

**IN THE MATTER OF
THE CLAIM OF DIANE L. WELLS
AGAINST THE
MARYLAND HOME IMPROVEMENT
GUARANTY FUND ON ACCOUNT OF
ALLEGED VIOLATIONS OF
JAMES CHURCO
t/a KITCHENS OF DISTINCTION, INC.**

*** MARYLAND HOME
IMPROVEMENT COMMISSION
*
* Case No. 09 (90) 1199

* * * * *

FINAL ORDER

On this **6TH** day of **December**, 2010, Panel B of the Maryland Home Improvement Commission ORDERS that:

1) Pursuant to Business Regulation Article, §8-408(b)(3)(i), Annotated Code of Maryland, the Claimant has provided the Commission with a copy of a final award in arbitration, dated May 5, 2010, with all rights of appeal exhausted, in which the arbitrator found on the merits that the conditions precedent to recovery, as set forth in Business Regulation Article, §8-405(a), Annotated Code of Maryland, have been met, and found that the Claimant sustained an actual loss of \$15,000.00.

2) The Commission directs payment of \$15,000.00 from the Home Improvement Guaranty Fund to the Claimant, Diane L. Wells.

3) Pursuant to Business Regulation Article, §8-411(a), Annotated Code of Maryland, any home improvement licenses held by the Respondent, James Churco, t/a Kitchens of Distinction, Inc. shall be Suspended, and the Respondent shall be ineligible for any home improvement licenses, until the Respondent has repaid any money paid from the Home Improvement Guaranty Fund pursuant to this Order, with 10 percent annual interest.

4) The records and publications of the Maryland Home Improvement Commission shall reflect this decision.

5) The payment to the Claimant from the Home Improvement Guaranty Fund shall be authorized thirty (30) days from the date of this Order. During the thirty (30) day period, any party may file an appeal of this decision to Circuit Court.

Joseph Tunney

Chair - Panel B