



---

**STATE BOARD OF HEATING, VENTILATION, AIR-CONDITIONING, AND  
REFRIGERATION CONTRACTORS  
BUSINESS MEETING MINUTES**

**Date:** February 12, 2025

**Time:** 10:30 a.m.

**Place:** The Board of HVACR Contractors meeting was held via teleconference (US +1 208-907-5480 PIN: 871 402 772#).

**Members Present:** **Michael Giangrandi, Chairman**, Master HVACR Contractor  
**Michael Weglarz**, Master Electrician  
**Amadou Magazi**, Master HVACR Contractor  
**Winfield “Rocky” Jones**, Master Plumber Member  
**David Politzer**, Consumer Member  
**Dwight Needham**, Master HVACR Contractor  
**Lawrence Kitching, Vice Chair**, Master HVACR Contractor  
**Ahmed Kabir**, Consumer Member

**Staff Present:** **John Dove**, Commissioner, Occupational and Professional Licensing,  
Maryland Department of Labor

**Chuck Marquette**, Executive Director, Mechanical Licensing Unit  
**Sloane Fried Kinstler**, Assistant Attorney General  
**LaKissha Thornton**, Administrative Officer, Mechanical Licensing Unit  
**William Gross**, Administrative Officer, Mechanical Licensing Unit

**Guests Present:** **Stephanie Anderson**, Executive Director, Heating & Air Conditioning  
Contractors of Maryland (“HACC”)  
**Sean Mallonee**, Owner, SM Mechanical, HACC Board President  
**Doug Presley**, AnnDyl Policy Group, Director, Government and Regulatory  
Affairs

**Call to Order**

Chairman Giangrandi called the Business Meeting of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration (“HVACR”) Contractors (“Board”) to order at 10:35 a.m. after a quorum was established.

Mr. Jones moved to adopt the February 2025 meeting agenda. Mr. Weglarz seconded the motion; by a roll call vote, the Board unanimously approved the meeting agenda.

**Approval of Minutes**

A motion was made by Mr. Jones to approve the business meeting minutes of the January 8, 2025, HVACR Board meeting without amendment or correction. The motion was seconded by Mr. Kitching and, by a roll call vote, unanimously approved by the Board.

**Complaint Committee Report**

Mr. Gross reported the findings of the Complaint Committee as follows:

<b><u>Closed Complaint</u></b>	<b><u>Under Investigation</u></b>	<b><u>Sent for A.G. Pre-Charge</u></b>	<b><u>Criminally Charged</u></b>
	24-0061		
	24-0062		
		23-0004	
		24-0034	
	24-0057		

A motion to approve the findings of the Complaint Committee was made by Mr. Weglarz, seconded by Mr. Jones, and, by a roll call vote, unanimously approved by the Board.

**Application Review Committee**

Mr. Magazi reported that there were no applications submitted; no Application Review Committee report was necessary.

**Review of Examination Statistics and License Totals**

William Gross reported the following PSI exam statistical summaries for the month January 2025:

	<b>Candidates Tested</b>	<b>Passed</b>	<b>Failed</b>	<b>Pass Rate %</b>
January 2025				
<b>Total</b>	51	14	37	27%

Cumulative- YTD				
<b>Total</b>	51	14	37	27%

Testing to date				
<b>Total</b>	13037	5613	7424	43%

There are currently 21,715 active licenses.

**Correspondence**

Mr. Weglarz addressed the Board about an email he submitted concerning procedural protocols for conducting the business of the Board during a public meeting. Mr. Weglarz stated that the Board is to conduct meetings under Roberts Rules of Order, also referred to as Parliamentary Procedure. He expressed concern that, during the January Board Meeting, while discussing Senate Bill 218, the

Board had not followed protocol. He stated that the Chairman of the Board was present and had declined to support the presented legislation, Senate Bill 218 at that time. He reminded the Board that Vice Chairman Kitching was asked if he would sign a letter of support for the bill and he agreed. Mr. Weglarz stated that when the Chairman declined to sign a letter of support, then there should not have been a motion or vote to have the Vice Chair sign the letter. He opined that the Board should not go to a second source to sign a letter of support for the bill because the Chairman said no.

Mr. Kitching stated that his recollection was that, during the January Board Meeting, when the bill was presented, the Chairman had personal issues with the legislation leading him to decline signing a letter of support for the bill. The Board then voted to have Mr. Kitching, as Vice Chair, sign the letter.

