone
2 call consists of an unknown female voice impersonating R.C. in a completion verification.

3 Respondent Eco Technology was paid \$15,000 on the project by Energy Efficient Equity.

4 **SEVENTY-SEVENTH CAUSE FOR DISCIPLINE**

5 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

6 131. Respondent Eco Technology is subject to disciplinary action under Code section
7 7116, in that on the Vena Avenue Project, Respondent Eco Technology committed willful and/or
8 fraudulent acts, which caused a substantial injury to R.C.

9 **SEVENTY-EIGHTH CAUSE FOR DISCIPLINE**

10 **(Employed Unregistered Salesperson - Respondent Eco Technology)**

11 132. Respondent Eco Technology is subject to disciplinary action under Code section
12 7154, in that on the Vena Avenue Project, Respondent Eco Technology's home improvement
13 salesperson, Kelliams Chavistad, was not registered with the Board.

14 **SEVENTY-NINTH CAUSE FOR DISCIPLINE**

15 **(Failed to Provide Signed Contract - Respondent Eco Technology)**

16 133. Respondent Eco Technology is subject to disciplinary action under Code section
17 7159.10(d)(4), in that on the Vena Avenue Project, Respondent Eco Technology failed to provide
18 a signed contract to the buyer prior to the start of work.

19 **EIGHTIETH CAUSE FOR DISCIPLINE**

20 **(Substantial Misrepresentation in the Procurement of a Contract -**
21 **Respondent Eco Technology)**

22 134. Respondent Eco Technology is subject to disciplinary action under Code section
23 7161(b), in that on the Vena Avenue Project, Respondent Eco Technology made substantial
24 misrepresentations in the procurement of a contract for work improvement.

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1 **EIGHTY-FIRST CAUSE FOR DISCIPLINE**

2 **(Fraud in the Execution - Respondent Eco Technology)**

3 135. Respondent Eco Technology is subject to disciplinary action under Code section
4 7161(c), in that on the Vena Avenue Project, Respondent Eco Technology fraudulently executed
5 or altered documents.

6 **RELIANCE STREET PROJECT**

7 136. On or about October 15, 2018, elderly homeowners H.P. and C.P. were solicited by
8 unregistered salesperson Selena Garcia from Respondent Eco Technology at their residence
9 located on Reliance Street in Arleta, California (Reliance Street Project). Selena Garcia told H.P.
10 that he may qualify for a low-income program to receive a new water heater, water filter, and an
11 HVAC system to be installed at no cost. H.P. and C.P. provided Selena Garcia their social
12 security statements. Selena Garcia and Respondent Eco Technology failed to provide H.P. and
13 C.P. with a written contract prior to the start of work. Work began on or about October 19, 2018
14 and ended on or about October 31, 2018.

15 In October 2019, H.P. received his property tax bill and discovered a PACE assessment was
16 added on to the bill. Energy Efficient Equity provided copies of the loan documents and recorded
17 phone contacts during the processing of the loan to verify terms and conditions. The loan
18 documents revealed forged signatures, false annual income, fictitious email address, and a phone
19 number which did not belong to H.P. or C.P. The recorded phone calls are of unknown persons
20 impersonating H.P. and C.P. during the welcome call confirming the financing terms.

21 Respondent was paid \$69,003 on the project by Energy Efficient Equity.

22 **EIGHTY-SECOND CAUSE FOR DISCIPLINE**

23 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

24 137. Respondent Eco Technology is subject to disciplinary action under Code section
25 7116, in that on the Reliance Street Project, Respondent Eco Technology committed willful
26 and/or fraudulent acts, which caused a substantial injury to H.P. and C.P.

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1 Technology failed to provide A.Z. with a written contract prior to the start of work. Work began
2 on or about August 24, 2018 and ended on or about August 27, 2018.

3 In January 2019, A.Z. discovered that a Property Assessed Clean Energy (PACE)
4 assessment had been placed on her property. A.Z. discovered an email address and password was
5 created for her by Selena Garcia or Marc Burnett and written down on the utility bill. The loan
6 application revealed A.Z.'s forged signature and false annual income.

7 Respondent Eco Technology was paid \$18,900 on the project by Energy Efficient Equity.

8 **EIGHTY-SEVENTH CAUSE FOR DISCIPLINE**

9 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

10 143. Respondent Eco Technology is subject to disciplinary action under Code section
11 7116, in that on the Atoll Avenue Project, Respondent Eco Technology committed willful and/or
12 fraudulent acts, which caused a substantial injury to A.Z.

