

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

**IN RE:           MICHAEL PITTMAN – WAIVER REQUEST**

**ORDER**

This matter came before the HVACR Licensing Board (the “Board”) on Wednesday September 13, 2023. The petitioner, Michael Pittman (“Pittman”), 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). Pittman did not appear before the Board for the hearing.

**FINDING OF FACT:**

1. Pittman is requesting approval from the Board to obtain a registrant license. Due to his prior felony convictions from November 2019 and May 2023, he is currently ineligible to obtain the license.
2. Pittman did not appear before the Board for the hearing.
3. Staff reviewed documents provided by Pittman and deferred to the Board to make the decision to approve or deny.

**CONCLUSIONS OF LAW:**

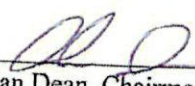
1. The Board has authority to waive disqualification of a registrant license based on a criminal conviction pursuant to Ark. Code Ann. § 17-3-102(b)(1).

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. Pittman did not appear before the Board to answer questions from Board members surrounding his criminal history and his employment status.

THEREFORE, the Board denies Michael Pittman's waiver request for an HVACR registrant license.

IT IS SO ORDERED.

HVAC/R BOARD

  
Alan Dean, Chairman

9-19-2023  
Date

Approved by:

/s/ Miles Morgan  
Miles Morgan