Chairman Giangrandi stated that his position was because the Board was presented with a description of the legislation by the Department of Labor, but the members had not had an opportunity to review the bill and fully evaluate its impact at that time.

Counsel stated that Mr. Weglarz correctly framed the initial vote during the prior meeting. However, Counsel also reminded the Board that Chairman Giangrandi was present and allowed the motion to have Mr. Kitching sign the letter proceed to a vote. She added that as the Chair allowed the vote to proceed, she had concluded that there was not a departure from established protocol. Counsel further reminded the Board that subsequently, (1) the Board voted to table the matter until the February meeting after the Board members had an opportunity to review the proposed bill; and (2) the bill had been withdrawn by the sponsor and was no longer pending in this legislative session.

Mr. Jones stated that, going forward, the Board should be provided all relevant information regarding a bill that the Board is asked by the Department to consider or support. Counsel suggested that if Board staff and O&P intend to request that the Board to take a position on a piece of proposed legislation, that they ensure the Board members have an opportunity to review the bill prior to the meeting.

## **Old Business**

### Status of Senate Bill 218.

Senate Bill 218 has been withdrawn by its sponsor.

### Status of Reciprocity Agreement between Maryland and the District of Columbia.

Mr. Kitching asked about the status of reciprocal licensing agreements between Maryland and the District of Columbia and other jurisdictions. Executive Director Marquette stated that the issue is still open, and he is getting caught up with where things left off in those discussions and what the next steps are. He added that it looks like the Board is still awaiting the District of Columbia's execution of the drafted agreement. Counsel suggested that the agreement with the District of Columbia had not been executed because they were awaiting the designation of a new Executive Director before they took a vote on it. Executive Director Marquette stated that over the next few days he will get caught up with where things are regarding the reciprocal agreements with the District of Columbia and any other states. Mr. Jones requested that the Executive Director email him when he does get caught up on where we left off regarding the agreement because he has been asked about reciprocity recently. Counsel suggested that if Executive Director Marquette is not able to ascertain, from the minutes of retained documents, the status of the updated reciprocal licensing agreements, he could contact his

counterparts in the District of Columbia as well as Virginia and Delaware to see if they have a copy of the recently executed agreement that they can provide.

## **New Business**

### **Discuss Legislation Proposed by the Heating & Air Conditioning Contractors of Maryland**

Chairman Giangrandi introduced Stephanie Anderson, Executive Director, Heating & Air Conditioning Contractors of Maryland (“HACC”) to discuss proposed legislation regarding HVACR license compliance. Ms. Anderson was accompanied by HACC Board President, Sean Mallonee, and legislative representative, Doug Presley. Each discussed their belief that legislation was necessary to regulate suppliers of HVACR equipment and apparatus set forth in House Bill 1162 (“HB1162”).

Mr. Presley stated that the legislation would support the enforcement of existing laws by addressing distributor equipment sales to unlicensed individuals. The legislation would add new provisions to existing law, set forth under Md. Ann. Code, Bus. Reg. § 9A-501.1. He explained that the bill would prohibit a distributor and seller of HVACR equipment from knowingly selling HVACR equipment to purchasers who do not hold a valid HVACR license and are not otherwise exempt. To support the enforcement, the bill requires sellers to collect the name and license number of anyone purchasing such equipment and to provide a notice to that individual of the HVACR license requirements to install such equipment. He also described the bill requirement that a seller with revenue over 100k per year report their customer list with license numbers to the Board. The goal is to ensure safe and high-quality installations that follow existing laws pertaining to the provision of HVACR services. He stated that unlicensed contractors are installing equipment because they can purchase it.

Counsel suggested that it is her understanding of industry practice that an HVACR business might employ a laborer or technician who are not licensed, or a licensed HVACR apprentice who are not authorized to install equipment or provide HVACR services, who the employer assigns to visit a supply house to obtain particular HVACR equipment, and whether the requirement that a more experienced licensee must do so could increase costs to the business. Ms. Anderson stated they would fall under the company’s master license as they are now able to buy on that company’s account on behalf of that company.

Counsel observed that the bill language could prohibit the sale of such materials to an unlicensed individual, including a licensed plumber, professional engineer, property manager, who employee working in a government owned building, a consumer acting as their own general contractor, or a homeowner who wishes to provide HVACR service on his own residence are all excluded from the licensee requirement, pursuant to Md. Ann. Code, Bus. Reg. § 9A-103. Counsel also deferred to Executive Director Marquette as to whether she believed the bill could create an administrative issue because it would require the Board to collect and maintain the annual reports from suppliers of HVACR equipment, for which additional staff could be required.

