



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

In the matter of the appeal of

CAC Contracting Corp.

FINAL ORDER 17-03

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

This order arises from an administrative appeal brought on behalf of CAC Contracting Corp. ("CAC") pursuant to section 144.4 of title 5 of the New York Codes, Rules and Regulations. Appellant, Ms. Cheryl A. Corazzini, seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division"), dated February 05, 2016, to deny CAC certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge Lisa A. Wilkinson. Appellant, represented by Mr. John K. Diviney, Esq., submitted a written appeal regarding this matter dated July 20, 2016. The Division, represented by Mr. Phillip Harmonick, Esq., submitted a response on November 23, 2016. The respective submissions of the parties are contained in the appeal record.

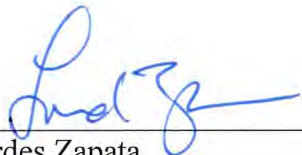
The issues on appeal were whether the Appellant made a contribution of money, property, equipment, or expertise in proportion to her ownership interest in CAC and whether CAC was an independent business enterprise.

On January 09, 2017, the Division received from Administrative Law Judge Wilkinson a Recommended Order that affirmed, on modified grounds, the Division's determination to deny the application by Appellant to certify CAC as a WBE. The Recommended Order recommended that the denial should be modified by striking the denial ground related to Appellant's contributions to CAC, and so modified affirmed.

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 February 05, 2016 is affirmed. Accordingly, CAC will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

January 10, 2017



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