



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

In the matter of the appeal of

Hatfield Metal Fab, Inc.

FINAL ORDER 18-03

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 Hatfield Metal Fab., Inc. ("Hatfield Metal") 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 November 17, 2016, to deny Hatfield Metal certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge Lisa A. Wilkinson. Ms. Ann Hatfield submitted a written appeal on behalf of Appellant on September 26, 2017. Mr. Phillip Harmonick, Esq. submitted a response on behalf of the Division on November 06, 2017. The submissions of the parties are contained in the appeal record.

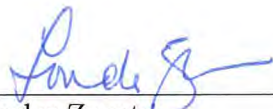
The issues on appeal were whether the woman owner of Hatfield Metal shared in the risks and profits of the business in proportion to her ownership interest therein, and whether the woman owner's personal worth exceeded three million five hundred thousand dollars.

On December 08, 2017, the Division received from Administrative Law Judge Wilkinson a Recommended Order that recommended affirmation of the Division's denial of the application to certify Hatfield Metal as a WBE on the grounds set forth in the Division's November 17, 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 November 17, 2016, is affirmed. Accordingly, Hatfield Metal will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

January 05, 2018



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