



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

In the matter of the appeal of

eProcess Environmental, Inc.

FINAL ORDER 18-27

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 eProcess Environmental, Inc. ("eProcess") 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 November 1, 2016, to deny eProcess certification as a Women-owned Business Enterprise ("WBE").

Jennifer B. Granzow, Esq. represented the Appellant and initiated this written appeal on March 6, 2017. The Division responded in writing to that appeal on March 26, 2018. On March 27, 2018, the instant appeal was assigned to Administrative Law Judge P. Nicholas Garlick.

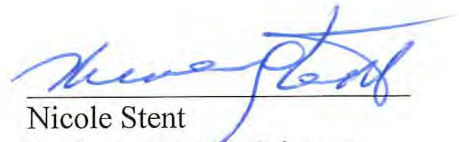
The issues on appeal were whether eProcess demonstrated that the woman owners, Cleo Reeves and Kaylee Koester, made contributions to the company, proportionate to their equity interests in the business enterprise, in accordance with 5 NYCRR § 144.2(a)(1); whether the woman owners relied upon for certification demonstrated adequate managerial experience or technical competence to operate the business enterprise, as required by 5 NYCRR § 144.2(b)(1)(i); and whether eProcess is independently operated, as required by 5 NYCRR §§ 144.2(a)(2) and 144.2(c)(2).

On May 21, 2018, the Division received a Recommended Order from Administrative Law Judge Garlick that recommended affirmation of the Division's denial of the application to certify eProcess as a WBE on the grounds set forth in the Division's November 1, 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 November 1, 2016, is affirmed. Accordingly, eProcess will not be listed in the Division's directory for Minority and Women-owned Business Enterprises.

July 10, 2018



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