# STATE OF RHODE ISLAND DEPARTMENT OF BUSINESS REGULATION CONTRACTORS' REGISTRATION AND LICENSING BOARD 560 JEFFERSON BOULEVARD, SUITE 200 WARWICK, RHODE ISLAND 02886

IN THE MATTER OF:

**REGISTRATION NO. GC-3064** 

CHRISTOPHER GODDARD, ANN-MARIE GODDARD, EXODUS CONSTRUCTION LLC, AND EXODUS DESIGN GROUP, LLC, AND INCLUDING ANY OF THE FOREGOING D/B/A EXODUS DESIGN & CONTRUCTION

COMPLAINT 2023-379 NOS. 2023-484

RESPONDENTS

# ORDER RE: MOTION TO EXTEND SUMMARY SUSPENSION AND CEASE AND DESIST

# I. INTRODUCTION

This matter arose from an Emergency Order entered on December 20, 2023 suspending the Respondent Christopher Goddard's Contractor's Registration No. GC-3064 and subsequent Administrative Hearing held before the undersigned Director on January 18, 2024 by the Department of Business Regulation ("Department") for and on behalf of the Contractors' Registration and Licensing Board ("CRLB" or the "Board") pursuant to R.I. Gen. Laws §§ 5-65-10(b), (f)(1) and (f)(2).

# II. JURISDICTION

The Department has jurisdiction over this matter pursuant to R.I. Gen. Laws §§ 5-65-10(f) and 42-35-14(c) of the Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 et seq. ("APA") and CRLB Regulations 440-RICR-10-00-1 (the "Regulations").

# III. FACTS

The Emergency Order entered on December 20, 2023 is hereby incorporated by reference.

As required by the December 20, 2023 Emergency Order, an Administrative Hearing was held on January 18, 2024 at 11:00 a.m. at the Department of Business Regulation at 1511 Pontiac Avenue, Building 68, Cranston, Rhode Island 02920 in Conference Room 68-1.

All Respondents, including Respondents Christopher Goddard and Ann-Marie Goddard, were sent notice of the Administrative Hearing by first class mail, certified mail return receipt requested to their last known addresses and by email.

All Respondents, including Respondents Christopher Goddard and Ann-Marie Goddard, failed to appear for the Administrative Hearing.

#### IV. DISCUSSION

The Director reviewed evidence presented by CRLB legal counsel, including records of pending civil and criminal proceedings involving Respondents (see Plaintiffs Exhibits 8 - 17), and heard testimony from the Board's Principal State Building Code Official regarding Complaints Nos. 2023-379 & 2023-484.

Due to the nature of the CRLB claims against Respondents, which include complaints against Respondents related to Respondents' work as a contractor, and based upon the evidence and testimony presented at the hearing, the Director has good cause to believe that Respondents are in violation of CRLB Act as set forth in R.I. Gen. Laws § 5-65-1 et seq., including R.I. Gen. Laws §§ 5-65-10(a), subsections (1), (3), (4), (5), (6), (9), (11) and (14) and R.I. Gen. Laws §§ 5-65-10(h) and (k). Furthermore, the totality of the information set forth in the Emergency Order and evidence and testimony presented at the

hearing demonstrates that Respondents have acted to the detriment of the health, welfare, and safety of the general public making it imperative that the summary suspension imposed be extended and continued to prevent further harm to the public welfare.

# V. ORDER

Accordingly, it is hereby **ORDERED**:

Pursuant to R.I. Gen. Laws § 5-65-10(f), the suspension of Respondent Christopher Goddard's Contractor's Registration GC-3064 (the "Registration") effective through January 20, 2024 is extended for an additional thirty (30) days to February 20, 2024, with a full Order to Show Cause hearing to be held at the date and time set forth below and a determination made as to why Respondent Christopher Goddard's contractor registration should not be revoked, and Respondents fined, deposits ordered returned and Respondents ordered to cease and desist from further violations of the CRLB Act. If the full hearing is hereafter rescheduled or continued by the Hearing Officer, the suspension of the Registration shall continue until the hearing is held and this matter concluded by decision and order of this Department.

In accordance with R.I. Gen. Laws §§ 5-65-3 and 5-65-10, during the period of this suspension, Respondent Christopher Goddard cannot undertake, offer to undertake, submit a bid, perform or arrange to perform work as a contractor. All Respondents, including Respondents Christopher Goddard and Ann-Marie Goddard, are prohibited from using the registration and/or from offering to undertake, undertaking and performing any work requiring registration under the CRLB Act.

All Respondents, including Christopher Goddard and Ann-Marie Goddard, shall appear before a Hearing Officer of the Department for an Administrative **Hearing on February 19, 2024 at 10:00 AM** to show cause why Respondent Christopher

Goddard's contractor registration should not be revoked, and Respondents fined, deposits

ordered returned, and Respondents ordered to cease and desist from further violations of

the CRLB Act, R.I. Gen. Laws § 5-65-1 et seq. and the CRLB Regulations, and/or other

appropriate administrative action taken.

The Hearing shall be held on February 19, 2024 at 10:00 AM at the

Department of Administration, at One Capitol Hill, Providence, Rhode Island 02908.

