



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

In the matter of the appeal of

C EZ Key Service.

FINAL ORDER 24-01

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

This order arises from an administrative appeal brought on behalf of C EZ Key Service (“C EZ” 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 June 1, 2023, to deny C EZ’s March 3, 2021, recertification application as a Woman-owned Business Enterprise (“WBE”).

Applicant submitted a written appeal, undated. The Division submitted its response to the appeal, dated October 11, 2023, together with the affidavit of Abdul Karim Bah, Senior Certification Analyst, dated October 4, 2023. Administrative Law Judge (“ALJ”) David A. Murad presided over the appeal. The issues on appeal were whether the woman-owner relied upon for recertification (1) owns at least fifty-one (51) percent of the business enterprise for which certification is sought, as required under 5 NYCRR § 144.2(b)(1); (2) shared in the risks and profits in proportion to her equity interest in the business enterprise, as required by 5 NYCRR § 144.2(b)(3); (3) is the highest-ranking officer of the business enterprise for which certification is sought, and, where applicable, controls the board of directors, as required under § 144.2(d)(1); and (4) negotiates business contracts and represents herself to clients as the principal of the business enterprise, as demonstrated by fully executed business agreements, as required under 5 NYCRR § 144.2(d)(2).

On January 5, 2024, the Division received a Recommended Order from Judge Murad that recommended affirmation of the Division’s denial of the application to certify Appellant as a WBE on the grounds set forth in the Division’s June 1, 2023, 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 recertification, dated June 1, 2023, is affirmed. Accordingly, C EZ will be removed from the Division's directory for Minority and Women-owned Business Enterprises.

February 22, 2024

A handwritten signature in black ink, appearing to read "Jason Clark", with a long horizontal flourish extending to the right.

Jason Clark, Executive Vice President & Executive Director
Division of Minority and Women's Business Development