



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

In the matter of the appeal of

National Recovery Solutions, LLC

FINAL ORDER 17-31

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 National Recovery Solutions, LLC ("NRS") 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 August 22, 2016, to deny NRS certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge P. Nicholas Garlick. Appellant, represented by Mr. Brian Gwitt, Esq., appeared at a hearing regarding this matter on April 04, 2017. Mr. Phillip Harmonick, Esq. represented the Division. A recording of the proceedings is contained in the appeal record.

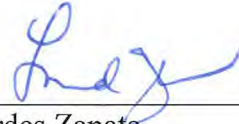
The issues on appeal were whether the woman owner of NRS: contributed money, property, equipment, or expertise to NRS in proportion to her equity interest therein; and shared in the risks and profits of the business in proportion to her ownership interest therein.

On May 25, 2017, the Division received from Administrative Law Judge Garlick a Recommended Order that recommended affirmation of the Division's denial of the application to certify NRS as a WBE on each of the grounds set forth in the Division's August 22, 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 August 22, 2016, is affirmed. Accordingly, NRS will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

June 05, 2017



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