

BEFORE THE HVACR LICENSING BOARD
DIVISION OF LABOR
DEPARTMENT OF LABOR AND LICENSING
STATE OF ARKANSAS

IN RE: **AARON COFFER**
 612 W 33rd St
 North Little Rock, AR 72118

ORDER

On this 12th day of October 2022, this matter came before the HVACR Licensing Board (the "Board"). Miles Morgan, Associate Counsel, Department of Labor and Licensing, represented the agency. Aaron Coffe ("Coffe") was properly notified and did not appear before the Board in person or via zoom for the hearing. Based on the testimony and other evidence, the Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT:

1. On September 9, 2022, the Board issued a civil money penalty to Aaron Coffe in the total amount of **\$5,500.00**. This sum includes a civil penalty of \$250.00 under Arkansas Code § 17-33-105 for each of the twenty (20) violations of the State heating, ventilation, air conditioning, and refrigeration ("HVACR") code and \$500.00 for one (1) violation of Arkansas Code § 17-33-301 by performing HVACR work without a license.

2. On September 14, 2022, Coffey received timely notice that his hearing before the Board would be held on Wednesday October 12, 2022, at 10:00 a.m.
3. Inspector Doug Pearson determined twenty-one (21) violations of the State HVACR Code, statutes, and rules as adopted by the Board.
4. Included in Pearson's inspection report are photos depicting said violations on June 9, 2022, and Facebook posts indicating that Aaron Coffey performs HVACR work.
5. Coffey did not appear in-person or via zoom for the hearing.

CONCLUSIONS OF LAW:

1. Ark. Code Ann. § 17-33-301 (a) and (b) prohibit any person from performing heating, ventilation, air conditioning or refrigeration work in Arkansas without a license.
2. Ark. Code Ann. § 17-33-105 authorizes the Board to assess a civil money penalty subject to hearing by the Board for any violation of the State HVACR Code, statutes, or rules adopted by the Board.
3. Ark. Code Ann. § 17-33-307 authorizes the Board to suspend or revoke any license or registration if it finds that the holder of the license or registrant has demonstrated incompetency to act as a license holder or registrant or has violated the State HVACR Code, statutes, or rules promulgated by the Board.
4. The civil money penalty in this case equals or is less than the \$250.00 per violation for a first offense established by statute. Ark. Code Ann. § 17-33-105(a)(1)(A)(ii). The penalties are also within the guidelines established by the rules of the Board.
5. The Board agrees with the staff recommendation and assesses a civil money penalty against Mr. Coffey in the amount of \$5,500.00.

6. Inspector Pearson spoke with Coffey on two (2) separate occasions and explained the violations. Coffey had the opportunity to correct the violations but willfully ignored Inspector Pearson.

IT IS THEREFORE ORDERED that a civil money penalty is hereby assessed against Aaron Coffey in the amount of \$5,500.00.

HVACR LICENSING BOARD,
DEPARTMENT OF LABOR
AND LICENSING,
STATE OF ARKANSAS

By: 
Alan Dean, Chairman

Date: 10-17-2022

/s/ Miles Morgan
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