

**BEFORE THE  
REGISTRAR OF CONTRACTORS  
CONTRACTORS STATE LICENSE BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**GOODWIN MILLWORKS  
TONY JOSEPH GOODWIN, SOLE  
OWNER  
3200 Dutton Avenue, #311  
Santa Rosa, CA 95407**

**Contractor License No. 783179**

Respondent.

CASE NO. N2017-198

ORDER TO ADOPT  
DEFAULT DECISION

[Gov. Code, § 11520]

The attached Default Decision is hereby adopted by the Registrar of Contractors as his Decision in the above-entitled matter.

Contractor's License Number **783179** issued to **GOODWIN MILLWORKS** is revoked.

IT IS FURTHER ORDERED that pursuant to Section 7102 of the Business and Professions Code and Section 870 of the Code of Regulations, title 16, Respondent **GOODWIN MILLWORKS** Contractor's License No. **783179**, shall not apply for reissuance or reinstatement of said license for five year(s) from the effective date of this Decision.

IT IS FURTHER ORDERED that Respondent shall pay restitution in the amount of \$703,863.62. This amount is to be paid prior to issuance of a new or reinstated license pursuant to Business and Professions Code section 7102.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on May 10, 2018.

IT IS SO ORDERED April 10, 2018.

  
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David Fogt  
Registrar of Contractors

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**Contractor License No. 783179**  
  
Respondent.

Case No. N2017-198  
  
**DEFAULT DECISION**  
  
[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about February 14, 2018, Complainant Wood Robinson, in his official capacity as the Enforcement Supervisor I of the Contractors' State License Board, Department of Consumer Affairs, filed Accusation No. N2017-198 against Goodwin Millworks, Tony Joseph Goodwin, Sole Owner (Respondent) before the Registrar of Contractors. (Accusation attached as Exhibit A.)
2. On or about August 17, 2000, the Registrar of Contractors issued Contractor License Number 783179 to Respondent. The Contractor License was in full force and effect at all times relevant to the charges brought in this Accusation and expired on November 30, 2016. This lapse in licensure, however, pursuant to Business and Professions Code section 7106.5 does not deprive the Board of its authority to institute or continue this disciplinary proceeding.

1           3.     On or about February 14, 2018, Respondent was served by Certified and First Class  
2 Mail copies of the Accusation No. N2017-198, Statement to Respondent, Notice of Defense,  
3 Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6,  
4 and 11507.7) at Respondent's address of record which, pursuant to Business and Professions  
5 Code section 136, is required to be reported and maintained with the Registrar. Respondent's  
6 address of record was and is:

7                     3200 Dutton Avenue, #311  
8                     Santa Rosa, CA 95407

9           4.     Service of the Accusation was effective as a matter of law under the provisions of  
10 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
11 124.

12           5.     Government Code section 11506(c) states, in pertinent part:

13                     (c) The respondent shall be entitled to a hearing on the merits if the respondent  
14 files a notice of defense . . . and the notice shall be deemed a specific denial of all  
15 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense  
16 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its  
17 discretion may nevertheless grant a hearing.

18           6.     The Registrar takes official notice of its records and the fact that Respondent failed to  
19 file a Notice of Defense within 15 days after service upon him of the Accusation, and therefore  
20 waived his right to a hearing on the merits of Accusation No. N2017-198.

21           7.     California Government Code section 11520(a) states, in pertinent part:

22                     (a) If the respondent either fails to file a notice of defense . . . or to appear at  
23 the hearing, the agency may take action based upon the respondent's express  
24 admissions or upon other evidence and affidavits may be used as evidence without  
25 any notice to respondent . . . .

26           8.     Pursuant to its authority under Government Code section 11520, the Registrar finds  
27 Respondent is in default. The Registrar will take action without further hearing and, based on the  
28 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as  
taking official notice of all the investigatory reports, exhibits and statements contained therein on  
file at the Registrar's offices regarding the allegations contained in Accusation No. N2017-198,

1 finds that the charges and allegations in Accusation No. N2017-198, are separately and severally,  
2 found to be true and correct by clear and convincing evidence.

3 9. The Registrar finds that the actual costs for Investigation and Enforcement are  
4 \$21,239.23 as of March 12, 2018.

