



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

In the matter of the appeal of

Tambe Metal Products, Inc.

FINAL ORDER 17-05

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 Tambe Metal Products, Inc. ("Tambe") pursuant to section 144.4 of title 5 of the New York Codes, Rules and Regulations. Appellant, Ms. Renee Tambe, seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division"), dated January 04, 2016, to deny Tambe certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge Molly T. McBride. Appellant, represented by Lorisa LaRocca, Esq., appeared at a hearing regarding this matter on August 02, 2016. The Division was represented by Mr. Phillip Harmonick, Esq. A recording of the proceedings is contained in the appeal record.

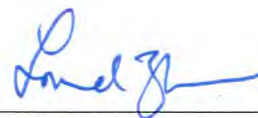
The issues on appeal were whether the Appellant: made a contribution of money, property, equipment, or expertise in proportion to her ownership interest in Tambe; shared in the risks and profits of Tambe in proportion to her ownership interest therein; and demonstrated control of business negotiations through the production of signed contracts.

On January 23, 2017, the Division received from Administrative Law Judge McBride a Recommended Order that affirmed the Division's determination to deny the application by Appellant to certify Tambe as a WBE. The Recommended Order recommended that that the denial should be affirmed on each of the grounds identified in the Division's January 04, 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 January 04, 2016 is affirmed. Accordingly, Tambe will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

January 24, 2017



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