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

**Date:** August 13, 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  
**Dwight Needham**, Master HVACR Contractor (joined at 10:49 a.m.)  
**Ahmed Kabir**, Consumer Member  
**Robert Parker**, Master HVACR Contractor  
**Michael Giangrandi**, Master HVACR Contractor

**Members Absent:** **David Politzer, Consumer Member**

**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,  
MD Department of Labor  
**Sarah McDermott**, Deputy Commissioner, Occupational and Professional  
Licensing, MD Dept. of Labor  
**Matthew McKinney**, Office of the Commissioner, Occupational and  
Professional Licensing, MD Dept. of Labor

**Guests:** **Stephanie Anderson**, Executive Director, Heating & Air Conditioning  
Contractors of Maryland  
**Sean Mallonee**, Owner, SM Mechanical and HACC Board President  
**Laura Bjorn**, JCM Associates

**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 10:34 a.m.

Mr. Weglarz moved to adopt the August 2025 meeting agenda. Mr. Parker seconded the motion; by a roll call vote, the Board unanimously approved the meeting agenda.

**Approval of Minutes**

A motion was made by Mr. Parker to approve the business meeting minutes of July 9, 2025 HVACR Board meeting without amendment or correction. The motion was seconded by Mr. Kabir 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:

<b><u>Closed Complaint</u></b>	<b><u>Under Investigation</u></b>	<b><u>Sent for A.G. Pre-Charge</u></b>	<b><u>Criminally Charged</u></b>
24-0029			
		25-0016	
		25-0022	
		25-0026	
25-0027			
		25-0030	
		25-0031	
		25-0035	
			25-0037
			25-0038
			25-0039

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

**Application Review Committee**

Mr. Gross reported that Mr. Needham, Chairman of the Application Review Committee, reviewed a submission from an apprentice whose certificate of completion had been expired for more than two years. The applicant requested approval to obtain a Journeyman license without examination. After reviewing the supporting documents and written explanation, Mr. Needham approved the request.

A motion to approve the findings of the Application Review Committee was made by Mr. Parker, seconded by Mr. Kabir, 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 July 2025:

	<b>Candidates Tested</b>	<b>Passed</b>	<b>Failed</b>	<b>Pass Rate %</b>
July 2025				
<b>Total</b>	63	27	36	43%

Cumulative- YTD

<b>Total</b>	542	211	331	39%
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Testing to date				
<b>Total</b>	13,535	5,817	7,718	43%

There are currently 22,725 active licenses.

**Correspondence**

Discussion on limiting Master HVACR license holders to a single company affiliation

Mr. Sean Mallonee, Board President of the Heating and Air Conditioning Contractors of Maryland (HACC), addressed the Board. He reported that HACC represents more than 200 contractors statewide and expressed concern over the prevalence of unlicensed contractors performing HVACR work in Maryland. Mr. Mallonee stated that unlicensed activity harms consumers, results in substandard installations, and undermines legitimate contractors. He further noted that HACC members actively partner with the State of Maryland, utility companies, and rebate programs to promote electrification and green energy initiatives; however, he emphasized that these goals cannot be effectively achieved without properly trained and licensed contractors.

While acknowledging Maryland’s strong regulatory framework, Mr. Mallonee suggested that certain provisions are either insufficient or create loopholes that allow abuse. He specifically highlighted the practice of licensed masters “leasing” their license to multiple contractors without providing the required oversight. He stated that this practice allows unlicensed individuals or companies to operate under the authority of another licensee, contrary to the intent of Board regulations. Mr. Mallonee stressed that each company should have a single master employed by the business, responsible for compliance with applicable laws, regulations, and professional standards.

Chairman Jones inquired whether other mechanical licensing boards permitted licensees to “lease out” their credentials. Counsel responded that electricians may do so under certain circumstances, but she was not certain of the practice within the plumbing industry. She further explained that many MHIC and HVACR businesses employ multiple master license holders due to workload demands, such as companies that separate oversight between residential and commercial projects or between different specialties (e.g., kitchens versus bathrooms).

Mr. Mallonee added that under state law, each HVACR company is required to employ at least one master’s licensee. He compared this framework to MHIC regulations, under which a licensed general contractor may subcontract specialized work to other properly licensed individuals. For example, an MHIC contractor may enter a contract with a homeowner for a bathroom renovation but must subcontract licensed plumbing, electrical, or HVAC contractors who hold the appropriate master licenses. He emphasized that this system is designed to protect consumers, as liability flows through the general contractor with whom the homeowner has contracted.

Mr. Weglarz stated that electrical law is more strict, allowing a master to be the agent of only one company at a time. He explained that once a master assigns their license to a company, it is “locked in,” preventing the license from being used elsewhere. He expressed uncertainty about how such problems persist in the HVAC industry, noting that the electrical field already appears to address them.

