ORIGINAL

BEFORE THE BOARD OF CONTRACTORS

STATE OF IDAHO

In the Matter of the License of: RICHARD BROKAW, Registration No. RCT-8416, Respondent.	Case No. CON-2007-32 **FINAL ORDER**

THIS MATTER is before the Idaho Board of Contractors ("Board") pursuant to a Complaint, Order of Emergency Suspension of Registration and Notice of Hearing filed by the Board and its attorney of record, Emily A. Mac Masters, Idaho Deputy Attorney General. Respondent Richard Brokaw did not appear in this matter.

This matter then came before the Board at a specially scheduled meeting of the Board. The Board, having conducted an independent review of the record and having considered the evidence and testimony presented at the hearing and all other matters of record, and good cause appearing therefor, the Board adopted the following Order.

IT IS HEREBY ORDERED as follows:

1. That the Findings of Fact and Conclusions of Law as set forth in the Order of Emergency Suspension of Registration dated December 19, 2006, are hereby adopted and incorporated herein by reference. In essence, the Board's records establish that Respondent's insurance has been cancelled, and Respondent has failed to provide the Board proof of renewed insurance coverage after reasonable notice and opportunity to prove compliance.

2. That the Respondent's failure to maintain valid insurance constitutes a violation of Idaho Code Sections 54-5210(1)(d) and (e) and 54-5215(2)(a). Pursuant to Idaho Code

Section 54-5215(2), the Board possesses the authority to impose the following disciplinary sanctions upon the Respondent, Richard Brokaw.

a. That Respondent's registration shall be revoked.

b. That Respondent pay a fine of One Thousand Dollars ($1,000.00).

c. That Respondent shall pay the costs and attorney's fees incurred by the State in the investigation and prosecution of this matter as set forth in Exhibit "A" attached hereto and incorporated herein by this reference. Respondent shall submit any objection to the reasonableness of the costs and fees submitted by the State and request a hearing within fifteen (15) days from the receipt of this Order. Thereafter, the Board shall determine the amount of costs and fees awarded against Respondent.

3. The Bureau Chief of the Bureau of Occupational Licenses shall cause a true and correct copy of this Final Order to be served upon the Respondent and the State's attorney by mailing a copy to them at their addresses as provided.

This is the Final Order of the Board.

a. Any party may file a Petition for Reconsideration of this Final Order within fourteen (14) days of the service date of this Final Order. The Board will dispose of the Petition for Reconsideration within twenty-one (21) days of its receipt, or the Petition will be considered denied by the operation of law. (See Section 67-5247(4), Idaho Code.)

b. Pursuant to Section 67-5270 and 57-5272, Idaho Code, any party aggrieved by this Final Order, or orders previously issued in this case, may appeal this Final Order and all previously issued orders in this case to district court by filing a petition in the district court of

the county in which: (i) a hearing was held; (ii) the final agency action was taken; or (iii) the party seeking review of this Final Order resides.

c. An appeal must be taken within twenty-eight (28) days (i) of the service date of this Final Order; (ii) of any order denying petition for reconsideration; or (iii) of the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. (See Section 67-5273, Idaho Code.) The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

4. The Bureau Chief of the Bureau of Occupational Licenses shall cause a true and correct copy of this Final Order to be served upon the Respondent's attorney and the State's attorney by mailing a copy to them at their addresses as provided.

DATED this 21st day of May, 2007.

STATE BOARD OF CONTRACTORS

By _____
JERRY NEMEC, Chairman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 21st day of May, 2007, I caused to be served, by the method(s) indicated, a true and correct copy of the foregoing upon:

Richard Brokaw 4119 N. 39th Boise, ID 83702	✓ ___ ✓ ___	U.S. Mail Hand Delivered Certified Mail, Return Receipt Requested Fax Transmission
Emily A. Mac Master Deputy Attorney General Office of the Attorney General P.O. Box 83720 Boise, Idaho 83720-0010 Attorneys for the Idaho Board of Contractors	✓ ___ ___ ___	U.S. Mail Hand Delivered Federal Express Fax Transmission

Tana Cory

Tana Cory, Bureau Chief

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