



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

In the matter of the appeal of

Interior Installations, LLC

FINAL ORDER 23-08

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

This order arises from an administrative appeal brought on behalf of Interior Installations, LLC (“Interior Installations” 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 May 25, 2021, to deny Interior Installations’ December 9, 2017 certification application as a Minority and Woman-owned Business Enterprise (“MWBE”).

Applicant submitted a written appeal, dated December 14, 2022. The Division submitted its response to the appeal, dated May 18, 2023, together with the affidavit of Abdul Karim Bah, Senior Certification Analyst, dated May 8, 2023. Administrative Law Judge (“ALJ”) Adrienne R. Lotson presided over the appeal.

The issues on appeal were whether the minority group member and woman relied upon for certification (1) possesses adequate, industry-specific competence to make critical business decisions without relying upon other persons, as required under 5 NYCRR § 144.2(c)(1); (2) makes operational decisions on a day-to-day basis with respect to the critical functions of the business enterprise, as required under 5 NYCRR § 144.2(c)(2); (3) devotes time on an ongoing basis to the daily operation of the business enterprise, as required under 5 NYCRR § 144.2 (c)(3); and (4) demonstrates that the business enterprise operates independently, as required under 5 NYCRR § 144.2(e).

On August 23, 2023, the Division received a Recommended Order from Judge Lotson that recommended affirmation of the Division’s denial of the application to certify Appellant as an MWBE on the ground set forth in the Division’s May 25, 2021 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 May 25, 2021, is affirmed. Accordingly, Interior Installations, LLC will not be listed on the Division's directory for Minority and Women-owned Business Enterprises.

September 22, 2023

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

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