



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

In the matter of the appeal of

Euro Technology Siding & Contracting, Inc.

FINAL ORDER 16-27

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 Euro Technology Siding & Contracting, Inc. ("Euro Tech") pursuant to 5 NYCRR Section 144.4. Appellant, Ms. Judith Trangucci, seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division"), dated September 29, 2015, to deny Euro Tech certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge Richard A. Sherman. Appellant appeared *pro se* at an appeal hearing on this matter on April 5, 2016. The Division was represented by Phillip Harmonick, Esq. A recording of the proceedings is contained in the appeal record.

On July 8, 2016, the Division received from Administrative Law Judge Sherman a Recommended Order that affirmed the Division's determination to deny the application by Appellant to certify Euro Tech as a WBE.

The issues on appeal were whether Appellant made decisions pertaining to the operation of the business enterprise and was permitted by the corporate bylaws of Euro Tech to control the business enterprise without restriction. Administrative Law Judge Sherman recommended that the Division's determination to deny Euro Tech certification as a WBE be upheld on each of the denial grounds identified by the Division.

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; namely, that Euro Tech does not meet the requirements for certification as set forth in Article 15-A of the Executive Law and the rules and regulations promulgated thereunder.

It is hereby **ORDERED** that the decision to deny certification, dated September 29, 2015, is affirmed. Accordingly, Euro Tech will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

July 11, 2016



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