



**Division of Minority  
and Women's  
Business Development**

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

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In the matter of the appeal of

**KA Bryant Enterprises**

FINAL ORDER 16-53

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

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This order arises from an administrative appeal brought on behalf of KA Bryant Enterprises pursuant to section 144.4 of title 5 of the New York Codes, Rules and Regulations. Appellant, Ms. Kelly Bryant, seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division"), dated March 24, 2016, to deny KA Bryant Enterprises certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge P. Nicholas Garlick. The Appellant submitted a written appeal in this matter on June 30, 2016. The Division, represented by Mr. Phillip Harmonick, Esq., submitted a response to the appeal on October 05, 2016. The respective submissions of the parties are contained in the appeal record.


The issues on appeal were whether the Appellant: made a contribution of money, property, equipment, or expertise to KA Bryant Enterprises in proportion to her ownership interest therein; possessed the requisite technical expertise or managerial experience to operate the business enterprise; and made decisions pertaining to the operation of the business enterprise.

On October 27, 2016, the Division received from Administrative Law Judge Garlick a Recommended Order that affirmed the Division's determination to deny the application by Appellant to certify KA Bryant Enterprises as a WBE. The Recommended Order recommended that the denial should be affirmed on each of the denial grounds identified in the Division's March 24, 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 March 24, 2016 is affirmed. Accordingly, KA Bryant Enterprises will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

October 28, 2016

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