

**United States Small Business Administration  
Office of Hearings and Appeals**

VSBC Appeal of:

Secutors Consulting Services, LLC,

Appellant,

SBA No. VSBC-277-A

Decided: May 2, 2023

ORDER DISMISSING APPEAL<sup>1</sup>

On April 24, 2023, Secutors Consulting Services, LLC (Appellant) appealed the denial of its application for certification as a Service-Disabled Veteran-Owned Small Business (SDVOSB) by the Director of SBA's Office of Government Contracting (D/GC) to the U.S. Small Business Administration (SBA) Office of Hearings and Appeals (OHA).

Although OHA found deficiencies in Appellant's appeal, Appellant's deadline for filing an appeal in compliance with the regulations had not yet expired. As a result, OHA ordered that Appellant would have until April 27, 2023, to submit a new appeal petition. OHA explained that the appeal was deficient because Appellant failed to provide a statement identifying any alleged error committed by the Director of SBA's Office of Government Contracting (D/GC) in rendering the determination, as is required for a valid appeal under 13 C.F.R. §§ 134.1105(a)(2) and 134.1111. (*Id.*) Further, the appeal included an amended Operating Agreement which had not been submitted to D/GC. However, this is new evidence. In a VOSB or SDVOSB appeal proceeding, OHA cannot consider new evidence for the first time on appeal, unless good cause is shown. 13 C.F.R. § 134.1110.

As of May 1, 2023, Appellant did not submit a new appeal petition nor did it respond to OHA's Order, and the time to do so has expired.

Under OHA's rules of procedure, a deficient appeal may be summarily dismissed. 13 C.F.R. § 134.1105(d). Here, as discussed above, Appellant's appeal is deficient in multiple respects, and Appellant did not avail itself of the opportunity to cure those defects. *See e.g., VSBC Appeal of Walbro Academy LLC*, SBA No. VSBC-274-A (2023) (dismissing the appeal due to a deficient appeal petition).

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<sup>1</sup> This appeal is decided under the Small Business Act of 1958, 15 U.S.C. § 631 et seq., and 13 C.F.R. parts 128 and 134.

Accordingly, the appeal is DISMISSED. This is the final decision of the U.S. Small Business Administration.

CHRISTOPHER HOLLEMAN  
Administrative Judge