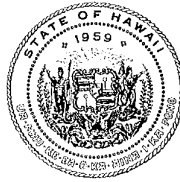


DEPT. OF COMMERCE
AND CONSUMER AFFAIRS

2010 JAN 19 P 12: 02

HEARINGS OFFICE



CONTRACTORS LICENSE BOARD
OFFICE OF ADMINISTRATIVE HEARINGS
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
STATE OF HAWAII

In the Matter of the)	CLB 2007-115-L
Contractor's License of)	
)	BOARD'S FINAL
ROBERT A. SCARPITTO, doing business as)	ORDER
VIKING POOLS MID-VALLEY, INC.,)	
)	
Respondent.)	

BOARD'S FINAL ORDER


On October 14, 2009, the duly appointed Hearings Officer submitted his Findings of Fact, Conclusions of Law and Recommended Order in the above-captioned matter to the Contractors License Board ("Board"). Copies of the Hearings Officer's recommended decision were also transmitted to the parties. A copy of the Hearings Officer's recommended decision sent to Robert A. Scarpitto, dba Viking Pools Mid-Valley, Inc. ("Respondent") was returned marked "Unclaimed, Unable to Forward." Although the parties were provided with the opportunity to file exceptions, no exceptions were filed.

Upon review of the entire record of this proceeding, the Board adopts the Hearings Officer's recommended decision as the Board's Final Order. Accordingly, the Board finds and concludes that Respondent Robert A. Scarpitto, doing business as Viking Pools Mid-Valley, Inc. violated Hawaii Revised Statutes §§444-9.3 and 17(3), along with Hawaii Administrative Rule §16-77-8(a).

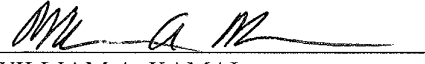
For the violations found, Respondent's contractor's license is hereby revoked and Respondent shall immediately submit all indicia of licensure as a contractor in the State of Hawaii to the Executive Officer of the Board. The Board further orders that Respondent pay within sixty days of the Board's Final Order: (1) restitution to Denise Anne Matlock in the sum of \$17,630.00; and (2) a fine of \$25,000.00. Payment of the fine shall be by certified check or money order made payable to


the "State of Hawaii, Compliance Resolution Fund." Payment of restitutions shall be made payable to the complainants. Send all payments to: Regulated Industries Complaints Office, Department of Commerce and Consumer Affairs, 235 South Beretania Street, 9th Floor, Honolulu, Hawaii 96813. Payment of the restitution and fine shall be conditions for relicensure in the event Respondent reapplies for licensure following the period of revocation.


DATED: Honolulu, Hawaii: NOV 23 ^{JS} ~~2010~~ 2009


NEAL ARITA
Vice Chairperson



ERIC CARSON
Board Member

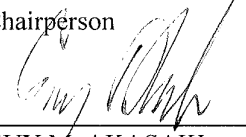

WILLIAM A. KAMAI
Board Member

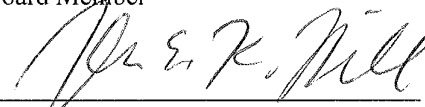

HAROLD L. MARTIN
Board Member



RONALD K. OSHIRO
Board Member



DARVL SUEHIRO
Board Member

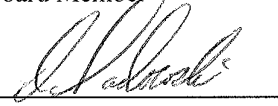

F.M. SCOTTY ANDERSON
Chairperson



GUY M. AKASAKI
Board Member


JOHN E. K. DILL
Board Member


RANDALL B. C. LAU
Board Member


ALDON K. MOCHIDA
Board Member


DENNY R. SADOWSKI
Board Member


GERALD YAMADA
Board Member

Board's Final Order; In re Robert A. Scarpitto, dba Viking Pools Mid-Valley, Inc.; CLB-2007-115-L.