



New York State  
Department of Economic Development  
Division of Minority and Women's  
Business Development

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In the matter of the appeal of

**2B Architecture + Design, PLLC**

FINAL ORDER 17-39

From a denial of certification as a Women-owned Business Enterprise pursuant to Executive Law Article 15-A.

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This order arises from an administrative appeal brought on behalf of 2B Architecture + Design, PLLC ("2B Architecture") pursuant to section 144.4 of title 5 of the New York Codes, Rules and Regulations. Appellant seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division"), dated August 02, 2016, to deny 2B Architecture certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge Daniel P. O'Connell. Ms. Amy L. Bloss submitted a written appeal on behalf of 2B Architecture dated October 06, 2016. Mr. Phillip Harmonick, Esq. submitted a response on behalf of the Division on March 23, 2017. The respective submissions of the parties are contained in the appeal record.

The issue on appeal was whether the operating agreement of 2B Architecture permitted the woman owner of the business to make decisions without restrictions.

On June 30, 2017, the Division received from Administrative Law Judge O'Connell a Recommended Order that recommended affirmation of the Division's denial of the application to certify 2B Architecture as a WBE on the grounds set forth in the Division's August 02, 2016 letter.

After considering the appeal record, I accept the recommendation of the Administrative Law Judge as it pertains to the facts of this case. Incorporation by reference is hereby made with respect to the findings and conclusions of the Recommended Order.

It is hereby **ORDERED** that the decision to deny certification, dated August 02, 2016, is affirmed. Accordingly, 2B Architecture will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

July 03, 2017



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Lourdes Zapata  
Executive Director  
Division of Minority and Women's  
Business Development