5 DETERMINATION OF ISSUES

6 1. Based on the foregoing findings of fact, Respondent Goodwin Millworks, Tony  
7 Joseph Goodwin, Sole Owner, has subjected his Contractor License No. 783179 to discipline.

8 2. The agency has jurisdiction to adjudicate this case by default.

9 3. The Registrar of Contractors is authorized to revoke Respondent's Contractor License  
10 based upon the following violations alleged in the Accusation which are supported by the  
11 evidence contained in the Default Decision Evidence Packet in this case:

12 a. Business and Professions Code section 7027.3 (willful and intentional misuse of a  
13 contractor's license number);

14 b. Business and Professions Code section 7107 (abandonment);

15 c. Business and Professions Code section 7108 (diversion of and/or failure to account  
16 for funds);

17 d. Business and Professions Code section 7109 (departure from trade standards);

18 e. Business and Professions Code section 7110 (willful and/or deliberate disregard of  
19 building laws);

20 f. Business and Professions Code section 7110.5 (willful and/or deliberate violations of  
21 the Labor Code);

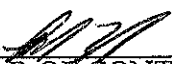
22 g. Business and Professions Code section 7113 (failure to complete project for contract  
23 price);

24 h. Business and Professions Code section 7116 (commission of willful and/or fraudulent  
25 acts);

26 i. Business and Professions Code section 7117.5 (acting as a contractor under a  
27 suspended license);

28

- 1 j. Business and Professions Code section 7125.4 (failure to provide workers'  
2 compensation insurance coverage);
- 3 k. Business and Professions Code section 7154, subdivision (d) (employing an  
4 unregistered home improvement salesperson);
- 5 l. Business and Professions Code section 7159, subdivision (d) (failure to sign change  
6 orders);
- 7 m. Business and Professions Code section 7159.5, subdivision; (a)(3) (charging an  
8 excessive down payment);
- 9 n. Business and Professions Code section 7159.5, subdivision (a)(5) (requesting and/or  
10 accepting payment exceeding the value of work performed);
- 11 o. Business and Professions Code section 7161 (making a substantial misrepresentation  
12 in the procurement of a contract).
- 13 4. Pursuant to Business and Professions Code section 7122.5, the performance by an  
14 individual, partnership, corporation, limited liability company, firm, or association of an act or  
15 omission constituting a cause for disciplinary action constitutes a cause for disciplinary action  
16 against a licensee who at the time that the act or omission occurred was the qualifying individual  
17 of that individual, partnership, corporation, limited liability company, firm, or association,  
18 whether or not he or she had knowledge of or participated in the prohibited act or omission.  
19 Therefore, pursuant to section 7122.5, Respondent Goodwin Millworks, Tony Joseph Goodwin,  
20 Sole Owner, is subject to discipline regardless of whether or not he had knowledge of or  
21 participated in the act(s) or omissions(s) in Accusation No. N2017-198.

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26 REGISTRAR OF CONTRACTORS  
27 CONTRACTORS' STATE LICENSE BOARD  
28 DEPARTMENT OF CONSUMER AFFAIRS

90922250.DOCX  
DOJ Matter ID: OK2017901636

Attachment:  
Exhibit A: Accusation

# Exhibit A

Accusation

1 XAVIER BECERRA  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 NICHOLAS TSUKAMAKI  
Deputy Attorney General  
4 State Bar No. 253959  
1515 Clay Street, 20th Floor  
5 P.O. Box 70550  
Oakland, CA 94612-0550  
6 Telephone: (510) 879-0982  
Facsimile: (510) 622-2270  
7 *Attorneys for Complainant*

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

13 In the Matter of the Accusation Against:

Case No. N2017-198

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15 **TONY JOSEPH GOODWIN, SOLE**  
16 **OWNER**  
17 **3200 Dutton Avenue, #311**  
18 **Santa Rosa, CA 95407**

**ACCUSATION**

19 **Contractor License No. 783179**

Respondent.

20 Complainant alleges:

**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 August 17, 2000, the Registrar of Contractors issued Contractor License  
25 Number 783179 to Goodwin Millworks, Tony Joseph Goodwin, Sole Owner (Respondent). The  
26 Contractor License was in full force and effect at all times relevant to the charges brought in this  
27 Accusation and expired on November 30, 2016.

