STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH

In re: LBS Hispanic Center, L.L.C. Petition No. 2019-21

CONSENT ORDER

WHEREAS, LBS Hispanic Center, L.L.C. of Hartford, Connecticut (hereinafter "respondent") has been issued license number 002349 to practice a lead abatement contractor by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 400c of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. In or about June, 2019, respondent performed a lead abatement project at a residential property located at 17-19 Mahl Street, Hartford, Connecticut (hereinafter "the property"). On or about June 27, 2019, in connection with the lead abatement project at the property, respondent failed to seal the front entrance to the dwelling by using two (2) layers of six (6) mil polyethylene sheeting and in the manner required by §19a-111-4(c)(2)(C) of the Regulations of Connecticut State Agencies.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-481.

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Department, this Consent Order shall have

the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-481 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-481 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives its right to a hearing on the merits of this matter.
2. Respondent's license number 002349 to practice as a lead abatement contractor in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of one thousand and five hundred dollars ($1,500.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time respondent submits the executed Consent Order to the Department.
4. Respondent shall comply with all state and federal statutes and regulations applicable to its licensure.
5. Respondent shall pay all costs necessary to comply with this Consent Order.
6. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Department.
7. This Consent Order is effective on the date this Consent Order is accepted by the Department.
8. Respondent understands and agrees that this Consent Order shall be deemed a public document and that the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Department in which its compliance with this Consent Order or with Chapter 400c of the General Statutes of Connecticut, as amended, is at issue.

9. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards and respondent waives any right to seek reconsideration or modification of this Consent Order pursuant to §4-181a of the General Statutes of Connecticut without the express consent and agreement of the Department. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Consent Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that it may have under the laws of the State of Connecticut or of the United States.

10. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.

11. Respondent permits a representative of the Department to present this Consent Order and the factual basis for this Consent Order to the Department. Respondent understands that the Department has complete and final discretion as to whether this executed Consent Order is approved or accepted.

12. Respondent has the right to consult with an attorney prior to signing this document.

13. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the

pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.

14. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

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I, Luis Soto, Member and General Manager of LBS Hispanic Center, L.L.C., , have read the above Consent Order and I represent and warrant that I am fully authorized and empowered to bind said limited liability company. I hereby stipulate and agree to bind LBS Hispanic Center, L.L.C. to the terms as set forth in this Consent Order. I further declare the execution of this Consent Order to be my free act and deed.

Luis Soto, Member and General Manager

Subscribed and sworn to before me this 17 day of March 2020.

Notary Public or person authorized
by law to administer an oath or affirmation

SALLY CHUNG
NOTARY PUBLIC, STATE OF CONNECTICUT
My Commission Expires 06 30, 2023

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 29th day of May 2020, it is hereby accepted.

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Lori J. Mathieu, Branch Chief
Environmental Health & Drinking Water Branch