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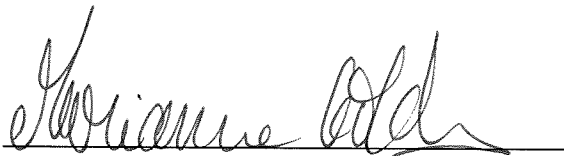
*Re: In the Matter of Rosalio Navarro Vega
Labor and Industry Application # REG1601-00014/MG*

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Marianne Golden, being first duly sworn, deposes and says:

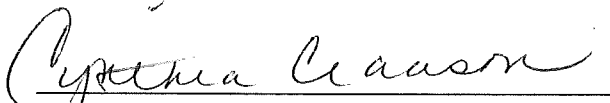
That at the City of St. Paul, County of Ramsey, State of Minnesota, on the 12th day of February, 2016, she caused to be served the attached Licensing Order, by depositing in the first class mail at the City of St. Paul, State of Minnesota, a true and correct copy thereof, properly enveloped with postage prepaid, addressed to the individuals named below at the most recent address on file with the Department of Labor and Industry:

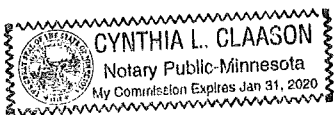
Rosalio Navarro Vega
1501 E Burnsville Pkwy, APT # 316
Burnsville, MN 55337


Marianne Golden

Subscribed and sworn to before me

This 12th day of February, 2016.


NOTARY PUBLIC



443 Lafayette Road N.
St. Paul, Minnesota 55155
www.dli.mn.gov



MINNESOTA DEPARTMENT OF
LABOR & INDUSTRY

(651) 284-5005
1-800-DIAL-DLI
TTY: (651) 297-4198

February 12, 2016

Rosalio Navarro Vega
1501 E Burnsville Pkwy, APT # 316
Burnsville, MN 55337

Re: Our File Number: REG1601-00014/MG

Dear Mr. Navarro:

As you know, the Minnesota Department of Labor and Industry, Construction Codes and Licensing Division, has received evidence that your company has engaged in violations of Minn. Stat. § 181.723(2014); 326B.701 and 326B.081 to 326B.085(2014). The Department has concluded its investigation into this matter. This letter is to inform you of the results of that investigation.

The Department has prepared a Licensing Order by which your company's registration is suspended and a civil penalty of \$1,000 is assessed. Enclosed you will find a copy of the Licensing Order containing the basis for the Department's action.

You have the right to contest this Licensing Order by requesting a hearing within 30 days. In the event a hearing is requested, it would be held before an Administrative Law Judge ("ALJ") who, after hearing the evidence, would make a determination of whether or not violations have occurred. The ALJ would then issue a recommendation to the Commissioner. If the ALJ finds that the violations occurred and the penalty is reasonable, the Order will become final and the civil penalty will become due and owing. You would have the right to be represented by legal counsel throughout these proceedings, but you are not required to have legal counsel.

If you have any questions or concerns regarding this letter, or the enclosed Order, do not hesitate to contact the undersigned investigator directly.

Sincerely,

A handwritten signature in black ink that reads "Marianne Golden". The signature is fluid and cursive, with a long horizontal stroke at the end.

Marianne Golden
Senior Investigator
Tel: 651-284-5105
Fax: 651-284-5749

E-mail: marianne.golden@state.mn.us

Enclosure: Licensing Order

STATE OF MINNESOTA
Department of Labor and Industry

In the Matter of the Contractor Registration of
Rosalio Navarro Vega

**LICENSING ORDER
WITH PENALTY**

I. ORDER

The Commissioner of the Minnesota Department of Labor and Industry (“Commissioner”) issues this Order against Rosalio Navarro Vega (“Respondent”).

Pursuant to Minn. Stat. §§ 326B.701, subd. 6; 326B.082, subd. 12 (b); and 326B.083 (2014), the Commissioner hereby assesses against Respondent a monetary penalty of \$1,000.

Pursuant to Minn. Stat. § 326B.082, subds. 11(b) and 12 (2014) and Minn. Stat. § 326B.083 (2014), the Commissioner hereby suspends the Contractor Registrations of Respondent, Nos. IR665595, until such time that Respondent provides a complete answer to the Commissioner’s April 14, 2015 subpoena and pays the monetary penalty imposed herein.

Pursuant to Minn. Stat. § 326B.082, subd. 12 (b) (2014), the Commissioner also hereby orders Respondent and its principal, during the period of contractor registration suspension, to cease and desist from performing public or private sector commercial or residential building construction or improvement services for which registration in the Minnesota Construction Contractor Registration Program (“Registration Program”) is required.