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## JURISDICTION

1  
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 (Code) unless  
5 otherwise indicated.

6 4. Section 7106.5 of the Code provides, in pertinent part, that the expiration,  
7 cancellation, forfeiture, or suspension of a license by operation of law or by order or decision of  
8 the Registrar, or a court of law, or the voluntary surrender of the license shall not deprive the  
9 Registrar of jurisdiction to proceed with any investigation of or action or disciplinary proceeding  
10 against the license, or to render a decision suspending or revoking the license.

## STATUTORY PROVISIONS

11  
12 5. Section 7027.3 of the Code provides, in pertinent part: "Any person, licensed or  
13 unlicensed, who willfully and intentionally uses, with intent to defraud, a contractor's license  
14 number that does not correspond to the number on a currently valid contractor's license held by  
15 that person, is punishable by a fine not exceeding ten thousand dollars (\$10,000), or by  
16 imprisonment in state prison, or in county jail for not more than one year, or by both that fine and  
17 imprisonment. . . ."

18 6. Section 7090 of the Code provides, in pertinent part, that the Registrar may suspend  
19 or revoke any license or registration if the licensee or registrant is guilty of or commits any one or  
20 more of the acts or omissions constituting cause for disciplinary action.

21 7. Section 7107 of the Code states: "Abandonment without legal excuse of any  
22 construction project or operation engaged in or undertaken by the licensee as a contractor  
23 constitutes a cause for disciplinary action."

24 8. Section 7108 of the Code states: "Diversion of funds or property received for  
25 prosecution or completion of a specific construction project or operation, or for a specified  
26 purpose in the prosecution or completion of any construction project or operation, or failure  
27 substantially to account for the application or use of such funds or property on the construction  
28 project or operation for which such funds or property were received constitutes a cause for



1 disciplinary action.”

2 9. Section 7109, subdivision (a) of the Code states: “A willful departure in any material  
3 respect from accepted trade standards for good and workmanlike construction constitutes a cause  
4 for disciplinary action, unless the departure was in accordance with plans and specifications  
5 prepared by or under the direct supervision of an architect.”

6 10. Section 7110 of the Code provides, in pertinent part: “Willful or deliberate disregard  
7 and violation of the building laws of the state, or of any political subdivision thereof, . . .  
8 constitutes a cause for disciplinary action.”

9 11. Section 7110.5 of the Code states: “Upon receipt of a certified copy of the Labor  
10 Commissioner’s finding of a willful or deliberate violation of the Labor Code by a licensee,  
11 pursuant to Section 98.9 of the Labor Code, the registrar shall initiate disciplinary action against  
12 the licensee within 180 days of notification.”

13 12. Section 7113 of the Code states: “Failure in a material respect on the part of a licensee  
14 to complete any construction project or operation for the price stated in the contract for such  
15 construction project or operation or in any modification of such contract constitutes a cause for  
16 disciplinary action.”

17 13. Section 7116 of the Code states: “The doing of any wilful or fraudulent act by the  
18 licensee as a contractor in consequence of which another is substantially injured constitutes a  
19 cause for disciplinary action.”

20 14. Section 7117.5, subdivision (b) of the Code states: “Acting in the capacity of a  
21 contractor under any license that has been suspended for any reason constitutes a cause for  
22 disciplinary action.”

23 15. Section 7125.4, subdivision (a) of the Code states:  
24 “The filing of the exemption certificate prescribed by this article that is false, or the  
25 employment of a person subject to coverage under the workers’ compensation laws after the filing  
26 of an exemption certificate without first filing a Certificate of Workers’ Compensation Insurance  
27 or Certification of Self-Insurance in accordance with the provisions of this article, or the  
28 employment of a person subject to coverage under the workers’ compensation laws without

1 maintaining coverage for that person, constitutes cause for disciplinary action.”

2 16. Section 7154, subdivision (d) of the Code states: “A home improvement contractor  
3 who employs a person to sell home improvement contracts while that person is not registered by  
4 the registrar as a home improvement salesperson as provided in this article, is subject to  
5 disciplinary action by the registrar.”

6 17. Section 7159 of the Code provides, in pertinent part:

7 “(a)(1) This section identifies the projects for which a home improvement contract is  
8 required, outlines the contract requirements, and lists the items that shall be included in the  
9 contract, or may be provided as an attachment.

