

Professional Gutters & Trim

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March 20, 2006

Alderman Michael S. D'Amato
City Hall, Room 205
200 East Wells st.
Milwaukee, WI 53202

Dear Alderman D'Amato

I am writing this letter in regards to my application for a Home Improvement Contractors license. I attended a Licensing Committee meeting on March 7th. The committee is recommending denial of my application to the Common Council. I would like to attend the full council meeting on March 23rd. I would like the opportunity to present my case to the full council, or to have my application go back to committee. The committee recommended denial on the information contained in the police record. I have been convicted of retail theft, theft of movable property, manufacture/delivery of heroin, and possession with intent to deliver heroin. I am currently on supervision for the latter two, which are felonies. I am currently on probation until 2008, although my probation officer is currently going through the steps to grant me an early discharge in June of this year. All of the crimes I committed were drug related. My retail theft stems from an incident where I stole a blister pack of Benedryl in order to use it to adulterate heroin. The theft of a moveable object stems from an incident where I stole a car which was parked running. I did this so I would have a ride to go purchase heroin. On June 6th of 2002 I was arrested for delivering heroin to a confidential informant. I hope the background check you have received notes the correct date not June 2nd of 2003. If not, please see the letter from the Department of Corrections. On June 6th of 2002, I also had more heroin on me for my use, which is where the possession with intent stems from. I am a recovering heroin addict. I have been clean now for 3 years and 3 months. I would be clean for 3 years and 9 months had it not been for a setback in December of 2002 when I unfortunately used drugs. I have been, for the last several years, trying to build my life up to its full potential. I have been installing aluminum rain gutters and trim for the last 10 years. I am very good at it and it is what I know how to do. The company I currently work for is looking to get rid of all of there employees who install for them and has encouraged me to acquire my own insurance and bond, which I have done, so that they can just sub-contract their work to me. At the same time I would like to get involved in the retail portion of the business.

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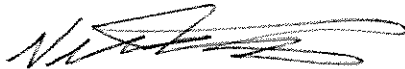
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The first question I would like to put forth to the council is: How much do these convictions truly relate much to my HIC license? Although they are all serious crimes, I question how much they substantially relate to the particular activity for which the license would be issued. Unfortunately, I believe there might have been some confusion on the part of some of the committee members at the hearing on March 7th. Somehow, the discussion on why the committee must protect the public from fraudulent activity, turned into an assertion, on the part of some on the committee, that somehow, I had already committed fraud. It was then mentioned again, during the hearing after mine, that I had somehow already committed fraud. That is simply not the case. I understand that I have committed serious crimes in the past, but they do not substantially relate. The council must weigh there duty of protecting the public from a recovering addict who could relapse and commit more crimes and my rights to equal protection under the law. It would not be correct for my license to be denied on some completely hypothetical situation of fraud.

The second question I would like to put forth to the council is this: How long should I have to be clean before I can conduct my business in the community where I actually live? Considering I am already conducting business in all the surrounding communities, it is a little bit odd that I should not be able to conduct business in and around my own home. I have been punished for my crimes. I am still being supervised for my crimes. Why would the City of Milwaukee not want to license me? I live here. Why would they not want me to be a productive member of the community? The license, in and of itself, serves the purpose to promote accountability and to protect the community from unscrupulous contractors. I hope you will let the license serve it's purpose. I thank you for taking the time to read this letter and considering my application. If you have any questions, please contact me at (414)350_1358.

Sincerely,

Professional Gutters & Trim



Nicholas A. Estes
Owner