



**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

**Northern Scapes, Inc.**

FINAL ORDER 18-31

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 Northern Scapes, Inc. ("Northern Scapes") 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 April 18, 2017, to deny Alpha Drilling certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge Daniel P. O'Connell. Jennifer K. Harvey, Esq. represented the Appellant at an appeal hearing concerning this matter on March 20, 2018. Phillip Harmonick, Esq. represented the Division. A recording of the proceedings is contained in the appeal record.

The issues on appeal were whether Northern Scapes demonstrated that Pamela Allen, President of the company, made decisions pertaining to the operations of the business enterprise in accordance with 5 NYCRR 144.2(b)(1); and had adequate managerial experience or technical competence to operate the enterprise as required by 5 NYCRR 144.2(b)(1)(i).

On June 6, 2018, the Division received a Recommended Order from Administrative Law Judge O'Connell that recommended reversal of the Division's denial of the application to certify Northern Scapes as a WBE.

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 April 18, 2017, is reversed. Accordingly, Northern Scapes will be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

July 5, 2018



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