Mr. Mallonee responded that the problem lies not with the written rule but with its enforcement. He explained that, in practice, many contractors advertise services and pull permits using licenses that belong to masters employed elsewhere. He cautioned that under current enforcement, one master

licensee could theoretically provide coverage for dozens of companies, undermining the intent of the law. He urged the Board to adopt clearer limits so that one master license is tied to one company only.

Mr. Mallonee further explained that distributors play a key role in enforcement. He reported that recent legislation introduced penalties for distributors who sell equipment to unlicensed contractors and stated that many distributors support stronger oversight, provided the Board gives them clear rules to follow. He suggested that DLLR's licensing database could be updated to show which company a master licensee is affiliated with. Distributors could then align their sales accounts with that information, similar to the way they currently require and track CFC certifications before selling refrigerants.

Mr. Weglarz expressed concern that such a system could become a "logistical nightmare." Mr. Mallonee disagreed, noting that distributors already update account information for insurance and compliance purposes and that requiring master license verification would be no different. He reported that multiple distributors have assured him that such an update would be feasible and that they support the effort to curb unlicensed work.

Chairman Jones requested that HACC submit a formal proposal for the Board's review. Mr. Mallonee agreed to provide written recommendations.

## **Old Business**

### Discussion of reinstatement fees

Executive Director Marquette stated that the issue arose in response to the recent extension of the allowable reinstatement period for expired licenses from 90 days to four years. He noted that Mr. Needham had previously suggested the Board consider establishing a defined reinstatement fee in cases where a licensee seeks to reinstate a license after its expiration.

Mr. Gross reported that the Electrical Board and the Plumbing Board both charge reinstatement fees in addition to past renewal fees for license reinstatement. By contrast, the HVACR Board currently requires only payment of any past-due renewal fees, with no separate reinstatement fee. He explained that the Electrical Board's fee is staggered based on how long the license has been expired, while the Plumbing Board charges a flat reinstatement fee tied to the level of license.

Mr. Weglarz commented that the Electrical Board's approach appears fair and well thought out. Chairman Jones suggested that the HVACR Board consider charging all back renewal fees plus an additional reinstatement fee of \$100–\$150. Mr. Kabir stated that requiring payment of any past-due renewal fees along with a \$200 reinstatement fee would also be reasonable. Chairman Jones added that the Board should retain discretion to waive the fee in cases involving extenuating circumstances.

Counsel advised that if a licensee demonstrates that payment would create a hardship, the Board may consider granting a variance. She further clarified that if the Board wishes to create a reinstatement fee, a regulation will be required. The Board will also need to determine whether to adopt a staggered fee schedule, like the Electrical Board, or impose a single flat fee.

Mr. Parker moved to establish a \$100 reinstatement fee in addition to all past-due renewal fees for reinstatement of an expired HVACR license. The motion failed for lack of a second.

Counsel provided additional details on the Electrical Board’s structure, noting that its regulation sets reinstatement fees as follows:

- (a) Up to and including 30 days after expiration – \$31.50
- (b) 31–60 days after expiration – \$63.00
- (c) 61 days or more after expiration – \$126.00

She stated that the HVACR Board is not bound by those amounts but may adopt a similar schedule or establish its own.

Mr. Needham expressed support for a structure that would impose a \$150 reinstatement fee after 90 days in addition to any renewal fees due.

Counsel concluded by stating that she would prepare two draft proposals for the Board’s consideration: one adopting a staggered reinstatement fee schedule modeled after the Electrical Board, and another imposing a single flat reinstatement fee.

#### Update on COMAR 09.15.02.04

Counsel reported that COMAR 09.15.02.04 is the proposed regulatory change aligning license restoration procedures with recent legislation, which extended the renewal period from 90 days to four (4) years. The regulation will be published in the Maryland Register on August 22, 2025, initiating a public comment period from August 22 through September 22, 2025. After the closing of the comment period, the Board will review any submissions and may take final action at its scheduled October 8, 2025, meeting or at a subsequent meeting.

#### Update on 09.15.02.11

Counsel reported that COMAR 09.15.02.11, a regulation proposed by the Board, is pending approval by the Office of the Secretary. This action would establish that a violation of Business Regulation Article § 9A-501.1—legislation pursued by the Heating and Air Conditioning Contractors of Maryland (HACC) constitutes grounds for regulatory action by the Board. Once approval is received from the Secretary, the proposal must also clear the AELR Committee before publication in the Maryland Register. Counsel noted she would keep the Board informed of further developments and indicated that the next step is awaiting confirmation from Executive Director Marquette regarding the Secretary’s decision.

### **New Business**

#### Update on Code Adoption

Executive Director Marquette reported that the Board is currently in the process of adopting the 2021 building codes for HVACR. He noted that the 2024 codes have already been published and requested input from the Board on whether there is a need to accelerate adoption. Typically, adoption is coordinated with the Department of Labor and Industry, which adopts the state building codes, and is expected to move forward with adopting the 2024 codes later this year. No action was required at this time; the discussion was intended to gauge the Board’s perspective.