13 **EIGHTY-EIGHTH CAUSE FOR DISCIPLINE**

14 **(Employed Unregistered Salesperson - Respondent Eco Technology)**

15 144. Respondent Eco Technology is subject to disciplinary action under Code section
16 7154, in that on the Atoll Avenue Project, Respondent Eco Technology's home improvement
17 salespersons, Selena Garcia and Marc Burnett, were not registered with the Board.

18 **EIGHTY-NINTH CAUSE FOR DISCIPLINE**

19 **(Failed to Provide Signed Contract - Respondent Eco Technology)**

20 145. Respondent Eco Technology is subject to disciplinary action under Code section
21 7159.10(d)(4), in that on the Atoll Avenue Project, Respondent Eco Technology failed to provide
22 a signed contract to the buyer prior to the start of work.

23 **NINETIETH CAUSE FOR DISCIPLINE**

24 **(Substantial Misrepresentation in the Procurement of a Contract -**
25 **Respondent Eco Technology)**

26 146. Respondent Eco Technology is subject to disciplinary action under Code section
27 7161(b), in that on the Atoll Avenue Project, Respondent Eco Technology made substantial
28 misrepresentations in the procurement of a contract for work improvement.

1 **NINETY-FRIST CAUSE FOR DISCIPLINE**

2 **(Fraud in the Execution - Respondent Eco Technology)**

3 147. Respondent Eco Technology is subject to disciplinary action under Code section
4 7161(c), in that on the Atoll Avenue Project, Respondent Eco Technology fraudulently executed
5 or altered documents.

6 **HESPERIA AVENUE PROJECT**

7 148. On or about June 1, 2018, elderly homeowner F.H. was solicited by unregistered
8 salesperson Lee Calvin and an unknown representative from Respondent Eco Technology at his
9 residence located on Hesperia Avenue in Reseda, California (Hesperia Avenue Project). Lee
10 Calvin told F.H. that he could qualify for a government program for a free water heater installed
11 that would save him money on his utility bills as well as a rebate check. F.H. provided Lee
12 Calvin his social security number, bank statements, and utility bills in order to qualify for the
13 program. F.H. agreed to have the water heater installed on the representation that the unit would
14 not cost him anything. F.H. signed a tablet to authorize the work. Lee Calvin and Respondent
15 Eco Technology failed to provide F.H. with a written contract prior to the start of work. Work
16 began on or about June 1, 2018 and ended on or about June 11, 2018. Lee Calvin also convinced
17 F.H. to install a water filtration system and heat recovery ventilator in his attic, believing it was part
18 of the energy saving program.

19 Months later, F.H. received his property tax bill and noticed that it had significantly
20 increased. F.H. believed it was a one-time increase and paid the bill. The following year, F.H.
21 received his property taxes and noticed the same increase. F.H. discovered that a PACE loan was
22 assessed to his property for the improvements performed by Respondent Eco Technology.
23 Energy Efficient Equity provided loan contracts, completion certificates, and recorded telephone
24 contacts. The documents revealed a fictitious email which does not belong to F.H. The
25 recordings indicate F.H. was deceived and coached on what to say during the phone calls.

26 Respondent Eco Technology was paid \$42,900 on the project by Energy Efficient Equity.

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1 **CORINTH AVENUE PROJECT**

2 154. On or about April 12, 2018, elderly homeowners N.K. and I.K. were solicited by
3 unregistered salesperson Rolando Corzo and an unknown individual named Franklin from
4 Respondent Eco Technology at their residence located at Corinth Avenue in Los Angeles,
5 California (Corinth Avenue Project). Rolando Corzo told N.K. and I.K. that they could save
6 money on their utility bills by having a new water heater installed. Rolando Corzo performed a
7 test of N.K.'s water and told them it was in terrible condition. N.K. was provided a savings
8 analysis calculation that showed that they would save \$3,019.20 annually. Rolando Corzo and
9 Respondent Eco Technology failed to provide N.K. and I.K. with a written contract prior to the
10 start of work. Work began on or about April 13, 2018 and ended the same day. N.K. was not
11 aware a water purification system was also installed.

