



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

In the matter of the appeal of

Unique Technical Services, LLC

FINAL ORDER 17-68

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 Unique Technical Services, LLC ("UTS") 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 January 04, 2017, to deny UTS certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge Maria E. Villa. Appellant, represented by Mr. Michael Cahill, Esq., appeared at an appeal hearing concerning this matter on October 03, 2017. Mr. Phillip Harmonick, Esq. represented the Division. A recording of the proceedings is contained in the appeal record.

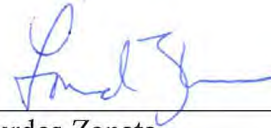
The issues on appeal were whether the woman owner of UTS possessed adequate managerial experience or technical competence to operate the business enterprise and made decisions pertaining to the operations of the business enterprise.

On November 10, 2017, the Division received from Administrative Law Judge Villa a Recommended Order that recommended affirmation of the Division's denial of the application to certify UTS as a WBE on the grounds set forth in the Division's January 04, 2017 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, 2017, is affirmed. Accordingly, UTS will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

November 16, 2017



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