#### Reciprocal Licensing Update

Chairman Jones inquired about the status of the reciprocal licensing agreement with Washington, D.C. Executive Director Marquette reported that at the previous meeting, he advised that the D.C. Board

was not scheduled to meet until September, at which time it was expected to act on the agreement. Executive Director Marquette added that he is still reviewing the agreement language, as it differed from what was initially anticipated, and will return the revised draft to the D.C. Board for further consideration.

### **Executive Director's Report**

Executive Director Marquette stated that the licensing notices he had previously mentioned were recently sent out to all master license holders in the state. These notices serve as reminders of the licensing requirements that apply across all mechanical boards. He emphasized that every master licensee should have received a notification from the board, reinforcing that all levels of workers must be appropriately licensed with the state.

He further explained that similar notices will also be sent to journeyman and apprentice licensees within the next week. The board plans to continue issuing these reminders on a regular basis to ensure compliance and awareness among license holders at every level.

Mr. Marquette also addressed an earlier matter, raised by Mr. Weglarz, regarding the verification of credentials for applicants seeking journeyman and master licenses. He noted that the Board is actively auditing the documentation submitted through PSI for those approved to sit for the examinations. The Board requested copies of the required qualification documents, has since received them, and is now in the process of reviewing them.

Mr. Marquette explained that both he and Will will carefully go through the documentation over the next several days to confirm that applicants meet the proper qualifications. If any discrepancies or issues are found, appropriate action will be taken. He concluded by stating that the board should have a full update available at the next scheduled meeting once the review is complete.

### **Counsel's Report**

Counsel did not offer a report but reminded the Board that she had a matter to present in a closed session.

### **Chairman's Report**

Chairman Jones asked whether it would be possible to get a list of the companies in Maryland who are using the license of a non-employee?

Executive Director Marquette stated that the challenge is that our licensing information is not tied to a company, as the mechanical boards are not statutorily authorized to issue permits. Because the mechanical boards only issue a license to an individual and cannot track where they are employed, such a determination is challenging.

Counsel added that they don't have a statutory or regulatory requirement to notify the Board about any changes to their place of employment, and the Board is not authorized to issue permits, so the agency cannot track where they are employed.

Mr. Needham stated that being able to determine the company linked to a given license is not a bad idea and asks how the Board would go about accomplishing something like that.

Counsel stated that she doesn't think that's possible with the way the law is structured for the Mechanical Boards, without a legislative amendment. None of the Mechanical Boards issue a permit to a company. Because the boards are authorized to license only individuals, they can move freely to pursue other and/or additional employment. The mechanical boards have never tracked where an individual works or who they work for. There is no statutory requirement that an individual notify the Board or provide employment information.

The Board staff could send a request to HVACR businesses that they can get contact information for and ask them to provide a list of their employees but there is no duty for them to respond unless they themselves are a licensee.

### **Closed Session**

Upon Motion, and second, the Board unanimously voted to convene in a closed session at a.m., pursuant to General Provisions Article, to § 3-305(b)(2), (7), and (8), Annotated Code of Maryland, to protect the 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 reported that the Board had previously considered this application but deferred its decision pending supplemental information.

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

In a written statement, the applicant explained that the offenses arose from a period of personal turmoil involving substance abuse and instability. They accepted full responsibility and expressed that the incidents do not reflect who they are today. The applicant further reported completing all required counseling and rehabilitation, maintaining sobriety, and committing themselves to accountability and a stable future. They emphasized that pursuing a career in HVACR represents a meaningful opportunity to contribute positively to the community and uphold the standards expected of the trade.

A letter of recommendation from the applicant's employer strongly endorsed their application, citing their employment since March 31, 2025, progression from helper to on-call technician, strong work ethic, initiative, and eagerness to learn. The employer further noted that the applicant is enrolled to begin an HVACR apprenticeship program at Anne Arundel Community College.

Counsel noted that the applicant provided the requested supplemental information, including proof of employment and probation compliance. According to the probation officer, the applicant's probation runs from November 27, 2024, through November 16, 2025, and they remain fully compliant.

Following discussion, Mr. Giangrandi moved to approve the application for apprentice licensure. Mr. Parker seconded the motion, and the Board unanimously approved the motion.

After a brief discussion, Mr. Giangrandi moved to approve the applicant's apprentice application. Mr. Parker seconded, and the Board unanimously approved the motion.

Mr. Parker moved to return to the business meeting, which was seconded by Mr. Weglarz. Upon a unanimous vote, the Board approved reconvening its business meeting at 11:36 a.m.

Mr. Parker moved to approve the findings and determinations of the Board during the closes session on August 22, 2025. Mr. Kabir seconded the motion, which unanimously passed by a vote of the Board.

**Adjournment**

With no further business, upon Mr. Weglarz's motion and Mr. Parkers' second, the Board voted to adjourn the August 13, 2025 meeting of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors at 11:37 a.m.

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**Chuck Marquette**  
**Executive Director**

\_\_\_\_\_  
**Date**

**Signed on behalf of the Board as voted on and approved on** \_\_\_\_\_