In the event of any change of date, time, or location of the hearing, notice shall be given to

the parties in accordance with the APA.

Pursuant to R.I. Gen. Laws §§ 5-65-20 and 42-6-8, the undersigned hereby appoints

Catherine Warren, Esq., as Hearing Officer for the purpose of conducting the hearing and

rendering a decision in this matter. The proceedings shall be conducted in accordance with

the APA and the Rules of Procedure set forth in the Regulations. It shall be the sole

responsibility of each Respondent, or such Respondent's representative, to present such

Respondent's defense to the Hearing Officer. Pursuant to 440-RICR-10-00-1, Respondents

may be represented by legal counsel admitted in the State of Rhode Island. If any

Respondent fails to appear at the Hearing and has not otherwise notified the Hearing

Officer of such Respondent's inability to attend, the Hearing Officer may enter a default

judgment against such Respondent pursuant to 440-RICR-10-00-1.17.

Dated: January 19, 2024

Elizabeth Kelleher-Dwver

Director

Rhode Island Department of Business Regulation

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# **NOTICE OF APPELLATE RIGHTS**

Pursuant to R.I. Gen. Laws § 5-65-20 and § 1.13.2 of the Regulations, decisions by a hearing officer are appealable to the full Board by requesting an appeal in writing to the Board within twenty (20) days of the date of mailing or issuance of this decision.

Any appeal to the Board shall give the specific reasons why a party believes that the findings of the hearing officer are incorrect, based on testimony or evidence received at the hearing. No new testimony or evidence will be accepted. The Board does not rehear any issues but can only accept argument as to why a wrong decision may have been reached in this case. If an appeal is filed, the parties will be notified of the date, time, and location of the Board's meeting. Either party may appear before the Board to give oral argument. Failure of either party to appear before the Board may result in an adverse decision against the party.

However, this order may be considered an interlocutory order of the Department of Business Regulation pursuant to R.I. Gen. Laws § 42-35-15. Pursuant to R.I. Gen. Laws § 42-35-15, an interlocutory order may be appealed to the Superior Court sitting in and for the County of Providence within thirty (30) days of the mailing date of this decision. Such appeal, if taken, must be completed by filing a petition for review in superior court. The filing of the complaint does not itself stay enforcement of this order. The agency may grant, or the reviewing court may order, a stay upon the appropriate terms. <sup>1</sup>

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<sup>&</sup>lt;sup>1</sup> The undersigned cannot grant appeal rights where none exist so that such determination over any appeal rights lies with the Superior Court, if appealed.

#### CERTIFICATION

I hereby certify that on this 19th day of January 2024, a true copy of the within Order Re: Motion to Extend Summary Suspension and Cease and Desist was sent by first class mail and certified mail, return receipt requested, and email to:

Exodus Construction, LLC	Exodus Design Group LLC
351 Liberty Lane Suite 16	351 Liberty Lane Suite 16
West Kingston, Rhode Island 02892	West Kingston, Rhode Island 02892
Exodus Construction, LLC c/o Registered Agent Christopher Goddard 351 Liberty Lane, Suite 16 West Kingston, Rhode Island 02892	Exodus Design Group LLC 4 Timber Ridge Road Charlestown, Rhode Island 02813
Christopher Goddard 91 Point Judith Rd., Suite 375 Narragansett, Rhode Island 02882	Exodus Design Group LLC c/o Registered Agent Exodus Construction, LLC 91 Point Judith Rd., Suite 375 Narragansett, Rhode Island 02882
Christopher Goddard	Ann-Marie Goddard
4 Timber Ridge Road	4 Timber Ridge Road
Charlestown, Rhode Island 02813	Charlestown, Rhode Island 02813

# And by email to:

- 1. Christopher Goddard, Respondent: (<u>customerservice@exodusri.com</u> and <u>chrisg@exodusri.com</u>; <u>goddardc34@gmail.com</u>; <u>goddardc39@gmail.com</u>);
- 2. Respondents ECL and EDGL: (customerservice@exodusri.com, chrisg@exodusri.com and jennp@exodusri.com);
- 3. Ann-Marie Goddard, Respondent:(<u>customerservice@exodusri.com</u> and <u>annmarie@exodus.ri.com</u>);
- 4. Catherine Warren, Esq., Hearing Officer (<u>Catherine.warren@doa.ri.gov</u>);
- 5. Joshua W. Nault, Esq., DBR Senior Legal Counsel (joshua.nault@dbr.ri.gov);
- 6. Pamela J. Toro, Esq., DBR Legal Administrator (pamela.toro@dbr.ri.gov);
- 7. Donna Costantino, DBR Associate Director (donna.costantino@dbr.ri.gov);
- 8. Matthew Lambert, Principal Investigator, Contractors' Registration and Licensing Board, DBR (<a href="matthew.lambert@dbr.ri.gov">matthew.lambert@dbr.ri.gov</a>); and
- 9. Anthony Whitfield, Investigator, Contractors' Registration and Licensing Board (Anthony, whitfield@dbr.ri.gov).

Muled Colla Print Name: Meredith Cotta