

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

IN RE: STEVEN DANIELS – WAIVER REQUEST

ORDER

This matter came before the HVACR Licensing Board (the “Board”) on Wednesday January 10, 2024. The petitioner, Steven Daniels (“Daniels”), 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). Daniels appeared before the Board for the hearing.

FINDING OF FACT:

1. Daniels is requesting approval from the Board to obtain a registrant license. Due to his prior felony conviction from January 2021, he is currently ineligible to obtain the license.
2. Daniels appeared before the Board via Zoom for the hearing and answered questions from the Board’s counsel.
3. Staff reviewed documents provided by Daniels and recommended that the Board should decide to grant or deny the registrant license.
4. Daniels testified that he received HVACR training while incarcerated with the Arkansas Department of Corrections and that he has an employment opportunity if he is granted the license.

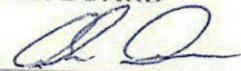
CONCLUSIONS OF LAW:

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 heard from Daniels's testimony concerning his employment opportunities and training while he was incarcerated.

THEREFORE, the Board grants Steven Daniels's waiver request for an HVACR registrant license.

IT IS SO ORDERED.

HVAC/R BOARD



Alan Dean, Chairman

1-17-2024

Date

Approved by:

/s/ Miles Morgan
Miles Morgan

Associate Counsel
Arkansas Department of Labor and Licensing
900 West Capitol Avenue, Suite 400
Little Rock, AR 72201