



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

Date: July 9, 2025

Time: 10:30 a.m.

Place: The Board of HVACR Contractors meeting was held via teleconference (US ☐ +1 208-907-5480 ☐ PIN:

Members Present: **Winfield “Rocky” Jones**, Chairman, Master HVACR Contractor
Michael Weglarz, Master Electrician
David Politzer, Consumer Member
Dwight Needham, Master HVACR Contractor
Ahmed Kabir, Consumer Member
Robert Parker, Master HVACR Contractor

Members Absent: **Michael Giangrandi**, Master HVACR Contractor

Staff Present: **Chuck Marquette**, Executive Director, Mechanical Licensing Unit
Sloane Fried Kinstler, Assistant Attorney General
William Gross, Administrative Officer, Mechanical Licensing Unit

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

Call to Order

Chairman Jones called the Business Meeting of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration (“HVACR”) Contractors (“Board”) to order at 10:33 a.m.

Mr. Parker moved to adopt the July 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. Weglarz to approve the business meeting minutes of June 11, 2025, HVACR Board meeting without amendment or correction. The motion was seconded by Mr. Needham 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:

<u>Closed Complaint</u>	<u>Under Investigation</u>	<u>Sent for A.G. Pre-Charge</u>	<u>Criminally Charged</u>
24-0027			
	24-0070		
		24-0058	
		24-0073	
		25-0006	
		25-0015	

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

Application Review Committee

Mr. Needham reported that he reviewed two (2) submissions from Journeyman licensees whose licenses had been expired for more than four (4) years and were seeking renewal without retaking the exam. After reviewing the written explanations provided, Mr. Needham approved both applications.

Mr. Parker moved to approve the findings of the Application Review Committee; the motion was seconded by Mr. Weglarz, and, by a roll call vote, unanimously approved by the Board.

Review of Examination Statistics and License Totals

Mr. Gross reported the following PSI exam statistical summaries for the month of June 2025:

	Candidates Tested	Passed	Failed	Pass Rate %
June 2025				
Total	87	33	54	38%

Cumulative- YTD

Total	479	184	295	38%
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Testing to date

Total	13,464	5,783	7,681	43%
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There are currently 22,386 active licenses.

Correspondence

Mr. Weglarz expressed concern that a member of the public intended to attend and record the June Board meeting, noting the risk that modern technology could be used to manipulate such recordings. He indicated that counsel had suggested that the State could maintain its own official recording to ensure an accurate and verifiable account of meetings.

Commissioner Dove added that the State is working toward recording board meetings in the future. However, considerations around storage capacity and other logistical factors still need to be addressed. He

added that once implemented, these official recordings would serve as the definitive record to protect against any misrepresentation of such proceedings.

Counsel clarified that while meetings are not currently being recorded, they are expected to be in the future. Once implemented, those recordings will be considered the official record of the agency, and any third-party recordings could be compared against them to ensure accuracy. Regarding Mr. Weglarz's concern about identity theft through voice replication, Counsel noted that she could not speak to the current capabilities of AI or the legal framework surrounding that issue.

Mr. Weglarz expressed his satisfaction with the agency's plan to record meetings and retain such recordings as a record of meetings and thanked staff for its prompt response.

Old Business

Proposed action on COMAR 09.15.02.04

Executive Director Marquette informed the Board that the regulation extending the license restoration period from 90 days to four (4) years has been approved by the Secretary's Office and can now proceed to legislative review before publication as a proposed action.

Counsel added that, if the Board votes to propose action on the regulation, she will submit the regulation immediately following the meeting. She reminded the Board that this regulation is intended to correct regulatory language following the bill to amend the statutory language, which was recently enacted into law after the 2025 legislative session, which extended the restoration period.

Mr. Weglarz moved to propose action to amend COMAR 09.15.02.04. The motion was seconded by Mr. Needham and unanimously approved by the Board.

