



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

In the matter of the appeal of

Innovative Products & Imports, Inc.

FINAL ORDER 23-08

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

This order arises from an administrative appeal brought on behalf of Innovative Products & Imports, Inc. (“Innovative” or “Appellant”) pursuant to section 144.2 of title 5 of the New York Codes, Rules and Regulations.¹ Appellant seeks reversal of the decision of the Division of Minority and Women’s Business Development (the “Division”), dated January 3, 2020, to deny Innovative’s November 18, 2016 certification application as a Woman-owned Business Enterprise (“WBE”).

Applicant submitted a written appeal in the form of a letter dated March 16, 2020. The Division submitted its response to the appeal dated April 21, 2023, together with an Affidavit of Raymond Emanuel, Certification Director, dated March 8, 2023. Administrative Law Judge (“ALJ”) Adrienne R. Lotson presided over the appeal.

The issue on appeal was whether Appellant sufficiently demonstrated that the woman owner relied upon for certification makes a capital contribution to the business enterprise in proportion to her equity interest demonstrated by, but not limited to, contributions of money, property, equipment or expertise, as required by 5 NYCRR 144.2(a)(1).

On August 8, 2023, the Division received a Recommended Order from ALJ Lotson that recommended affirmation of the Division’s denial of the application to certify Innovative as an WBE on the grounds set forth in the Division’s January 3, 2020 denial letter.

¹ The Division’s January 3, 2020 denial determination and Appellant’s March 16, 2020 appeal via written submission pre-date the December 2, 2020 amendments made to 5 NYCRR Parts 140 et al. Accordingly, the eligibility criteria set forth under the former regulations are referenced throughout this final order.

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 January 3, 2020, is affirmed. Accordingly, Innovative Products & Imports, Inc. will not be listed in the Division's directory for Minority and Women-owned Business Enterprises.

September 8, 2023

A handwritten signature in black ink, appearing to read "Jason Clark", with a long horizontal flourish extending to the right.

Jason Clark, EVP and Executive Director
Division of Minority and Women's Business Development