BEFORE THE MARYLAND HOME IMPROVEMENT COMMISSION

IN THE MATTER OF **THE CLAIM OF YVONNE R SMITH**	*	
Claimant	*	
AGAINST THE MARYLAND **HOME IMPROVEMENT COMMISSION** **GUARANTY FUND FOR THE ACTS OR** **OMISSIONS OF**	* *	**M.H.I.C. No. 23 (75) 371**
KIMBERLY ROSE KAGEN **PHOENIX REMODELING GROUP LLC** **4709 HARFORD ROAD** **BALTIMORE, MD 21214**	*	
LICENSE No(s). #01-116244	*	
Respondent		

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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 Commission Guaranty Fund. It has been established that the Claimant entered into a home improvement contract with the above-named Respondent and that the Respondent performed the work in an unworkmanlike, incomplete, or inadequate manner. It has further been established that, as a result of the conduct of the Respondent, the Claimant has sustained an actual loss in the amount of **$5,320.08**.

Accordingly, the Commission hereby awards the Claimant **$5,320.08** from the Maryland Home Improvement Guaranty Fund, and Orders that:

1. Pursuant to Md. Code Ann., Business Regulation Art., § 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 shall reflect this decision.

3. This decision is a proposed decision only and may be challenged by either the Claimant or the Respondent. 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 Home Improvement Commission Executive Director David Finneran at 1100 N. Eutaw Street, Room 300, Baltimore, Maryland, 21201 and must be received within 21 days of the postmark date of this Proposed Order. If neither party files a timely request for hearing or written exceptions, this Proposed Order will become final at the end of the 21-day period.

APPROVED: *David Finneran*
David Finneran
Executive Director

DATE: August 29, 2023