



**Division of Minority  
and Women's  
Business Development**

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

**Van Bortel Ford, Inc.**

FINAL ORDER 16-31

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 Van Bortel Ford, Inc. ("Van Bortel Ford") pursuant to 5 NYCRR Section 144.4. Appellant, Ms. Mary Van Bortel, seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division"), dated December 29, 2015, to deny Van Bortel Ford certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge P. Nicholas Garlick. Appellant submitted a written appeal on this matter on January 19, 2016. The Division, represented by Phillip Harmonick, Esq., submitted a response to the appeal on June 03, 2016. The submissions of the parties are contained in the appeal record.

On August 5, 2016, the Division received from Administrative Law Judge Garlick a Recommended Order that affirmed the Division's determination to deny the application by Appellant to certify Van Bortel Ford as a WBE.

The issue on appeal was whether Appellant's adjusted personal net worth exceeded 3.5 million dollars, as adjusted for inflation to reflect 2015 dollars. Administrative Law Judge Garlick recommended that the Division's determination to deny Van Bortel Ford certification as a WBE be upheld.

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; namely, that Van Bortel

Ford does not meet the requirements for certification as set forth in Article 15-A of the Executive Law and the rules and regulations promulgated thereunder.

It is hereby **ORDERED** that the decision to deny certification, dated December 29, 2015, is affirmed. Accordingly, Van Bortel Ford will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

August 10, 2016



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