12 On or about October 4, 2018, N.K. received their property tax bill and discovered it was
13 significantly higher. N.K. discovered that a loan had been funded and an assessment had been
14 placed on the property. Energy Efficient Equity provided copies of the loan documents and
15 recorded telephone contacts. The documents revealed I.K.'s signature was placed on N.K.'s
16 name, false annual income, and a fictitious email address which did not belong to them. A
17 recorded telephone call revealed Rolando Corzo assisted N.K. and I.K., who have difficulty
18 understanding and speaking the English language, during the application for the loan.

19 Respondent Eco Technology was paid \$31,600 on the project by Energy Efficient Equity.

20 **NINETY-SEVENTH CAUSE FOR DISCIPLINE**

21 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

22 155. Respondent Eco Technology is subject to disciplinary action under Code section
23 7116, in that on the Corinth Avenue Project, Respondent Eco Technology committed willful
24 and/or fraudulent acts, which caused a substantial injury to N.K. and I.K.

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1 **SOUTH WILTON PLACE PROJECT**

2 161. On or about April 5, 2018, elderly homeowners E.P. and J.F. were solicited by
3 unregistered salespersons Rolando Corzo, Randy Heyward, Alex Hrytsyuk, and an unknown
4 individual named Franklin from Respondent Eco Technology at their residence located at South
5 Wilton Place in Los Angeles, California (South Wilton Place Project). Rolando Corzo told E.P.
6 that she could qualify for a new tankless water heater through a gas company program and that
7 she would qualify because of her age and because she is a medical recipient. E.P. and J.F.
8 provided the representatives their tax returns, social security numbers, and their driver's licenses.
9 E.P. and J.F. were told they were approved for the program and believed it would not cost
10 anything. E.P. signed a tablet to approve the start of work. Rolando Corzo, Randy Heyward,
11 Alex Hrytsyuk, and Respondent Eco Technology failed to provide E.P. and J.F. with a written
12 contract prior to the start of work. Work began on or about April 8, 2018 and ended the same
13 day.

14 Months later, E.P. received her property tax bill and discovered a Property Assessed Clean
15 Energy (PACE) loan had been assessed to her property taxes and funded by Energy Efficient
16 Equity. The finance documents revealed false annual income. The completion certificate
17 revealed forged signatures.

18 Respondent Eco Technology was paid \$12,700 on the project by Energy Efficient Equity.

19 **ONE-HUNDRED AND THIRD CAUSE FOR DISCIPLINE**

20 **(Failure to Exercise Direct Supervision - Duty of Qualifier - Respondent Eco Technology)**

21 162. Respondent Eco Technology is subject to disciplinary action under Code section
22 7068.1, in that on the South Wilton Place Project, Respondent Patrick Wilanowski failed to
23 exercise direct supervision and control over the contracting activities of the license.

24 **ONE-HUNDRED AND FOURTH CAUSE FOR DISCIPLINE**

25 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

26 163. Respondent Eco Technology is subject to disciplinary action under Code section
27 7116, in that on the South Wilton Place Project, Respondent Eco Technology committed willful
28 and/or fraudulent acts, which caused a substantial injury to E.P. and J.F.

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ONE-HUNDRED AND FIFTH CAUSE FOR DISCIPLINE

(Failed to Secure Workers' Compensation Coverage - Respondent Eco Technology)

164. Respondent Eco Technology is subject to disciplinary action under Code section 7125.4(a), in that on the South Wilton Place Project, Respondent Eco Technology failed to secure workers' compensation coverage for its employees.

ONE-HUNDRED AND SIXTH CAUSE FOR DISCIPLINE

(Employed Unregistered Salesperson - Respondent Eco Technology)

165. Respondent Eco Technology is subject to disciplinary action under Code section 7154, in that on the South Wilton Place Project, Respondent Eco Technology's home improvement salespersons, Rolando Corzo and Alex Hrytsyuk, were not registered with the Board.

ONE-HUNDRED AND SEVENTH CAUSE FOR DISCIPLINE

(Failed to Provide Signed Contract - Respondent Eco Technology)

166. Respondent Eco Technology is subject to disciplinary action under Code section 7159.10(d)(4), in that on the South Wilton Place Project, Respondent Eco Technology failed to provide a signed contract to the buyer prior to the start of work.

ONE-HUNDRED AND EIGHTH CAUSE FOR DISCIPLINE

(Substantial Misrepresentation in the Procurement of a Contract - Respondent Eco Technology)

167. Respondent Eco Technology is subject to disciplinary action under Code section 7161(b), in that on the South Wilton Place Project, Respondent Eco Technology made substantial misrepresentations in the procurement of a contract for work improvement.

