

BEFORE THE MARYLAND HOME IMPROVEMENT COMMISSION

**IN THE MATTER OF
THE CLAIM OF EVELYN HEMPEY**

Claimant

**AGAINST THE MARYLAND
HOME IMPROVEMENT
GUARANTY FUND AND**

**ALEXANDER BARABASH,
INDIVIDUALLY
AND DOING BUSINESS AS,
WELSH CONSTRUCTION
REMODELING, LLC
3901 F MONUMENT STREET
BALTIMORE, MD 21205**

LICENSES # 01-96580 and 05-49

Respondent

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MHIC Claim No.: 13 (05) 1206

PROPOSED ORDER

Upon a review of the available evidence, the Commission concludes that the Claimant has established a valid claim against the Maryland Home Improvement Guaranty Fund. The evidence established that the Claimant entered into a home improvement contract with the above-named contractor in the amount of \$1,006.00 and that the Respondent accepted a deposit in the amount of \$335.00. The Respondent failed to provide services or materials under the contract, and is in violation of Business Regulation Article 8, Section 311(a)(10),

Annotated Code of Maryland (*hereinafter*, "BR"). It has further been established that, as a result of the acts and omissions of the Respondent, the Claimant has sustained an actual loss in the amount of \$335.00. Accordingly, the Commission hereby awards the Claimant \$335.00 from the Maryland Home Improvement Guaranty Fund, and Orders that:

1. Pursuant to BR 8- 411(a) any home improvement licenses held by the Respondent are suspended and the Respondent is ineligible for any home improvement license until the Respondent has repaid any money paid from the Home Improvement Guaranty Fund pursuant to this Order with 10% annual interest.
2. The records and publications of the Maryland Home Improvement Commission reflect this decision.
3. If either party disagrees with this Proposed Order they may request a hearing or file written exceptions with the Commission. Any request for a hearing or exceptions must be in writing addressed to the Executive Director, Maryland Home Improvement Commission, 500 N. Calvert Street, Room 306, Baltimore, Maryland 21202 and must be received within twenty-one (21) days of receipt of this Proposed Order. If neither party files a timely request for hearing or written exceptions, this Proposed Order will become a Final Order at the end of the twenty-one (21) day period.

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BY ORDER OF:

Joseph Tunney

**Joseph Tunney
Panel A Chair**

DATE: August 15, 2013