

September 19, 2002

**In the Matter of the
Heating, Air Conditioning and
Ventilation license for
Silvernail Enterprises
6603-36th Avenue North
Robbinsdale, MN**

**Findings of Fact,
Conclusions and
Recommendations**

This matter came to the attention of the License Department from a referral from Mechanical Inspector Jon Knudsen. Mark Silvernail, the principal of Silvernail Enterprises agreed to meet and discuss the issues Inspector Knudsen brought forward. Based on the evidence presented, the Department makes the following findings of fact.

FINDINGS OF FACT

1. Mechanical Inspector Jon Knudsen notified Licenses that Silvernail Enterprises was failing to meet mechanical codes on numerous job sites in the City of Minneapolis. The issues includes failure to call for required inspections, poor quality work resulting in code orders and allowing individuals, without competency cards, to perform trade work. Inspector Knudsen expressed concern over the number of reinspections the Department of Inspections was conducting to ensure Mr. Silvernail's work met code.
2. Mark Silvernail admitted his company was having some problems in the last year. One of his current employees was having some personal problems that were interfering with the quality of his work. This employee had taken steps in recent months to resolve those issues. Mr. Silvernail was trying to hire new employees but was unsuccessful in his attempt. Mr. Silvernail believed he was on his way to resolving his past problems.
3. Mr. Silvernail said that by September 20, 2002 he would be contacting Inspector Knudsen to resolve his outstanding permit issues.

CONCLUSIONS

1. Silvernail Enterprises failed to call for required inspections.

2. Silvernail Enterprises allowed persons without competency card to work on their jobsites.
3. Silvernail Enterprises accumulated numerous code violations and reinspections.

RECOMMENDATIONS

Silvernail Enterprises have been licensed with the City of Minneapolis for over twenty years. In that time period, the company has not had a large number of complaints concerning the above-related concerns. Due to this history the Department make the following recommendations.

1. An administrative fine in the amount of \$2000.00 is assessed for failing to obtain the required inspections. This fine is stayed pending no similar violations for a period of one year.
2. Mr. Silvernail agrees to meet with the Inspection and License Departments in six months to determine the number of code violations and reinspection requirements have been reduced. If the number of code violations and reinspections have not reduced, Mr. Silvernail understands that his company will be subject to further action against his license.
3. Mr. Silvernail understands that he will pay administrative fines in the amount of \$100 for each occasion an individual is discovered working without the required competency card. Should this violation occur within the first year, the licensee shall pay the \$2000.00 administrative fine for his past violations as well the new fine in the amount of \$100.00
4. Mr. Silvernail agrees to call for required inspections the same day the work is to be completed. He also understands that he will be present at each inspection to answer for any code violations that are noted. Mr. Silvernail understands that he will pay a minimum administrative fine in the amount of \$100.00 for each jobsite that he fails to call for the required inspection. Should this violations occur within the first year, the licensee shall pay the \$2000 administrative fine for his past violations as well the new fine in the amount of \$100.00.