ONE-HUNDRED AND NINTH CAUSE FOR DISCIPLINE

(Fraud in the Execution - Respondent Eco Technology)

168. Respondent Eco Technology is subject to disciplinary action under Code section 7161(c), in that on the South Wilton Place Project, Respondent Eco Technology fraudulently executed or altered documents.

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1 **CANTALOUPE AVENUE PROJECT**

2 169. On or about December 1, 2017, elderly homeowner E.P. was solicited by unregistered
3 salesperson Henry Pham from Respondent Eco Technology at her residence located on
4 Cantaloupe Avenue in Panorama City, California (Cantaloupe Avenue Project). Henry Pham told
5 E.P. that she could qualify for a new tankless water heater and filtration system because of her
6 age, through a government program at no cost. Henry Pham acquired E.P.'s signature through an
7 iPad claiming it was needed authorize work to start. Henry Pham and Respondent Eco
8 Technology failed to provide E.P. with a written contract prior to the start of work. Work began
9 on or about December 1, 2017 and ended on or about December 4, 2017.

10 In February or March 2018, E.P. discovered that a Property Assessed Clean Energy (PACE)
11 loan had been assessed to her property taxes and funded by Ygrene. E.P. never authorized her
12 signature to be used on the Ygrene financing documents. The contract revealed a fictitious email
13 address which does not belong to E.P.

14 Respondent Eco Technology was paid \$35,000 on the project by Ygrene. An industry
15 expert inspected the project and determined that Respondent Eco Technology's work was
16 substandard with an estimated \$4,350 in costs to correct.

17 **ONE-HUNDRED AND TENTH CAUSE FOR DISCIPLINE**

18 **(Failure to Exercise Direct Supervision - Duty of Qualifier - Respondent Eco Technology)**

19 170. Respondent Eco Technology is subject to disciplinary action under Code section
20 7068.1, in that on the Cantaloupe Avenue Project, Respondent Patrick Wilanowski failed to
21 exercise direct supervision and control over the contracting activities of the license.

22 **ONE-HUNDRED AND ELEVENTH CAUSE FOR DISCIPLINE**

23 **(Departure from Accepted Trade Standards - Respondent Eco Technology)**

24 171. Respondent Eco Technology is subject to disciplinary action under Code section
25 7109(a), in that on the Cantaloupe Avenue Project, Respondent Eco Technology willfully
26 departed in a material respect from accepted trade standards for good and workmanlike
27 construction as follows:

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1 a. Respondent Eco Technology failed to properly install copper pipping. Copper
2 pipping with soldered 90-degree joints must be at 90 degrees.

3 b. Respondent Eco Technology failed to properly secure the pipping to the wall to stop
4 any movement.

5 c. Respondent Eco Technology failed to correctly configure the gas sediment trap
6 located at the water heater.

7 d. Respondent Eco Technology failed to properly install electrical outlet. It has no
8 ground fault interrupter.

9 e. Respondent Eco Technology failed to properly install PEX pipping. It cannot be
10 exposed to sunlight per manufactures requirements and is exposed on water filter install.

11 f. Respondent Eco Technology failed to use straps or bracing on the water filter, UV
12 light.

13 g. Respondent Eco Technology failed to install proper unit. The UV light disinfecting
14 unit is intended for indoor use only.

15 **ONE-HUNDRED AND TWELFTH CAUSE FOR DISCIPLINE**

16 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

17 172. Respondent Eco Technology is subject to disciplinary action under Code section
18 7116, in that on the Cantaloupe Avenue Project, Respondent Eco Technology committed willful
19 and/or fraudulent acts, which caused a substantial injury to E.P.

20 **ONE-HUNDRED AND THIRTEENTH CAUSE FOR DISCIPLINE**

21 **(Failed to Secure Workers' Compensation Coverage - Respondent Eco Technology)**

22 173. Respondent Eco Technology is subject to disciplinary action under Code section
23 7125.4(a), in that on the Cantaloupe Avenue Project, Respondent Eco Technology failed to secure
24 workers' compensation coverage for its employees.

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1 Respondent Eco Technology was paid \$21,000 on the project by Ygrene for the PACE-
2 eligible home improvements. An industry expert inspected the project and determined that
3 Respondent Eco Technology's work was substandard with an estimated \$8,645 in costs to correct.