Proposed Action on COMAR 09.15.02.11

Counsel explained that the proposed regulation is intended to implement Business Regulation Article, § 9A-501.1, Annotated Code of Maryland. Counsel advised the board to adopt a regulation in compliance with a requirement in the bill introduced by HACC during the 2025 legislative session, which was passed into law. The legislation requires the Board to adopt regulations to ensure compliance with the law, limiting sales of HVACR materials to authorized individuals.

Initially, the bill required suppliers to report all transactions annually to the Department of Labor; however, that provision was removed during the amendment process. As enacted, the law places no active reporting duties on the Board, aside from investigating and responding to any complaints filed under this section.

Counsel emphasized that, while the Board's responsibilities under the statute are limited, it is still obliged to adopt a regulation. To satisfy this requirement, Counsel drafted a regulation stating that the Board may pursue disciplinary action against individuals who is alleged to have violated § 9A-501.1. Any such proceedings would follow the procedures outlined in Business Regulation Article § 9A-311 and the Maryland Administrative Procedure Act, as required for all boards and commissions under the Occupational and Professional Licensing Division. Counsel recommended that the Board propose action on the draft regulation pending approval from the Secretary to demonstrate compliance with the new statutory mandate.

Mr. Weglarz moved to propose action on the regulation; Mr. Needham seconded the motion. By a vote of the Board, the motion to propose action on COMAR 09.15.02.11 passed unanimously.

Executive Director Marquette added that the only other regulatory matter pending is the code update to adopt the current building codes established by the Division of Labor and Industry. That proposal is currently under review by the Secretary's Office and will move forward once approved.

New Business

Vice Chairman Election

Executive Director Marquette explained that the Board should consider electing a new Vice Chair, as Mr. Kitching is no longer a member of the Board. Director Marquette suggested that the Board nominate Mr. Needham as Vice-Chairman. Counsel added that self-nominating is also permitted. Mr. Needham accepted and moved to nominate himself as Vice Chair of the Board. Mr. Parker seconded the motion; by a roll call vote, the Board unanimously approved Mr. Needham as the new Vice Chairman of the Board.

Discussion of Reinstatement Fees and Review Process for Expired Licenses

Mr. Needham proposed adding a \$200 reinstatement fee for license renewals submitted more than four years after license expiration. Mr. Weglarz asked if other boards charge similar fees. Executive Director Marquette explained that some boards charge a flat reinstatement fee, others add fees based on how long the license has been lapsed, and some use a tiered late fee system.

Mr. Weglarz suggested adopting the Electrical Board's reinstatement model. Counsel advised that reinstatement fees should only apply to applicants ultimately approved for renewal—not those required to retake the exam.

Mr. Weglarz stated that master tradesmen should not have to retest. Chairman Jones recommended that applicants with licenses expired over four years provide a written explanation. Executive Director Marquette cited existing COMAR provision, 09.15.02.04, which requires a written request, a written statement of the reason for the lapse, employment history, supporting documents, and, potentially, an in-person appearance before the Board. All back fees, including reinstatement and renewal, must be paid.

After discussion, Mr. Needham formally moved to impose the \$200 reinstatement fee in addition to renewal fees. The motion did not receive a second.

Chairman Jones proposed revisiting the matter at the next meeting. Executive Director Marquette asked whether to keep using the Application Committee to review expired licenses or shift that responsibility to the full Board and whether to expand the Committee. Counsel noted that the Committee may refer cases to the full Board if needed. The Board agreed to revisit these items next month.

Executive Director's Report

Executive Director Marquette reported that licensing notices from each mechanical board will begin going out this month to all licensees with emails on file. These notices will remind individuals of their legal obligations to maintain their licenses, with particular emphasis on apprentices. He noted that over the coming months and years, licensees can expect to receive more communications from the state regarding compliance requirements such as insurance and advertising regulations.

Executive Director Marquette also informed the Board that there are currently two open Board seats for industry members and encouraged members to consider nominations or suggest individuals who may be interested in serving on the HVACR Board. He will provide the Board with the specific qualifications required for these positions.

He concluded his remarks by expressing his gratitude to Mr. Giangrandi for his service as Chair of the Board. Chairman Jones suggested drafting a formal letter of appreciation for Mr. Giangrandi.

