



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

In the matter of the appeal of

Sage and Coombe Architects, LLP

FINAL ORDER 20-03

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 Sage and Coombe Architects, LLP (“Sage and Coombe” 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 February 22, 2017, to deny Sage and Coombe certification as a Woman-owned Business Enterprise (“WBE”).

Appellant initiated its appeal by letter dated March 6, 2017. By notice dated April 4, 2017, the Division acknowledged Sage and Coombe’s request for an appeal and set June 5, 2017 as the due date for Sage and Coombe’s written appeal. Sheila DiGasper, Esq. of Ingram, Yuzek, Gainen, Carroll, Bertolotti, LLP, filed a written appeal on behalf of Sage and Coombe in the form of a letter dated May 22, 2017. Donald J. Tobias, Esq. filed the Division’s Memorandum of Law, dated February 18, 2020, and Affidavit of Raymond Emanuel, Director of Certification Operations for the Division, in support. Administrative Law Judge Helene S. Goldberger presided over the appeal.

The issue on appeal was whether Sage and Coombe sufficiently demonstrated that the woman owner relied upon for certification is able to make decisions without restrictions by make decisions as it pertains to the operation of the business enterprise, as required by 5 NYCRR § 144.2(b)(2).

On March 11, 2020, the Division received a Recommended Order from Administrative Law Judge Goldberger that recommended affirmation of the Division’s denial of the application

to certify Sage and Coombe as a WBE on the grounds set forth in the Division's February 22, 2017 denial letter.

After considering the appeal record, I accept the recommendation of the Administrative Law Judge Goldberger 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 February 22, 2017, is affirmed. Accordingly, Sage and Coombe Architects, LLP will not be listed in the Division's directory for Minority and Women-owned Business Enterprises.

April 21, 2020



Nicole Stent
Acting Executive Director
Division of Minority and Women's Business
Development