

1 KAMALA D. HARRIS  
Attorney General of California  
2 FRANK H. PACOE  
Supervising Deputy Attorney General  
3 MICHAEL B. FRANKLIN  
Deputy Attorney General  
4 State Bar No. 136524  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 703-5622  
6 Facsimile: (415) 703-5480  
*Attorneys for Complainant*

7  
8 **BEFORE THE**  
**REGISTRAR OF CONTRACTORS**  
**CONTRACTORS' STATE LICENSE BOARD**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10  
11 In the Matter of the Accusation Against:

Case No. N2015-224

12 **CROWLEY BUILDERS INC**  
**JIMMY LEE CROWLEY, RMO/CEO/PRES**  
13 **SHERRINE LOUISE CROWLEY, OFFICER**  
P.O. Box 1810  
14 Rocklin, CA 95677,

**A C C U S A T I O N**

15 **Contractor's License No. 400207, B,**

16 Respondent.

17  
18  
19 Complainant alleges:

20 **PARTIES**

21 1. Wood Robinson (Complainant) brings this Accusation solely in his official capacity  
22 as the Enforcement Supervisor I of the Contractors' State License Board, Department of  
23 Consumer Affairs.

24 2. On or about February 24, 1981, the Registrar of Contractors issued Contractor's  
25 License Number 400207, B to Crowley Builders, Inc., Jimmy Lee Crowley, RMO/CEO/Pres,  
26 Sherrine Louise Crowley, Officer (Respondent). The Contractor's License was in full force and  
27 effect at all times relevant to the charges brought herein and will expire on January 31, 2017,  
28 unless renewed.

1 **JURISDICTION**

2 3. This Accusation is brought before the Registrar of Contractors (Registrar) for the  
3 Contractors' State License Board, Department of Consumer Affairs, under the authority of the  
4 following laws. All section references are to the Business and Professions Code unless otherwise  
5 indicated.

6 **STATUTORY PROVISIONS**

7 4. Section 7090 of the Business and Professions Code ("Code") provides, in pertinent  
8 part, that the Registrar may suspend or revoke any license or registration if the licensee or  
9 registrant is guilty of or commits any one or more of the acts or omissions constituting cause for  
10 disciplinary action.

11 5. Section 7106.5 of the Code provides, in pertinent part, that the expiration,  
12 cancellation, forfeiture, or suspension of a license by operation of law or by order or decision of  
13 the registrar, or a court of law, or the voluntary surrender of the license shall not deprive the  
14 registrar of jurisdiction to proceed with any investigation of or action or disciplinary proceeding  
15 against the license, or to render a decision suspending or revoking the license.

16 6. Section 118(b) of the Code provides, in pertinent part, that the expiration of a license  
17 shall not deprive the Registrar of jurisdiction to proceed with a disciplinary action during the  
18 period within which the license may be renewed, restored, reissued or reinstated. Under Code  
19 section 7076.1, the Registrar may reinstate a cancelled license if the licensee pays all of the fees  
20 and meets all of the qualifications and requirements for obtaining an original license.

21 7. Section 7076.5 of the Code provides, in pertinent part, that the inactive status of a  
22 license shall not bar any disciplinary action for violating provisions of the Contractors' State  
23 License Law (Bus. & Prof. Code, § 7000, et seq.).

24 8. Section 7109 of the Code states:

25 "(a) A willful departure in any material respect from accepted trade standards for good and  
26 workmanlike construction constitutes a cause for disciplinary action, unless the departure was in  
27 accordance with plans and specifications prepared by or under the direct supervision of an  
28 architect.





- 1 j. Installed untreated wood elements touching or very near the ground or concrete.
- 2 k. Failed to properly integrate building paper with window flashing in multiple areas and  
3 failed to install a second layer of building paper.
- 4 l. Failed to install secondary flashing at building corners.
- 5 m. Improperly installed wood corner boards and casings over scratch or brown coats  
6 instead of on sheathing.
- 7 n. Failed to install metal head flashings.
- 8 o. Improperly installed wood trim that was not primed at cut surfaces.
- 9 p. Improperly imbedded shims between the stucco scratch and brown coats in locations  
10 where window trim was installed over the brown coat.

11 **SECOND CAUSE FOR DISCIPLINE**

12 **(Deviation from Plans and Specifications)**

13 15. Respondent's license is subject to discipline under Code section 7109, subdivision  
14 (b), in that on the Iris Street project, Respondent willfully departed from or disregarded plans or  
15 specifications in the following respects:

- 16 a. Installed only eight (8) of twenty (20) hold down brackets called for in the plans.
- 17 b. Installed less than twenty percent (20%) of the shear walls on the first floor as called  
18 for in the plans.

19 **THIRD CAUSE FOR DISCIPLINE**

20 **(Failure to Complete the Project for the Contract Price)**

21 16. Respondent's license is subject to discipline under Code section 7113, in that on the  
22 Iris Street project, Respondent failed in a material respect to complete the project for the contract  
23 price and the homeowner was required to spend a substantial sum in excess of the contract price  
24 to complete the project in accordance with the contract.

25 ///

26 ///

27 ///

28 ///

1 **FOURTH CAUSE FOR DISCIPLINE**

2 **(Failure to Comply with the Provisions of the Contractors' State License Law)**

3 17. Respondent's license is subject to discipline under Code section 7159.5 in that on the  
4 Iris Street project, Respondent did not comply with the following provisions of Code section  
5 7159.5:

6 a. Subdivision (a)(1). Respondent failed to provide a total contract amount in the  
7 contract. The contract did not provide a fixed contract amount, but was to be billed on an open-  
8 ended time and materials basis.

9 **OTHER MATTERS**

10 18. Pursuant to sections 7097 and 7098 of the Code, if license number 400207, B issued  
11 to Respondent is suspended or revoked, the Registrar may suspend or revoke, without notice, any  
12 other license issued in the name of Jimmy Lee Crowley or for which Jimmy Lee Crowley  
13 furnished the qualifying experience and appearance.

14 19. Pursuant to section 7121 of the Code, if discipline is imposed on license number  
15 400207, B issued to Respondent, Jimmy Lee Crowley shall be prohibited from serving as an  
16 officer, director, associate, partner, manager, or qualifying individual, or member of the personnel  
17 of record of a licensee of any licensee during the time the discipline is imposed, and any licensee  
18 which employs, elects, or associates Jimmy Lee Crowley shall be subject to disciplinary action.

19 20. Pursuant to Section 7121.5 of the Code, if discipline is imposed on license number  
20 400207, B issued to Respondent, Jimmy Lee Crowley shall be prohibited from serving as an  
21 officer, director, associate, partner, manager, or qualifying individual of any licensee during the  
22 time the discipline is imposed, whether or not he had knowledge or participated in the acts or  
23 omissions constituting grounds for discipline, and any licensee which employs, elects, or  
24 associates Jimmy Lee Crowley shall be subject to disciplinary action.

25 21. Sherrine Louise Crowley, while serving as Officer of Respondent Crowley Builders  
26 Inc., had knowledge of or participated in the acts or omissions which constitute cause for  
27 discipline against said Respondent.

28 ///