Mr. Weglarz moved to instruct staff to draft such a letter; Mr. Needham seconded the motion, and it passed unanimously.

Counsel's Report

Counsel did not offer a report.

Chairman's Report

There was no report offered by the Chairman.

Closed Session

Upon motion by Mr. Weglarz, and Mr. Needham's second, the Board unanimously voted to convene in a closed session at 11:21 a.m., pursuant to General Provisions Article, to § 3-305(b)(2), (7), and (8), Annotated Code of Maryland, to protect the reputation and privacy of, and consider a license application for, an applicant who disclosed a criminal conviction, and to seek the advice of Counsel.

Applicant .01

Counsel stated that the Board had previously reviewed this application but deferred its decision pending the submission of additional information. The applicant has since provided all requested documentation.

The applicant was convicted in 2019 of home invasion, a felony, for which they were sentenced to incarceration for twenty-five (25) years, with all but five (5) years and six (6) months suspended, followed by five (5) years of probation. Applicant also received a consecutive sentence of 15 years—with all but five (5) years without parole suspended—for using a handgun in the commission of a violent crime, along with an additional five (5) years of probation. Additionally, they were convicted of robbery with a dangerous weapon and sentenced to incarceration for five (5) years. These convictions are now six years old, and the Board has discretion to consider the application.

The applicant wrote a letter to the board explaining the changes they have made and the education they have gained in the HVACR field, including earning chiller and refrigerant credentials.

Mr. Weglarz moves that the license be granted. The motion was seconded by Mr. Parker and passes unanimously.

Applicant .02

An applicant reported a 2024 felony conviction for robbery, which is classified as a violent crime, though the offense did not involve any aggravating circumstances. The applicant was sentenced to incarceration for five (5) years, with all but one (1) year suspended, and is currently serving three (3) years of supervised probation.

In the applicant's letter to the Board, they stated that since their incarceration, they have focused on pursuing their education and developing trade skills to demonstrate their commitment to positive change. The applicant emphasized that obtaining an apprentice license is the first step in what they see as a journey of lifelong learning and professional growth.

Following a brief discussion, Mr. Weglarz moved that the Board request a letter from the applicant's current employer before making a final decision on their application. The motion was seconded by Mr. Parker and unanimously approved by the Board.

Applicant .03

The applicant reported a 2018 felony conviction for strangulation of a family or household member, a felony, as well as convictions for assault and battery of a family member, a misdemeanor, and malicious wounding, a felony. The applicant was sentenced to a total of twenty (20) years and twelve (12) months, with thirteen (13) years and twelve (12) months suspended. They ultimately served seven (7) years and were released early for good behavior.

In their letter to the Board, the applicant explained that the incident was domestic in nature and occurred during a period of personal turmoil marked by substance abuse and instability. They expressed full responsibility for their actions and their impact, stating that the events do not reflect who they are today.

Since then, the applicant reports that they have taken significant steps to change their life. They completed all court-ordered counseling and rehabilitation, have maintained sobriety, and are committed to personal accountability. They emphasized their interest in the HVACR field as a path to building a stable and productive future, contributing positively to the community, and upholding the responsibilities expected of a tradesperson.

Following a brief discussion, Mr. Weglarz moved that the Board request a letter from the applicant's current employer before rendering a decision. The motion was seconded by Mr. Parker and unanimously approved by the Board.

Mr. Weglarz moved to return to the business meeting, which was seconded by Mr. Parker. Upon a unanimous vote, the Board approved reconvening its business meeting at 11:42 a.m.

A motion to adopt the findings of the closed session of July 9, 2025, was made by Mr. Weglarz, seconded by Mr. Parker, and unanimously approved by the Board.

Adjournment

With no further business, upon Mr. Weglarz's motion and Mr. Parker's second, the Board voted to adjourn the July 9, 2025 meeting of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors at 11:43 a.m.

Chuck Marquette
Executive Director

Date

Signed on behalf of the Board as voted on and approved on _____