The Commissioner takes the above action based upon the following Findings of Fact and Conclusions of Law:

II. FINDINGS OF FACT

1. Respondent is engaged in the business of performing public or private sector commercial or residential building construction or improvement services for which registration in the Registration Program is required.
2. Respondent is registered with the Registration Program, registration No. IR665595. In his registration, Respondent identified his business address as: 1501 E. Burnsville Pkwy., Apt. # 316, Burnsville, MN 55337.
3. Respondent is the sole principal and chief manager of Precision Drywall Minnesota LLC, aka Percision Drywall Minnesota LLC (“Precision”), a contractor registered with the Minnesota Department of Labor and Industry (“Department”) through the Registration Program, registration Nos. IR665886 and IR665888. The business address Precision provided when it registered is: 1501 E Burnsville Pkwy, Apt. # 316 Burnsville, MN 55337.
4. Respondent, as a registered contractor, must adhere to the Minnesota statutes and regulations governing contractor registration, Minn. Stat. §§ 181.723(2014); 326B.701; and 326B.081 to 326B.085 (2014), and Minn. R. Chapter 5224 (2015).
5. On April 14, 2015, a representative of the Commissioner sent Precision Drywall Minnesota LLC, aka Percision Drywall Minnesota LLC (“Precision Drywall”), a

subpoena duces tecum requiring the production of records and other information relating to Precision's contractors, subcontractors and employees. The subpoena required a response within 20 days and was mailed via first-class and certified mail.

6. On April 20, 2015 the letter sent via certified mail was returned as it was "not deliverable as addressed" and the USPS was "unable to forward." The letter sent via first-class mail was not returned.
7. On May 29, 2015, the Commissioner sent Precision Drywall a letter requesting an answer to the subpoena duces tecum.
8. Precision Drywall failed to provide an answer to the subpoena.
9. On September 29, 2015, the Commissioner issued a Licensing Order suspending the registrations of Precision Drywall until it complied with the Subpoena.
10. On September 29, 2015, the Commissioner also issued an Administrative Order to Respondent Rosalio Navarro Vega, ordering him to cease and desist from performing construction work until he complies with the subpoena issued to his company.
11. On November 3, 2015 the Orders became final.
12. Respondent failed to respond to the subpoena.

III. CONCLUSIONS OF LAW

1. Respondent committed a violation of applicable law. Minn. Minn. Stat. §§ 181.723, 326B.701, and 326B.082, subd. 11(b)(1) (2014).
2. Respondent failed to respond to the Commissioner's April 14, 2015 subpoena. Minn. Stat. § 326B.082, subd. 11 (b)(6) (2014).

IV. DETERMINATION OF PENALTY AMOUNT

In determining the amount of the penalty, the Commissioner considered: the extent of deviation from compliance; whether the violation was willful; the gravity of the violation; the number of violations; whether there is a history of past violations; whether Respondent gained economic benefit in not complying with the law; and other factors as justice may require.

V. REQUEST FOR HEARING

Pursuant to Minn. Stat. § 326B.082, subd. 12(c) (2014), Respondent shall have 30 days after issuance of this Licensing Order to request a hearing. A request for hearing must be in writing and must be served on or faxed to the Commissioner at the following address or fax number by the deadline.

Minnesota Department of Labor and Industry
CCLD - Enforcement Services Unit
Attention: Charlie Durenberger
443 Lafayette Road North
St. Paul, MN 55155

Fax number: (651) 284-5746

The date on which a request for hearing is served by mail shall be the postmark date on the envelope in which the request for hearing is mailed. If the request for hearing is served by fax it cannot exceed 15 pages in length and must be received no later than 4:30 p.m. central time on the last day permitted for serving a request. Respondent's review rights are more thoroughly described in Minn. Stat. § 326B.082, subds. 4 and 12(c) (2014).

If Respondent submits to the Commissioner a timely request for hearing, this Licensing Order shall be stayed unless otherwise ordered by a judge, and a contested case hearing will be conducted. The contested case procedures are set out in chapter 14 of the Minnesota Statutes, and the Rules of the Office of Administrative Hearings, Minn. Rules 1400.5010 to 1400.8400 (2015), and Minn. Stat. § 326B.082, subd. 12(c) (2014). These materials may be purchased from the Minnesota Book Store, telephone (651) 297-3000, and are also available at www.revisor.mn.gov.

VI. EFFECT OF FINAL ORDER


If Respondent does not request a hearing or Respondent's request for a hearing is not served on or faxed to the Commissioner by 30 days after issuance of this Licensing Order, this Licensing Order shall become a final order of the Commissioner and will not be subject to review by any court or agency. *See* Minn. Stat. § 326B.082, subd. 12(c) (2014).

Respondent is prohibited from applying for reinstatement of its contractor registration until such time full compliance with the terms of this Licensing Order has been achieved.

The monetary penalty assessed against the Respondent by this Licensing Order is due and payable on the date the Licensing Order becomes final. *See* Minn. Stat. § 326B.083, subd. 3(a) (2014). When this Licensing Order becomes final, the Commissioner may file and enforce any unpaid portion of the penalty as a judgment in district court without further notice or additional proceedings. *See* Minn. Stat. §§ 16D.17 (2014) and 326B.083, subd. 2 (2014). Failure to pay a monetary penalty owed may result in the revocation, suspension, or denial of any or all licenses, permits, certificates, and registrations issued by the Commissioner. *See* Minn. Stat. § 326B.082, subd. 17 (2014). Also, pursuant to Minn. Stat. § 16D.13 (2014), Respondent is hereby notified that thirty (30) days after the date this Licensing Order becomes final, simple interest computed in accordance with Minn. Stat. § 16D.13, subd. 2 (2014) will begin to accrue on the unpaid portion of the penalty.

Dated: 2/12/16

KEN B. PETERSON
Commissioner

BY: 
CHARLIE DURENBERGER
Director of Licensing and Enforcement
Construction Codes and Licensing Division
Department of Labor and Industry