



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

**Precision Building & Construction, LLC**

FINAL ORDER 20-01

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 Precision Building & Construction, LLC (“Precision Building” or “Appellant”) pursuant to section 144.2 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 17, 2017, to deny Precision Building certification as a Woman-owned Business Enterprise (“WBE”).

Appellant initiated and filed its appeal and related exhibits on or about November 9, 2017. The Division submitted a Memorandum of Law in Response to the Appeal, dated September 24, 2019 and Affidavit of Raymond Emanuel, Director of Certification Operations for the Division, in support. Administrative Law Judge Marie E. Villa presided over the appeal.

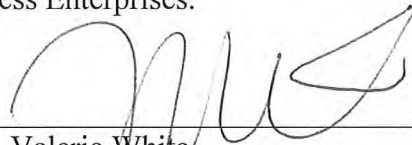
The issues on appeal were whether Precision Building sufficiently demonstrated that the women owners relied upon for certification, make decisions as it pertains to the operation of the business enterprise, as required by 5 NYCRR § 144.2(b)(1), whether the women owners have adequate managerial experience or technical competence to operate the business, as required by 5 NYCRR § 144.2(b)(1)(i), and whether the women owners have the working knowledge and ability needed to operate the business enterprise as required by 5 NYCRR § 144.2(b)(1)(ii).

On January 7, 2019, the Division received a Recommended Order from Administrative Law Judge Villa that recommended affirmation of the Division’s denial of the application to certify Precision Building as a WBE on the grounds set forth in the Division’s October 17, 2017 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 17, 2017, is affirmed. Accordingly, Precision Building & Construction, LLC will not be listed in the Division's directory for Minority and Women-owned Business Enterprises.

February 6, 2020



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Valerie White  
Executive Director  
Division of Minority and Women's Business  
Development