4 **ONE-HUNDRED AND SEVENTEENTH CAUSE FOR DISCIPLINE**

5 **(Failure to Exercise Direct Supervision - Duty of Qualifier - Respondent Eco Technology)**

6 178. Respondent Eco Technology is subject to disciplinary action under Code section
7 7068.1, in that on the Armida Street Project, Respondent Patrick Wilanowski failed to exercise
8 direct supervision and control over the contracting activities of the license.

9 **ONE-HUNDRED AND EIGHTEENTH CAUSE FOR DISCIPLINE**

10 **(Departure from Accepted Trade Standards - Respondent Eco Technology)**

11 179. Respondent Eco Technology is subject to disciplinary action under Code section
12 7109(a), in that on the Armida Street Project, Respondent Eco Technology willfully departed in a
13 material respect from accepted trade standards for good and workmanlike construction as follows:

- 14 a. Respondent Eco Technology failed to properly install the safety valve. The
15 temperature/pressure relief safety valve was taped in the closed position.
- 16 b. Respondent Eco Technology failed to plumb the discharge line to the outside of the
17 residence.
- 18 c. Respondent Eco Technology failed to install a thermal expansion tank.
- 19 d. Respondent Eco Technology failed to install an elbow on the air intake of the tankless
20 water heater. The 3/4 inch galvanized nipple coming out of the wall and providing cold water to
21 the tankless water heater is rusted and leaking where it connects to the newer brass elbow.
- 22 f. Respondent Eco Technology failed to seal the stainless steel flue pipe passing to the
23 rooftop. The O-rings of the water filter appear to be leaking at the brass fittings above the bottom
24 tank. The water filter unit was installed on the side yard reducing the required access space to the
25 right side and back of the house.

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1 **ONE-HUNDRED AND NINETEENTH CAUSE FOR DISCIPLINE**

2 **(Building Law Violation - No Building Permit - Respondent Eco Technology)**

3 180. Respondent Eco Technology is subject to disciplinary action under Code section
4 7110, in that on the Armida Street Project, Respondent Eco Technology failed to finalize the
5 permit on the project as required by building code.

6 **ONE-HUNDRED AND TWENTIETH CAUSE FOR DISCIPLINE**

7 **(Failure to Complete Project for Contract Price Stated - Respondent Eco Technology)**

8 181. Respondent Eco Technology is subject to disciplinary action under Code section
9 7113, in that on the Armida Street Project, Respondent Eco Technology failed in a material
10 respect to complete the project for the price stated in the contract and the homeowner will be
11 required to secure the services of other contractors to correct the work at a cost of \$8,645, in
12 excess of the contract price.

13 **ONE-HUNDRED AND TWENTY-FIRST CAUSE FOR DISCIPLINE**

14 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

15 182. Respondent Eco Technology is subject to disciplinary action under Code section
16 7116, in that on the Armida Street Project, Respondent Eco Technology willfully and/or
17 fraudulently persuaded, cajoled, deceived, and misled R.C. into financing the purchase and
18 installation of a tankless water heater and filter system for \$21,000, financed for over 15 years
19 amounting to \$37,200.62.

20 **ONE-HUNDRED AND TWENTY-SECOND CAUSE FOR DISCIPLINE**

21 **(Contracting Out of Classification - Respondent Eco Technology)**

22 183. Respondent Eco Technology is subject to disciplinary action under Code sections
23 7117.6, 7057, and 7059, and California Code of Regulations, title 16, sections 830, 832, and
24 832.36, in that on the Armida Street Project, Respondent Eco Technology contracted outside the
25 scope of its licensed classification by performing work as a classification C-36, plumbing
26 contractor, when it was only licensed as a classification B, general building contractor.

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1 **ONE-HUNDRED AND TWENTY-THIRD CAUSE FOR DISCIPLINE**

2 **(Failed to Secure Workers' Compensation Coverage - Respondent Eco Technology)**

3 184. Respondent Eco Technology is subject to disciplinary action under Code section
4 7125.4(a), in that on the Armida Street Project, Respondent Eco Technology failed to secure
5 workers' compensation coverage for its employees.

6 **ONE-HUNDRED AND TWENTY-FOURTH CAUSE FOR DISCIPLINE**

7 **(Employed Unregistered Salesperson - Respondent Eco Technology)**

8 185. Respondent Eco Technology is subject to disciplinary action under Code section
9 7154, in that on the Armida Street Project, Respondent Eco Technology's home improvement
10 salesperson, Lee Bolden, was not registered with the Board.