10 “(d) A home improvement contract and any changes to the contract shall be in writing and  
11 signed by the parties to the contract prior to the commencement of work covered by the contract  
12 or an applicable change order and, except as provided in paragraph (8) of subdivision (a) of  
13 Section 7159.5, shall include or comply with all of the following: . . . .”

14 18. Section 7159.5 of the Code provides, in pertinent part:

15 “This section applies to all home improvement contracts, as defined in Section 7151.2,  
16 between an owner or tenant and a contractor, whether a general contractor or a specialty  
17 contractor, who is licensed or subject to be licensed pursuant to this chapter with regard to the  
18 transaction.

19 “(a) Failure by the licensee or a person subject to be licensed under this chapter, or by his or  
20 her agent or salesperson to comply with the following provisions is cause for discipline:

21 . . .

22 “(3) If a downpayment will be charged, the downpayment may not exceed one thousand  
23 dollars (\$1,000) or 10 percent of the contract amount, whichever is less.”

24 . . .

25 “(5) Except for a downpayment, the contractor may neither request nor accept payment that  
26 exceeds the value of the work performed or material delivered.”

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28 ///

1 19. Section 7161 of the Code provides, in pertinent part:

2 "It is a misdemeanor for any person to engage in any of the following acts, the commission  
3 of which shall be cause for disciplinary action against any licensee or applicant:

4 ...

5 "(b) Making any substantial misrepresentation in the procurement of a contract for a home  
6 improvement or other work of improvement or making any false promise of character likely to  
7 influence, persuade or induce any person to enter into such a contract.

8 **COSTS**

9 20. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
10 administrative law judge to direct a licentiate found to have committed a violation or violations of  
11 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
12 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
13 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
14 included in a stipulated settlement.

15 **FACTUAL BACKGROUND**

16 **Grand Avenue Project**

17 21. On or about August 24, 2015, R.R.<sup>1</sup> entered into a contract with Respondent to  
18 construct an addition, build a new foundation, and upgrade the electrical and plumbing at R.R.'s  
19 residence on Grand Avenue in Santa Rosa. The contract amount was \$73,087.50. The contract  
20 falsely stated that Respondent had a valid workers' compensation insurance policy.

21 22. Respondent began work on the project in or around the end of July or early August  
22 2015. Respondent had numerous employees working on the project for approximately seven (7)  
23 months. Respondent did not maintain workers' compensation insurance coverage for any of  
24 Respondent's employees between July 10, 2015, and November 16, 2015, or anytime after  
25 November 29, 2015.

26 ///

27 <sup>1</sup> The names of individuals identified in this Accusation by initials will be disclosed  
28 pursuant to a proper discovery request.

1           23. Respondent's license was suspended from September 21, 2015, to November 15,  
2 2015, and again between November 29, 2015, and March 29, 2016, during which time  
3 Respondent worked on the project and listed Respondent's license number on change orders.

4           24. Respondent told R.R. that the city required a soils test for the project. R.R. then had a  
5 soils test performed at the property. That soils test revealed that a foundation upgrade was  
6 needed. In reality, the city did not require a soils test and a foundation upgrade was not needed.  
7 Ultimately, Respondent upgraded the foundation at a cost of \$40,582.01.

8           25. Respondent and R.R. entered into several change orders related to the project, some  
9 of which were not signed by both Respondent and R.R.

10          26. Respondent abandoned the project in or around March 2016 prior to completion.

11          27. Between August 2015 and June 2016, R.R. paid Respondent a total of \$138,383.30.

12          28. Respondent failed to complete the following work agreed to in the contract:

13          a. The removal of materials in the crawlspace.

14          b. The completion of the roofing for the addition, including installation of gutters and  
15 downspouts.

16          c. The installation of siding.

17          d. The reinstallation of stairs and decking that Respondent removed at the front porch  
18 area.

19          e. The reinstallation of fences and gates that Respondent removed.

20          f. The removal of debris from the construction site.

21          g. The completion of plumbing-related work.

22          h. The completion of electrical work.

23          29. During the construction work, Respondent damaged the walls and ceilings of the  
24 existing home.

