



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

In the matter of the appeal of

JAL Signs, Inc.

FINAL ORDER 18-16

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 JAL Signs, Inc. ("JAL Signs") 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 October 12, 2016, to deny JAL Signs certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge P. Nicholas Garlick. Ms. Agnes Lindner submitted a written appeal on behalf of Appellant on March 01, 2017. Phillip Harmonick, Esq. submitted a response on behalf of the Division on February 08, 2018. The respective submissions of the parties are contained in the appeal record.

The issues on appeal were whether: the woman owner of JAL Signs made contributions of money, property, equipment, or expertise proportionate to her equity interest in the business enterprise; and relevant business agreements permitted women to make decisions without restrictions.

On March 05, 2018, the Division received from Administrative Law Judge Garlick a Recommended Order that recommended affirmation of the Division's denial of the application to certify JAL Signs as a WBE on the grounds set forth in the Division's October 12, 2016 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 October 12, 2016, is affirmed. Accordingly, JAL Signs will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

March 15, 2018



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