



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

In the matter of the appeal of

Riviera Solutions, Inc.

FINAL ORDER 17-45

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 Riviera Solutions, Inc. ("Riviera Solutions") 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 May 24, 2016, to deny Riviera Solutions certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge P. Nicholas Garlick. Ms. Chui Mei Tam submitted a written appeal on behalf of Riviera Solutions on August 03, 2016. Mr. Phillip Harmonick, Esq. submitted a response on behalf of the Division on July 03, 2017. The respective submissions of the parties are contained in the appeal record.

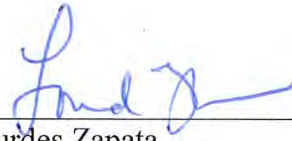
The issues on appeal were whether: Ms. Tam contributed money, property, equipment, or expertise to Riviera Solutions in proportion to her equity interest therein; and the corporate bylaws of Riviera Solutions permitted Ms. Tam to control the business without restrictions.

On August 09, 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 Riviera Solutions as a WBE on the grounds set forth in the Division's May 24, 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 May 24, 2016, is affirmed. Accordingly, Riviera Solutions will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises as a Woman-owned Business Enterprise.

August 10, 2017



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