



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

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In the matter of the appeal of

**Traco Manufacturing, Inc.**

FINAL ORDER 20-04

From a denial of certification as a Women-owned Business Enterprise pursuant to Executive Law Article 15-A.

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This order arises from an administrative appeal brought on behalf of Traco Manufacturing, Inc. (“Traco” 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 March 28, 2017, to deny Traco certification as a Woman-owned Business Enterprise (“WBE”).

Appellant initiated its appeal by letter dated April 24, 2017. By notice dated June 9, 2017, the Division acknowledged Traco’s request for an appeal and set August 8, 2017 as the due date for Traco’s written appeal. Traco timely filed its appeal on September 8, 2017. Bella Satra, Esq. filed the Division’s Memorandum of Law in Response to the Appeal, dated March 6, 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 issues on appeal were whether Traco sufficiently demonstrated that the woman owner relied upon for certification makes decisions pertaining to the operation of the business enterprise, as required by 5 NYCRR § 144.2(b)(1) and whether the woman owner relied upon for certification has adequate managerial experience or technical competence in the business enterprise seeking certification as required by 5 NYCRR § 144.2(b)(1)(i).

On March 26, 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 Traco as a WBE on the grounds set forth in the Division’s March 28, 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 March 28, 2017, is affirmed. Accordingly, Traco Manufacturing, Inc. will not be listed in the Division's directory for Minority and Women-owned Business Enterprises.

April 21, 2020



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