25          30. Respondent's work on the project did not meet industry standards as follows:

26          a. Respondent installed the wrong size cripple studs in the framing.

27          b. Respondent did not properly install a set of French doors.

28          c. Respondent did not properly install the plumbing.

1 d. Respondent did not properly install certain electrical fixtures.

2 31. As a result of Respondent's poor workmanship and abandonment of the project, R.R.  
3 was required to incur additional expense to complete and correct the work Respondent performed.  
4 R.R. ultimately suffered a financial injury of \$115,392.46 as a result of Respondent's conduct.

5 **Grosse Avenue and Peterson Lane Projects**

6 32. On or about October 28, 2015, Respondent and Brilliant Corners (B.C.), a non-profit  
7 organization, signed a contract for Respondent to perform remodeling work on a home on Grosse  
8 Avenue in Santa Rosa for \$292,441.22. Respondent's license number was listed on the contract  
9 under the line for Respondent's signature. The contract falsely stated that Respondent had an  
10 active workers' compensation insurance policy.

11 33. On or about November 20, 2015, B.C. issued Respondent two checks totaling  
12 \$178,150.48 for the Grosse Avenue project. That amount was paid to Respondent as a retainer,  
13 down payment, and progress payment. Respondent began work on the project on the same day,  
14 and had numerous workers on the jobsite.

15 34. On or about December 22, 2015, Respondent provided B.C. with a proposal to  
16 perform remodeling work on a second home on Peterson Lane in Santa Rosa for \$288,009.36.  
17 The proposal listed Respondent's license number. On the same day, Respondent and B.C. signed  
18 a contract for Respondent to perform the work. Respondent's license number was listed on the  
19 contract under the line for Respondent's signature.

20 35. On or about December 29, 2015, B.C. issued Respondent two checks totaling  
21 \$159,433.00 for the Peterson Lane project. That amount was paid to Respondent as a retainer,  
22 down payment, and progress payment. Respondent began work on the project in or around late  
23 December 2015, and had numerous workers on the jobsite.

24 36. For both the Grosse Avenue and Peterson Lane projects, Respondent provided B.C.  
25 with a certificate of liability insurance stating that Respondent had a valid workers' compensation  
26 insurance policy effective November 16, 2015, with an expiration date of January 1, 2016.  
27 Respondent's workers' compensation insurance policy was canceled effective November 29,  
28 2015.

1 37. Respondent's license was suspended from September 21, 2015, to November 15,  
2 2015, and again between November 29, 2015, and March 29, 2016, during which time  
3 Respondent worked on both the Grosse Avenue and Peterson Lane projects.

4 38. Respondent abandoned both projects in or around March 2016 before they were  
5 completed. At the time of abandonment, B.C. had paid Respondent \$233,952.96 for the Grosse  
6 Avenue project and \$227,254.00 for the Peterson Lane project. As a result of the abandonment,  
7 B.C. was required to hire new contractors to complete and correct the work Respondent  
8 performed. B.C. suffered a financial injury of \$280,053.68 on the Grosse Avenue project, and  
9 \$285,890.25 on the Peterson Lane project.

#### 10 **Gretchen Court Project**

11 39. On or about October 27, 2015, S.M., the owner of a home on Gretchen Court in  
12 Rohnert Park, received a phone call from Josh Knaup (Knaup), one of Respondent's employees,  
13 to discuss remodeling and siding work that S.M. needed done at the home. Later that day, Knaup  
14 went to S.M.'s home to discuss the work further. At the time S.M. spoke with Knaup, Knaup was  
15 not a registered home improvement salesperson.

16 40. On or about October 28, 2015, Knaup provided S.M. with a proposal to perform the  
17 remodeling and siding work at S.M.'s home. The proposal amount was \$44,066.95.  
18 Respondent's license number was listed on the proposal. On or about October 30, 2015, S.M.  
19 wrote a check to Respondent in the amount of \$17,626.78, which Respondent deposited the same  
20 day.

21 41. On or about November 3, 2015, Respondent and S.M. entered into a written contract  
22 for Respondent to perform the remodeling and siding work for \$52,011.54. The contract listed  
23 Respondent's license number. The contract also falsely stated that Respondent had an active  
24 workers' compensation insurance policy.

