

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

**IN RE:**           JAMES JULY – WAIVER REQUEST

**ORDER**

This matter came before the HVACR Licensing Board (the “Board”) on Wednesday March 8, 2023. The petitioner, James July (“July”), seeks approval to obtain an HVACR registrant license which he is currently ineligible due to a prior felony conviction. The Board has authority to waive disqualification of a license based on a criminal conviction if the Board decides that the applicant meets requirements listed in the Ark. Code Annotated § 17-3-102(b)(2). July did appear before the Board in-person for the hearing.

**FINDING OF FACT:**

1. July is requesting approval from the Board to obtain an HVACR registrant license. Due to his prior felony conviction from May 2018, he is currently ineligible to obtain the license.
2. July did appear before the Board in-person.
3. Staff reviewed documents, including reference letters, and recommended approval to the Board.

**CONCLUSIONS OF LAW:**

1. The Board has authority to waive disqualification of a registrant license based on a criminal conviction pursuant to Ark. Code Ann. § 17-3-102(b)(1).
2. A basis upon which a waiver may be granted includes without limitation:
  - a. The age at which the offense was committed;
  - b. The circumstances surrounding the offense;

- c. The length of time since the offense was committed;
  - d. Subsequent work history since the offense was committed;
  - e. Employment references since the offense was committed;
  - f. Character references since the offense was committed;
  - g. Relevance of the offense to the occupational license; and
  - h. Other evidence demonstrating that licensure of the applicant does not pose a threat to the health and safety of the public. Ark. Code Ann. § 17-3-102(b)(2).
3. In the present case, the Board was informed of the nature of the criminal conviction and the facts surrounding the conviction.
  4. The Board voted to grant July's waiver request for an HVACR registrant license.

THEREFORE, the Board grants James July's waiver request for an HVACR registrant license.  
IT IS SO ORDERED.

HVAC/R BOARD

  
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Alan Dean, Chairman

3-9-2023  
Date

Approved by:

/s/ Miles Morgan

Miles Morgan, 2017-049  
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