11 **ONE-HUNDRED AND TWENTY-FIFTH CAUSE FOR DISCIPLINE**

12 **(Violations of Home Improvement Contract Form Requirements -**

13 **Respondent Eco Technology)**

14 186. Respondent Eco Technology is subject to disciplinary action under Code section
15 7159, in that on the Armida Street Project, Respondent Eco Technology violated home
16 improvement contract drafting requirements, as follows:

17 a. Section 7159(c)(4). Respondent Eco Technology failed to include a statement
18 regarding unconditional claim/lien release to be provided for any portion of work for payments
19 made.

20 b. Section 7159(c)(6). Respondent Eco Technology failed to include a statement near
21 the signatures of contractor and owner, stating owner or tenant has the right to require a
22 performance and payment bond.

23 c. Section 7159(d)(1). Respondent Eco Technology failed to provide the name on the
24 license, business address or license number.

25 d. Section 7159(e)(4). Respondent Eco Technology failed to provide the required
26 heading of mechanics lien warning and the required notice.

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1 e. Section 7159(e)(5). Respondent Eco Technology failed to provide the required
2 notice, in at least 12 point type face print, within the contract, regarding the Contractors State
3 License Board.

4 **ONE-HUNDRED AND TWENTY-SIXTH CAUSE FOR DISCIPLINE**

5 **(Excessive Payment - Respondent Eco Technology)**

6 187. Respondent Eco Technology is subject to disciplinary action under Code section
7 7159.5(a)(5), in that on the Armida Street Project, Respondent Eco Technology received \$11,960
8 in excess of the value of work performed. An industry expert inspected the work performed by
9 Respondent Eco Technology and estimated the value to be \$9,040, however, Respondent Eco
10 Technology received \$21,000.

11 **ONE-HUNDRED AND TWENTY-SEVENTH CAUSE FOR DISCIPLINE**

12 **(Substantial Misrepresentation in the Procurement of a Contract -**
13 **Respondent Eco Technology)**

14 188. Respondent Eco Technology is subject to disciplinary action under Code section
15 7161(b), in that on the Armida Street Project, Respondent Eco Technology made substantial
16 misrepresentations in the procurement of a contract for work improvement.

17 **ONE-HUNDRED AND TWENTY-EIGHTH CAUSE FOR DISCIPLINE**

18 **(Fraud in the Execution - Respondent Eco Technology)**

19 189. Respondent Eco Technology is subject to disciplinary action under Code section
20 7161(c), in that on the Armida Street Project, Respondent Eco Technology fraudulently executed
21 or altered documents.

22 **VAUGHN STREET PROJECT**

23 190. On or about October 18, 2017, elderly homeowner J.L. was solicited by an unknown
24 representative named Henry from Respondent Eco Technology at his residence located on
25 Vaughn Street in San Fernando, California (Vaughn Street Project). Henry told J.L. that the
26 water he was drinking was unhealthy and urged him install a UV filtration system, a descaler, and
27 a home water filtration system. Henry told J.L. there was a free government program for low-
28 income individuals and that he would only pay an extra \$30 every other month on his water bill.

1 Henry also told J.L. he would receive a \$500 rebate. J.L. provided Henry his property tax bill.
2 Henry told J.L. he qualified for the program and told J.L. to sign his tablet. Respondent Eco
3 Technology and the salesperson failed to provide J.L. with a written contract prior to the start of
4 work. Work began on or about October 21, 2017 and ended the same day.

5 R.L. received his 2018 property tax bill and noticed it was significantly higher. R.L.
6 discovered a PACE loan against the property for the water filtration system. The loan documents
7 revealed forged signatures.

8 Respondent was paid \$18,000 on the project by Ygrene. An industry expert inspected the
9 project and determined that the value of Respondent Eco Technology's work performed was
10 \$16,500 to \$18,000 including labor, materials and services.

11 **ONE-HUNDRED AND TWENTY-NINTH CAUSE FOR DISCIPLINE**

12 **(Failure to Exercise Direct Supervision - Duty of Qualifier - Respondent Eco Technology)**

13 191. Respondent Eco Technology is subject to disciplinary action under Code section
14 7068.1, in that on the Vaughn Street Project, Respondent Patrick Wilanowski failed to exercise
15 direct supervision and control over the contracting activities of the license.

