



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

In the matter of the appeal of

Plant Connection, Inc.

FINAL ORDER 17-13

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 Plant Connection, Inc. ("Plant Connection") pursuant to section 144.4 of title 5 of the New York Codes, Rules and Regulations. Appellant, Ms. Melissa Daniels, seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division"), dated April 12, 2016, to deny Plant Connection certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge Lisa A. Wilkinson. Appellant submitted a written appeal letter on July 21, 2016. The Division, represented by Mr. Phillip Harmonick, Esq., submitted a response on February 05, 2017. The respective submissions of the parties are contained in the appeal record.

The issue on appeal was whether corporate bylaws and relevant business agreements permitted Appellant to control Plant Connection without restrictions.

On March 09, 2017, the Division received from Administrative Law Judge Wilkinson a Recommended Order that recommended affirmation of the Division's April 12, 2016 determination to deny the application by Appellant to certify Plant Connection 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 12, 2016 is affirmed. Accordingly, Plant Connection will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

March 16, 2017



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