

**m** DEPARTMENT OF  
LABOR AND INDUSTRY

December 5, 2017

Matthew James Parrish  
Trueline  
2289 Apache Street  
Mendota Heights, MN 55120

RE: Licensing Order; REG1709-00041/JOR

Dear Mr. Parrish,

I am writing to inform you of the conclusion of the investigation in the above-referenced matter. Please review the enclosed Licensing Order With Penalty.

The Commissioner has assessed a \$10,000 penalty against Trueline ("Respondent") for failing to respond to the Commissioner's October 2, 2017 subpoena.

Respondent is prohibited from registering as a contractor or performing building construction or improvement services until Respondent complies with the Licensing Order.

If you have any questions about the order, please contact me.

Sincerely,



Jonathan Reiner  
Senior Investigator  
Construction Codes & Licensing – Enforcement  
443 Lafayette Road N  
St. Paul, MN 55155  
P: (651) 284-5396  
F: (651) 284-5746  
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STATE OF MINNESOTA  
Department of Labor and Industry

In the Matter of the Contractor  
Registration of Trueline

**LICENSING ORDER  
WITH PENALTY**

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**I. ORDER**

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

Pursuant to Minn. Stat. §§ 326B.701, subd. 6; 326B.082, subd. 12(b); and 326B.083 (2016), the Commissioner hereby assesses against Respondent a monetary penalty of \$5,000.

Pursuant to Minn. Stat. § 326B.082, subds. 11(b) and 12 (2016) and Minn. Stat. § 326B.083 (2016), the Commissioner hereby suspends the Contractor Registration of Respondent, No. IR682768, until such time that Respondent provides a complete answer to the Commissioner’s October 2, 2017 subpoena and pays the monetary penalty imposed herein.

Pursuant to Minn. Stat. § 326B.082, subd. 12(b) (2016), the Commissioner also hereby orders Respondent and its principal, Matthew James Parrish, 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.

Pursuant to Minn. Stat. § 326B.082, subd. 11(a)(b)(5) (2016), the Commissioner also hereby orders Respondent and its principal, Matthew James Parrish, to cease and desist from registering in the Registration Program under any other business or personal name until full compliance with this Licensing Order is achieved.

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

**II. FINDINGS OF FACT**

1. Respondent held a Contractor Registration issued by the Commissioner, Registration No. IR682768, which was active from June 24, 2014 until its expiration on December 31, 2015. Matthew James Parrish is a principal of Respondent. Respondent, as a registered contractor, must adhere to the Minnesota statutes and rules governing worker classification and contractor registration, Minn. Stat. §§ 181.723, 326B.701 (2016).
2. Respondent’s business address is 2289 Apache Street, Mendota Heights, MN 55120. This is the registered office address according to Respondent’s inactive limited liability company filing with the Minnesota Secretary of State, and it is also the main address

according to Respondent's Contractor Registration with the Minnesota Department of Labor and Industry ("Department").

3. On October 2, 2017, the Department opened an investigation of Respondent based on information that indicated that Respondent may have engaged in violations of the statutes and rules governing worker classification in the construction industry.
4. As part of its investigation, the Department sent an Administrative Subpoena Duces Tecum via certified and first-class U.S. mail to Respondent's business address at 2289 Apache Street, Mendota Heights, MN 55120. The subpoena requested information regarding Respondent's contracting business practices. The date of the subpoena was October 2, 2017 and it required a response by October 23, 2017. The copy of the subpoena sent via first-class mail was never returned to the Department. On October 6, 2017, a Mr. Beau Parrish signed a certified mail receipt, acknowledging receipt of the subpoena sent via certified mail to Respondent's business address.
5. As of the date of this Order, Respondent has not responded to the subpoena in any manner.

### **III. CONCLUSIONS OF LAW**

1. Respondent committed a violation of applicable law. Minn. Stat. § 326B.082, subd. 11(b)(1) (2016).
2. Respondent failed to respond to the Department's October 2, 2017 Administrative Subpoena Duces Tecum within the time or in the manner specified by the Commissioner. Minn. Stat. § 326B.082, subs. 2(b) and 11(b)(6) (2016).

### **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) (2016), 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) (2016).

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) (2016). These materials may be purchased from the Minnesota Book Store, telephone (651) 297-3000, and are also available at [www.revisor.mn.gov](http://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) (2016).


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) (2016). 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 (2016) and 326B.083, subd. 2 (2016). 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 (2016).

Also, pursuant to Minn. Stat. § 16D.13 (2016), 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 (2016) will begin to accrue on the unpaid portion of the penalty.

Dated: 12/5/17

KEN B. PETERSON  
Commissioner

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