16 **ONE-HUNDRED AND THIRTIETH CAUSE FOR DISCIPLINE**

17 **(Willful and/or Fraudulent Act - Respondent Eco Technology)**

18 192. Respondent Eco Technology is subject to disciplinary action under Code section
19 7116, in that on the Vaughn Street Project, Respondent Eco Technology willfully and/or
20 fraudulently misrepresented and altered documents, which caused a substantial injury to J.L.

21 **ONE-HUNDRED AND THIRTY-FIRST CAUSE FOR DISCIPLINE**

22 **(Failed to Secure Workers' Compensation Coverage - Respondent Eco Technology)**

23 193. Respondent Eco Technology is subject to disciplinary action under Code section
24 7125.4(a), in that on the Vaughn Street Project, Respondent Eco Technology failed to secure
25 workers' compensation coverage for its employees.

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1 **ONE-HUNDRED AND THIRTY-SECOND CAUSE FOR DISCIPLINE**

2 **(Employed Unregistered Salesperson - Respondent Eco Technology)**

3 194. Respondent Eco Technology is subject to disciplinary action under Code section
4 7154, in that on the Vaughn Street Project, Respondent Eco Technology's home improvement
5 salesperson, Henry, was not registered with the Board.

6 **ONE-HUNDRED AND THIRTY-THIRD CAUSE FOR DISCIPLINE**

7 **(Violations of Home Improvement Contract Form Requirements -**

8 **Respondent Eco Technology)**

9 195. Respondent Eco Technology is subject to disciplinary action under Code section
10 7159, in that on the Vaughn Street Project, Respondent Eco Technology violated home
11 improvement contract drafting requirements, as follows:

12 a. Section 7159(c)(4). Respondent Eco Technology failed to include a statement
13 regarding unconditional claim/lien release to be provided for any portion of work for payments
14 made.

15 b. Section 7159(e)(4). Respondent Eco Technology failed to provide the required
16 heading of mechanics lien warning and the required notice.

17 c. Section 7159(e)(5). Respondent Eco Technology failed to provide the required
18 notice, in at least 12 point type face print, within the contract, regarding the Contractors State
19 License Board.

20 d. Section 7159(e)(6)(A). Respondent Eco Technology failed to provide the notice of
21 "Three-Day Right to Cancel."

22 **ONE-HUNDRED AND THIRTY-FOURTH CAUSE FOR DISCIPLINE**

23 **(Substantial Misrepresentation in the Procurement of a Contract -**

24 **Respondent Eco Technology)**

25 196. Respondent Eco Technology is subject to disciplinary action under Code section
26 7161(b), in that on the Vaughn Street Project, Respondent Eco Technology made substantial
27 misrepresentations in the procurement of a contract for work improvement.

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1 **ONE-HUNDRED AND THIRTY-FIFTH CAUSE FOR DISCIPLINE**

2 **(Fraud in the Execution - Respondent Eco Technology)**

3 197. Respondent Eco Technology is subject to disciplinary action under Code section
4 7161(c), in that on the Vaughn Street Project, Respondent Eco Technology fraudulently executed
5 or altered documents.

6 **ONE-HUNDRED AND THIRTY-SIXTH CAUSE FOR DISCIPLINE**

7 **(Cause for Discipline for Qualifier - Respondent Patrick Wilanowski)**

8 198. Pursuant to Code section 7122.5, the causes for discipline established as to
9 Respondent Eco Technology constitute cause for discipline against Respondent Patrick
10 Kazimierz Wilanowski, dba Worx Contracting, under license number 999849, regardless of
11 whether Respondent Patrick Wilanowski had knowledge of or participated in the acts or
12 omissions which constitute cause for discipline against Respondent Eco Technology.

13 **CAUSES FOR OTHER ACTION**

14 **FIRST CAUSE FOR OTHER ACTION**

15 **(Restrictions on Qualifier – Respondent Patrick Wilanowski)**

16 199. Pursuant to Code section 7121.5, if license number 1030029, issued to Respondent
17 Eco Technology is revoked or suspended, Respondent Patrick Wilanowski shall be prohibited
18 from serving as an officer, director, associate, partner, manager, or qualifying individual of a
19 licensee during the time the discipline is imposed, whether or not he had knowledge of or
20 participated in the acts or omissions constituting grounds for discipline as alleged in the causes
21 for discipline, above, and any licensee which employs, elects, or associates Respondent Patrick
22 Wilanowski other than as a bona fide nonsupervising employee shall be subject to disciplinary
23 action.

