



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

In the matter of the appeal of

Christian Brothers Home Improvement, Inc.

FINAL ORDER 20-12

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 Christian Brothers Home Improvement, Inc. ("CBHI" or "Appellant") pursuant to section 144.2 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 March 17, 2017, to deny CBHI certification as a Minority and Woman-owned Business Enterprise ("MWBE").

Appellant initiated its appeal by letter dated April 11, 2017. Ms. Precious Dwight filed a written appeal on behalf of CBHI dated July 25, 2017. Fawziyyah Slavov, Esq. filed the Division's Memorandum of Law, dated September 2, 2020, and Affidavit of Glenn Butler, Senior Certification Analyst in support. Administrative Law Judge Helene G. Goldberger presided over the appeal.

The issues on appeal were whether Appellant sufficiently demonstrated that (1) the woman owners makes decisions pertaining to the business enterprise, as required by 5 NYCRR § 144.2(b)(1); and (2) the minority and woman owner has control of negotiations through the production of relevant documents, as required by 5 NYCRR §144.2(b)(3).

On October 16, 2020, the Division received a Recommended Order from Administrative Law Judge Goldberger that recommended affirmation of the Division's denial of the application to certify CBHI as an MWBE on the grounds set forth in the Division's March 17, 2017 denial 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 March 17, 2017, is affirmed. Accordingly, Christian Brothers Home Improvement Inc. will not be listed in the Division's directory for Minority and Women-owned Business Enterprises.

November 25, 2020



Nicole Stent
Acting Executive Director
Division of Minority and Women's Business
Development