

**STATE OF CONNECTICUT**  
**ARCHITECTURAL LICENSING BOARD**  
**SPECIAL MEETING MINUTES**  
**DRAFT**  
**OCTOBER 27, 2022**

<b>BOARD MEMBERS</b>	Philip H. Cerrone, Chairperson, Architect Laurann Asklof, Public Member Julia Jack, Architect Twig Holland, Public Member
<b>BOARD MEMBERS ABSENT</b>	Angela D. Cahill, Architect
<b>BOARD VACANCIES</b>	None
<b>DCP STAFF PRESENT</b>	Ryan Burns, Staff Attorney Shannon Rivera, License and Applications Analyst

**Note:** For information on our Boards, Commissions and Councils, visit the Agency website: [www.ct.gov/dcp](http://www.ct.gov/dcp)

## **1. Call to Order**

Attorney Burns started the meeting at 11:04 A.M. for the purpose of the Hearings Officer Training.

## **2. Comments or Concerns of any Person Present Today**

a. Commissioner Askloff expressed concern regarding the fact during her years on the Board, there has never been a hearing. Commissioner Askloff also shared she is an attorney. Chairman Cerrone also shared that in his years on the Board he can only recall there been one hearing.

b. Commissioner Askloff also inquired how the hearing comes to be and if the training is a result of an upcoming hearing expected. Attorney Burns stated there is the possibility of an upcoming hearing for the Board, but details could not be shared. Attorney Burns also explained the process of how the hearings come to exist with the following:

### 1. Initial Process:

a. Complaints against, in this instance, an individual in the Architectural trade profession is filed with The Department of Consumer Protection.

b. An investigation is conducted to determine the recommended outcome.

c. The complaint is referred to the Legal Division where it is decided whether the complaint will:

1. be settled.

2. be dismissed.

3. proceed to an administrative hearing either brought before the Board or internally with a Department of Consumer Protection Hearing Officer.

## **3. New Business**

a. Hearings Officer Training conducted by DCP Legal Division, Staff Attorney- 3, Ryan Burns.

1. Explanation of a Hearing- The closest thing to a trial conducted by an Administrative Agency.

2. One Board member, generally the Chairperson, to be “Master of Ceremonies”.
3. Maintain Formality- Cross talk/ discussions/ opinions are discouraged during hearings.
4. Address any administrative issues prior to the start of the hearing, “off record”, such as witnesses present, scheduling/ breaks, multi-day hearing, settlement discussions, etc. Also address any Legal or Evidentiary Issues such as formal or preliminary motions/ decisions, exhibits, evidence, etc. prior to the start of the hearing.
5. The Record- only testimony and evidence on the record is to be used to base the Board’s decision.
6. Hearings Script- Provides the Presiding Officer with what they are required to say and outlines how the hearing will proceed. Script is recited verbatim.
7. Parties- Two parties: DCP and Respondent.
  - a. DCP cannot serve as the Board’s Attorney as they are presenting the case.
  - b. Any legal advice to the Board would need to be provided by the Attorney General’s Office.
8. Evidence- All documents and testimony to include pictures and video. Parties are required to request to admit exhibits as evidence to be determined by the Board. Hearsay can be applied if the Board so chooses.

Things to inquire about when reviewing evidence:

  - a. origin
  - b. authenticity
  - c. relevance
  - d. source.

Commissioner Holland inquired whether including or excluding evidence has an impact the case if it moves to the appeals process. Attorney Burns stating it can form the basis for an appeal. Using one’s best judgment regarding evidence admissions is advised.

9. Testimony:
  - a. All witnesses are to be sworn in at once or as they are presented.
  - b. Respondent and DCP can cross examine each party’s witnesses.
  - c. Leading questions are allowed.

10. Deliberations:

- a. Administrative Boards must remain on record when deliberating. No private deliberations.
- b. Elements need to be presented, the Board's findings, and element of law to be applied.
- c. Unanimity is desired as it provides a stronger case but is not required. Majority decision applies.

**4. Comments or Concerns of any Person Present Today**

Commissioner Holland inquired if the Board would be named if the case went to the appeals process. Attorney Burns stated the appeal would be filed toward the DCP Commissioner. However, the Board can be named in the appeal. The Board would be represented by the Attorney General's Office. While the Board would not have an active role, the Attorney General's Office may contact the Board with questions.

Commissioner Askloff inquired if the Board would receive paperwork prior to hearings and how many members are required to participate. Attorney Burns stated that the only paperwork received ahead of time would be the Hearing Notice. All other documents would be provided the day of the hearing. Board quorum requirements must be met for hearings.

**5. Adjournment**

With no further business, the meeting adjourned at 9:35 a.m.

**Respectfully submitted,**

Shannon M. Rivera  
License and Applications Analyst  
Board Coordinator, DCP

**2022 CURRENT BOARD MEETING SCHEDULE**

November 18