24 **SECOND CAUSE FOR OTHER ACTION**

25 **(Restrictions on Qualifier – Respondent Josef Ruiz)**

26 200. Pursuant to Code section 7121.5, if license number 1030029, issued to Respondent
27 Eco Technology is revoked or suspended, Respondent Josef Ruiz shall be prohibited from serving
28 as an officer, director, associate, partner, manager, or qualifying individual of a licensee during

1 the time the discipline is imposed, whether or not he had knowledge of or participated in the acts
2 or omissions constituting grounds for discipline as alleged in the causes for discipline, above, and
3 any licensee which employs, elects, or associates Respondent Josef Ruiz other than as a bona fide
4 nonsupervising employee shall be subject to disciplinary action.

5 **THIRD CAUSE FOR OTHER ACTION**

6 **(Restrictions on Officer - Respondent Norbertas Sinica)**

7 201. Pursuant to Code section 7121, if license number 1030029, issued to Respondent Eco
8 Technology is revoked or suspended, Respondent Norbertas Sinica shall be prohibited from
9 serving as an officer, director, associate, partner, manager, qualifying individual, or member of
10 the personnel of record of a licensee in that, while serving as CEO/President of Respondent Eco
11 Technology, he had knowledge of or participated in the acts or omissions constituting grounds for
12 discipline as alleged in the causes for discipline, above.

13 **FOURTH CAUSE FOR OTHER ACTION**

14 **(Restrictions on Officer - Respondent Marija Popov)**

15 202. Pursuant to Code section 7121, if license number 1030029, issued to Respondent Eco
16 Technology is revoked or suspended, Respondent Marija Popov shall be prohibited from serving
17 as an officer, director, associate, partner, manager, qualifying individual, or member of the
18 personnel of record of a licensee in that, while serving as Officer of Respondent Eco Technology,
19 she had knowledge of or participated in the acts or omissions constituting grounds for discipline
20 as alleged in the causes for discipline, above.

21 **PRAYER**

22 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
23 and that following the hearing, the Registrar of Contractors issue a decision:

- 24 1. Ordering the revocation or suspension of Contractor's License Number 1030029
25 issued to Eco Technology Inc., pursuant to Code section 7090;
- 26 2. Ordering the revocation or suspension of Contractor's License Number 999849 issued
27 to Patrick Kazimierz Wilanowski, dba Worx Contracting, pursuant to Code section 7090;

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1 3. Ordering restitution of all damages according to proof suffered by G.R., F.N., R.S.,
2 M.F., E.S., A.A., M.F., J.E., B.T., S.G., G.G., P.C., J.H., E.N., R.C., H.P., A.Z., F.H., N.K., E.P.,
3 E.P., R.C., and J.L., as a condition of probation in the event probation is ordered for Respondent
4 Eco Technology and/or Respondent Patrick Wilanowski, pursuant to Government Code section
5 11519(d);

6 4. Ordering Respondent Eco Technology and Respondent Patrick Wilanowski to pay the
7 Registrar costs for the investigation and enforcement of the case according to proof at the hearing,
8 pursuant to Code section 125.3;

9 5. Ordering Respondent Eco Technology and Respondent Patrick Wilanowski to
10 provide the Registrar with a listing of all contracting projects in progress and the anticipated
11 completion date of each, pursuant to Code section 7095;

12 6. Ordering that Respondent Patrick Wilanowski is prohibited from serving as an
13 officer, director, associate, partner, manager or qualifying individual of a licensee, pursuant to
14 Code section 7121.5;

15 7. Ordering that Respondent Josef Ruiz is prohibited from serving as an officer, director,
16 associate, partner, manager or qualifying individual of a licensee, pursuant to Code section
17 7121.5;

18 8. Ordering that Respondent Norbertas Sinica is prohibited from serving as an officer,
19 director, associate, partner, manager, qualifying individual or member of the personnel of record
20 of a licensee, pursuant to Code section 7121;

21 9. Ordering that Respondent Marija Popov is prohibited from serving as an officer,
22 director, associate, partner, manager, qualifying individual or member of the personnel of record
23 of a licensee, pursuant to Code section 7121; and

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10. Taking such other and further action deemed proper.

DATED: 10/14/2021



CHRISTINA DELP
Supervising Special Investigator II
Contractors State License Board
Department of Consumer Affairs
State of California
Complainant


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