



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

In the matter of the appeal of

Roberts Office Interiors, Inc.

FINAL ORDER 19-04

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 Roberts Office Interiors, Inc. ("ROI") 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 December 15, 2016, to deny ROI certification as a Women-owned Business Enterprise ("WBE").

Appellant filed this written appeal on April 17, 2017. The appeal consisted of a two-page cover letter, a seven-page submission, and twenty exhibits. The Division acknowledged Appellant's written submission and filed response papers on January 14, 2019, which consisted of a sixteen-page submission and fifteen attached exhibits along with the affidavit of Ms. Rita Rivas, a Senior Certification Analyst with the Division. Appellant's appeal and the Divisions response, along with all respective exhibits, were then assigned to Administrative Law Judge P. Nicholas Garlick on January 28, 2019.

The issue on appeal was whether ROI demonstrated that Ms. Lynne Angelicola and Ms. Marina Angelicola, as the women owners relied upon for certification, made capital contributions in proportion to their collective majority equity interests in the business enterprise, as required by 5 NYCRR § 144.2(a)(1).

On March 18, 2019, the Division received a Recommended Order from Administrative Law Judge Garlick that recommended affirmation of the Division's denial of the application to certify ROI as a WBE on the ground set forth in the Division's December 15, 2016 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 December 15, 2016, is affirmed. Accordingly, ROI will not be listed in the Division's directory for Minority and Women-owned Business Enterprises.

March 26, 2019

A handwritten signature in black ink, appearing to read 'V. White', written over a horizontal line.

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