Mr. Magazi asked how this bill relates to online purchases, which Mr. Mallonee discussed. He stated that it is simply too easy for anyone to buy equipment, and it hurts the integrity of the industry. He suggested that if the equipment is easily available, people will continue to buy it and break the law.

Mr. Weglarz offered his opinion that this legislation is an exercise in overregulating small business and expressed reservations about the imposition and creation of significant documentation, reporting,

and administrative burdens on small businesses, and he stated that the law already prohibits anyone who is unlicensed or under licensed from providing HVACR services. *See* Bus. Reg. § 9A-310. Mr. Weglarz stated that he is not aware of any similar laws across the country.

Mr. Mallonee stated that the HVACR industry supports the bill. As an example of similar regulation and enforcement provisions, he cited the federal requirement governing required certifications to utilize a refrigerant. Ms. Anderson added that because of the CFC requirements, there is a system in place already for the distributors of such equipment, so it would not create an additional burden on them. It would just add one additional step of verification and minimal reporting requirements.

Chairman Giangrandi stated that he didn't see anything in the bill that required a penalty imposed on the person not conforming with the law and expressed concern for establishing a requirement for which there was no penalty for noncompliance.

Chairman Giangrandi stated that understands the rationale for the proposed legislation but expressed reservations about what, if any, effect the bill would have.

Counsel reminded the Board that the current Maryland law does not prohibit an unlicensed individual from purchasing or possessing HVACR equipment except, perhaps, freon, and that the existing law authorizes the Board to pursue regulation action against an unlicensed or under licensed individual from providing HVACR services without the appropriate licensee. *See*, Bus. Reg. § 9A-103.

Mr. Politzer added that anyone could lie and say that they are buying equipment to install in their own home. He suggested that the proposed bill is superfluous when a person could lie to a distributor and represent that this equipment purchase is for their own property.

Chairman Giangrandi stated that if the bill is passed, people will buy equipment from online vendors and asked whether the bill prevents this. Mr. Presley suggested language that would similarly apply to internet sales.

Mr. Jones questioned loopholes in the bill and suggested there should be some kind of penalty enforcement to give it more teeth. Mr. Weglarz added that the problem to be addressed is the enforcement aspect of Bus. Reg. § 9A-301 and that the problem is not with the retailers and wholesalers.

Mr. Weglarz moves that the Board oppose House Bill 1162 as it is currently written. The motion doesn't receive a second and the fails.

Chairman Giangrandi expressed concern that the legislature will examine the documentation burden, how the bill is enforced, and its impact on internet sales and ask the purpose of the bill.

Mr. Jones asks if there is a deadline to offer an amendment to the bill. Mr. Presley stated that amendments introduced at the hearing have the greatest chance of being adopted. The hearing on the House on the bill is scheduled for February 26, 2025.

Chairman Giangrandi asked counsel whether the Board could review the bill language and communicate via email to discuss certain matters like this without having to await the next scheduled business meeting. Counsel advised that Board members can communicate with one another outside of a board meeting, but a quorum of board members should not communicate if they are discussing

board business outside of a public meeting, as doing so could constitute an “electronic quorum” a potential violation of the Open Meetings Act. She advised that Board members refrain from “reply all” and, instead, reply either *individually* to the sender, or reply directly to Executive Director Marquette to share with the remainder of the Board members.

Chairman Giangrandi suggested that the Board consider the bill and communicate under the approach suggested by Counsel to determine whether it could support the proposed bill.

Counsel requests that Executive Director Marquette, Administrative Officer Will Gross, and she be copied on any such correspondence so Board staff can keep track of the discussions and status of any proposed amendments to the bill.

**Executive Director’s Report**

Executive Director Chuck Marquette reported on House Bill 92, to extend from 90 days to 4 years the period which a contractor may apply for license restoration after expiration and that there are no updates except that Commissioner Dove presented it in hearings, and it appears that it went well. He added that he will update the Board on the status of the bill.

**Counsel’s Report**

Counsel did not offer a report.

**Chairman’s Report**

There was no report offered by the Chairman.

**Adjournment**

With no further business, upon Mr. Jones’ motion and Mr. Weglarz second, the Board voted to adjourn the February 12, 2025, meeting of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors at 11:49 p.m.

\_\_\_\_\_  
**Chuck Marquette**  
**Executive Director**

\_\_\_\_\_  
**Date**

**Signed on behalf of the Board as voted on and approved on \_\_\_\_\_**