



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

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

In the matter of the appeal of

Quality Shredding Corp.

FINAL ORDER 16-45

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 Quality Shredding Corp. ("Quality Shredding") pursuant to section 144.4 of title 5 of the New York Codes, Rules and Regulations. Appellant, Ms. Tobi Innerfield, seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division"), dated April 14, 2016, to deny Quality Shredding certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge P. Nicholas Garlick. Mr. Allen Wooster, Esq., counsel to the Appellant, submitted a written appeal on May 05, 2016. The Division, represented by Mr. Phillip Harmonick, Esq., submitted a response on June 29, 2016. Mr. Wooster submitted a reply to the Division's response on July 13, 2016. The respective submissions of the parties are contained in the appeal record.


On September 8, 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 Quality Shredding as a WBE.

The issues on appeal were whether Appellant made a capital contribution to Quality Shredding in proportion to her ownership interest in the business enterprise and shared in the risks and profits of the business in proportion to her ownership interest therein. Administrative Law Judge Garlick recommended that the Division's determination to deny Quality Shredding certification as a WBE be upheld on each of the denial grounds identified by the Division.

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; namely, that Quality Shredding does not meet the requirements for certification as set forth in Article 15-A of the Executive Law and the rules and regulations promulgated thereunder.

It is hereby **ORDERED** that the decision to deny certification, dated April 14, 2016, is affirmed. Accordingly, Quality Shredding will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

September 19, 2016



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