



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

In the matter of the appeal of

Van Bortel Motorcar, Inc.

FINAL ORDER 16-32

From a revocation 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 Van Bortel Motorcar, Inc. ("Van Bortel Motorcar") 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 30, 2015, to revoke the certification of Van Bortel Motorcar 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 revoke the certification of Van Bortel Motorcar as a WBE.

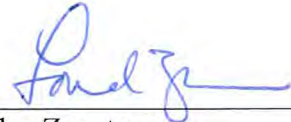
The issue on appeal was whether Appellant's personal net worth exceeded 3.5 million dollars, as adjusted annually for inflation beginning in 2011. Administrative Law Judge Garlick recommended that the Division's determination to revoke the certification of Van Bortel Motorcar as a WBE be upheld.

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

Motorcar 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 revoke Van Bortel Motorcar's certification, dated December 30, 2015, is affirmed. Accordingly, Van Bortel Motorcar will be removed from the Division's directory of certified Minority and Women-owned Business Enterprises.

August 10, 2016



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