25 42. Respondent began work on the project on or about November 3, 2015. Respondent  
26 did not pull any permits for the project, even though permits were required for the work  
27 Respondent performed. Respondent had numerous employees working on the project.

28 ///

1           43. On or about November 5, 2015, S.M. wrote Respondent a check for \$23,982.46,  
2 which Respondent deposited the same day,

3           44. Respondent's license was suspended from September 21, 2015, to November 15,  
4 2015, and again between November 29, 2015, and March 29, 2016, during which time  
5 Respondent worked on the project.

6           45. Respondent abandoned the project in or around March or April 2016 before the work  
7 was completed. At the time of abandonment, S.M. had paid Respondent \$49,609.24. As a result  
8 of Respondent's abandonment of the project, S.M. sought out another contractor to complete and  
9 correct the work Respondent performed. As a result of Respondent's abandonment of the project,  
10 S.M. suffered a financial injury of \$9,527.23.

11           46. Respondent's work on the project did not meet industry standards as follows:

12           a. Respondent did not properly install a lower shower head assembly.

13           b. Respondent installed a shower valve in an improper location.

14           c. Respondent did not properly install a drain line.

15           d. Respondent did not complete all caulking in the bathrooms.

16           e. Respondent did not make necessary repairs to a gate post.

17           **Magnolia Avenue Project**

18           47. In or around November 2015, R.B. contacted Respondent to discuss kitchen  
19 remodeling work at R.B.'s residence on Magnolia Avenue in Rohnert Park. On or about  
20 November 11, 2015, Respondent emailed R.B. and his wife, D.B., a contract for the work. The  
21 contract amount was \$34,183.50. The contract listed Respondent's license number. The contract  
22 also falsely stated that Respondent had an active workers' compensation insurance policy.

23           48. Respondent's license was suspended from September 21, 2015, to November 15,  
24 2015.

25           49. On or about November 19, 2015, D.B. wrote Respondent a check for \$13,000.00 for  
26 the remodeling work. Respondent deposited the check on the following day, November 20, 2015.

27           50. Respondent never began work on the project. Nor did Respondent refund any portion  
28 of the \$13,000.00 R.B. and D.B. paid Respondent.

1           **Respondent's Labor Code Violations**

2           51. In or around January 2016, the Labor Commissioner's Office performed an  
3 investigation and audit of Respondent based on allegations that Respondent had not paid wages to  
4 Respondent's employees. The investigation and audit determined that Respondent violated  
5 various Labor Code provisions due to Respondent's failure to pay wages to its employees,  
6 Respondent's contracting without a license, and Respondent's failure to maintain workers'  
7 compensation insurance for Respondent's employees. As a result of these violations, the Labor  
8 Commissioner's Office issued citations to Respondent, ordered Respondent to pay \$154,640.96 in  
9 back-pay to its employees, and assessed civil penalties against Respondent totaling \$592,267.50.

10                           **FIRST CAUSE FOR DISCIPLINE**

11                           **(Willful and Intentional Misuse of a Contractor's License Number)**

12           52. Respondent's license is subject to disciplinary action under sections 7090 and 7027.3  
13 of the Code, in that Respondent willfully and intentionally used, with the intent to defraud, a  
14 contractor's license number that did not correspond to the number on a currently valid  
15 contractor's license held by Respondent. The circumstances of this conduct are set forth above in  
16 paragraphs 21-50.

17                           **SECOND CAUSE FOR DISCIPLINE**

18                           **(Abandonment)**

19           53. Respondent's license is subject to disciplinary action under sections 7090 and 7107 of  
20 the Code, in that Respondent abandoned various construction projects without legal excuse. The  
21 circumstances of this conduct are set forth above in paragraphs 21-46.

22                           **THIRD CAUSE FOR DISCIPLINE**

23                           **(Diversion of and/or Failure to Account for Funds)**

24           54. Respondent's license is subject to disciplinary action under sections 7090 and 7108 of  
25 the Code, in that Respondent diverted funds received for prosecution or completion of a  
26 construction project, and/or failed substantially to account for the application or use of such funds  
27 on the construction project. The circumstances of this conduct are set forth above in paragraphs  
28 21-38 and 47-50.



