



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

In the matter of the appeal of

STUDIO V DESIGN & PLANNING, LLC

FINAL ORDER 25-08

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

The attached Recommended Order is incorporated with modification, as set forth below.

This order arises from an administrative appeal brought on behalf of Studio V Design & Planning, LLC (“Studio V” or “Appellant”) pursuant to parts 140-147 of title 5 of the New York Codes, Rules and Regulations. Appellant seeks reversal of the determination of the Division of Minority and Women’s Business Development (the “Division”), dated September 18, 2024, to deny Studio V certification as a Minority and Woman-owned Business Enterprise (“MWBE”).

The Division received a Recommended Order, dated July 11, 2025, which recommended the Director reverse the Division’s determination to deny Studio V’s application for MWBE certification. Specifically, the Administrative Law Judge found that Studio V had met its burden to demonstrate that the Division’s determination to deny its application for MWBE certification with respect to the eligibility criteria at 5 NYCRR §§144.2(c)(1), 144.2(c)(2), and 144.2(e) was not based on substantial evidence.

After considering the appeal record, I modify, and as modified, accept the findings as they pertain to 5 NYCRR §§144.2(c)(1), 144.2(c)(2), and 144.2(e) set forth in the July 11, 2025, Recommended Order. Appellant demonstrated that the owner relied upon for certification meets the criteria at 5 NYCRR §§144.2(c)(1), 144.2(c)(2), and 144.2(e) with respect to urban planning services, but not architectural nor graphic design services. The owner relied upon for certification, Kathy Chan Valgora, is not a licensed architect, which is required to provide architectural services, nor has she obtained the relevant licenses and/or certifications commonly required to provide graphic design services. Her educational background does not reflect the academic credentials typically held by persons employed in the architectural and graphic design industries. Further, the record does not show that Ms. Chan has obtained industry-specific expertise through direct work

experience. Ms. Chan's previous work experience at Studio V Architecture was limited to business administration. Ms. Chan did not present any evidence demonstrating that she has ever performed or supervised, nor is able to perform or supervise, the architectural or graphic design services Studio V provides without relying on others. Studio V is able to provide architectural and graphic design services by subcontracting this work out to freelancers and others firms via consultant agreements, rather than using its own employees.

ORDERED: The attached and incorporated Recommended Order is hereby modified, and as modified, adopted.

ORDERED: The Division's Directory for Minority and Women-owned Business Enterprises will be updated in conformity with the attached Recommended Order; Studio V Design & Planning, LLC will be listed.

This decision is Ordered by Jason M. Clark, the Executive Vice President and Executive Director of the Division of Minority and Women's Business Development.

August 18, 2025



Jason M. Clark
Executive Vice President and Executive Director
Division of Minority and Women's Business Development