1 **FOURTH CAUSE FOR DISCIPLINE**

2 **(Departure from Trade Standards)**

3 55. Respondent's license is subject to disciplinary action under sections 7090 and 7109,  
4 subdivision (a) of the Code, in that Respondent departed in material respects from accepted trade  
5 standards for good and workmanlike construction. The circumstances of this conduct are set forth  
6 above in paragraphs 21-31 and 39-46.

7 **FIFTH CAUSE FOR DISCIPLINE**

8 **(Willful and/or Deliberate Disregard of Building Laws)**

9 56. Respondent's license is subject to disciplinary action under sections 7090 and 7110 of  
10 the Code, in that Respondent willfully and/or deliberately disregarded and violated state and/or  
11 local building laws. The circumstances of this conduct are set forth above in paragraphs 39-46.

12 **SIXTH CAUSE FOR DISCIPLINE**

13 **(Willful and/or Deliberate Violations of the Labor Code)**

14 57. Respondent's license is subject to disciplinary action under sections 7090 and 7110.5  
15 of the Code, in that Respondent engaged in willful and/or deliberate violations of the Labor Code.  
16 The circumstances of this conduct are set forth above in paragraph 51.

17 **SEVENTH CAUSE FOR DISCIPLINE**

18 **(Failure to Complete Project for Contract Price)**

19 58. Respondent's license is subject to disciplinary action under sections 7090 and 7113 of  
20 the Code, in that Respondent failed in a material respect to complete construction projects for the  
21 price stated in the contracts for those projects. The circumstances of this conduct are set forth  
22 above in paragraphs 21-46.

23 **EIGHTH CAUSE FOR DISCIPLINE**

24 **(Commission of Willful and/or Fraudulent Acts)**

25 59. Respondent's license is subject to disciplinary action under sections 7090 and 7116 of  
26 the Code, in that Respondent committed willful and/or fraudulent acts as a contractor that resulted  
27 in substantial injury to another. The circumstances of this conduct are set forth above in  
28 paragraphs 21-50.







1 (c) Impose upon the licensee compliance with such specific conditions as may be just in  
2 connection with its operations as a contractor disclosed at the hearing, and may further provide  
3 that until such conditions are complied with, no application for restoration of the suspended or  
4 revoked licensee shall be accepted by the Registrar.

5 **PRAYER**

6 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this  
7 Accusation, and that following the hearing, the Registrar of Contractors issue a decision:

8 1. Revoking or suspending Contractor License Number 783179 issued to Goodwin  
9 Millworks, Tony Joseph Goodwin, Sole Owner;

10 2. Prohibiting Tony Joseph Goodwin from serving as an officer, director, associate,  
11 partner, or qualifying individual of any licensee during the period that discipline is imposed on  
12 License Number 783179 issued to Goodwin Millworks, Tony Joseph Goodwin, Sole Owner;

13 3. Revoking or suspending any other license for which Tony Joseph Goodwin is  
14 furnishing the qualifying experience or appearance;

15 4. Ordering restitution of all damages according to proof suffered by R.R., B.C., S.M.,  
16 R.B., and D.B. as a condition of probation in the event probation is ordered;

17 5. Ordering restitution of all damages suffered by R.R., B.C., S.M., R.B., and D.B. as a  
18 result of Tony Joseph Goodwin's conduct as a contractor, as a condition of restoration of License  
19 Number 783179 issued to Goodwin Millworks, Tony Joseph Goodwin, Sole Owner;

20 6. Ordering Goodwin Millworks, Tony Joseph Goodwin, Sole Owner to pay the  
21 Registrar of Contractors its costs in the investigation and enforcement of this case according to  
22 proof at the hearing pursuant to Business and Professions Code section 125.3;

23 7. Ordering Goodwin Millworks, Tony Joseph Goodwin, Sole Owner to provide the  
24 Registrar with a listing of all contracting projects in progress and the anticipated completion date  
25 of each;

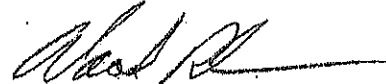
26 8. Taking such other and further action as deemed necessary and proper.

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28 ///

1 DATED:

02/14/18



2 **FILED**  
3 **FEB 14 2018**  
4 **CSLB DSS**  
5

WOOD ROBINSON  
Enforcement Supervisor I  
Contractors' State License Board  
Department of Consumer Affairs  
State of California  
Complainant *TR*

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