



# Senior Bulletin

November 2016

## Solar firm's victims compensated

The Nevada State Contractors Board held a Residential Recovery Fund subcommittee meeting on August 4, where it ordered \$400,000 in financial recourse be made to 133 homeowners damaged by former licensed contractor Summerlin Energy Las Vegas, LLC.

“To be able to provide homeowners financial recourse after they have been taken advantage of by a licensed contractor underscores the importance of the Board’s mission to protect the public,” said NSCB Executive Officer Margi A. Grein. “We empathize greatly with the circumstances each homeowner in this case experienced and want to stress the importance of hiring licensed Nevada contractors for any home repair or remodel work to ensure the

public receives the full protections the Board has to offer, should something go wrong during the course of a project.”

Pursuant to Nevada Revised Statute 624.510, the Residential Recovery Fund may afford eligible homeowners of single family residences up to \$35,000 in financial recourse; however, claims may not exceed \$400,000 per contractor. Claims from the 133 homeowners totaled approximately \$1.44 million, therefore every homeowner received a prorated amount equal to 38.3 percent of the value of their validated claim values.

The Board began receiving complaints from homeowners against Summerlin Energy in November 2015, with a significant number of

complaints filed – by vendors as well as homeowners – by the end of January. On February 3, 2016, the Board summarily suspended the licenses of Summerlin Energy, forbidding the company from entering into any new contracts for work while the Board’s investigation continued.

On March 31, a disciplinary hearing was held where Judge Philip M. Pro ordered the revocation of Summerlin Energy’s licenses. Pro made the ruling after hearing testimony from Board investigators, homeowners, and suppliers alleging Summerlin Energy took money without providing work or material, failed to pay its vendors, which led to vendors placing liens on properties after homeowners had paid Summerlin Energy in full. Pro

sustained 46 of the 48 Causes of Action against Summerlin Energy, which were affiliated with nine complaints – seven from homeowners and two from vendors.

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# Hire only licensed contractors

Did you know it is against the law to contract in the state of Nevada without a contractor's license? Did you know that homeowners forego many of their rights when they contract with an unlicensed contractor?

That's why Nevada State Contractors Board (NSCB) recommends homeowners hire only licensed contractors. They have passed trade and law exams, have demonstrated financial responsibility, carry workman's compensation insurance, and are bonded. Furthermore, homeowners who hire licensed contractors may be eligible for NSCB's Residential Recovery Fund, which awards up to \$35,000 for damages incurred up to four years after a project is performed.

When it is time to hire a contractor for home repair or maintenance work, protect yourself by following these guidelines:

- Ask for and verify the contractor's license on NSCB's website, [www.nscb.nv.gov](http://www.nscb.nv.gov). The site notes the license's status and any disciplinary action the Board has taken against the contractor.
- Obtain at least three bids before signing any contracts. Obtain and follow up on references from each
- Ensure the contract is detailed, down to the color of the paint, number and size of tiles, types and number of plants on landscaping projects, etc.
- Demand a payment schedule be included in the contract. Pay for the work as it is completed. Limit down



payments to 10 percent of the total project cost or \$1,000, whichever is less.

- Pay with a credit or check rather than cash. Always obtain receipts for payments made.

If something goes wrong with a project – a payment dispute or workmanship issue, for example – contact NSCB or fill out a complaint form online. Homeowners have four years from the time they sign the contract to file a complaint against licensed contractors.



**WALK**  
YOUR WAY TO BETTER HEALTH

*Anatomy of Walking*

- BOOSTS ENDORPHINS**  
EASING STRESS, TENSION, ANGER, FATIGUE, AND CONFUSION IN TEN MINUTES
- REDUCES GLAUCOMA RISK**
- HALVES ALZHEIMER'S DISEASE RISK OVER 5 YEARS**
- LIMITS SICKNESS**  
BY HALVING ODDS OF CATCHING A COLD
- IMPROVES HEART HEALTH**  
BY INCREASING HEART RATE AND CIRCULATION
- WORKS ARM & SHOULDER MUSCLES**
- IMPROVES BLOOD PRESSURE**  
BY FIVE POINTS
- ENGAGES AB MUSCLES**
- BUILDS BONE MASS,**  
REDUCING RISK OF OSTEOPOROSIS
- LIMITS COLON CANCER**  
BY 31% FOR WOMEN
- STRENGTHENS LEGS,**  
INCLUDING QUADRICEPS, HIP FLEXORS, AND HAMSTRINGS
- IMPROVES BALANCE**  
PREVENTING FALLS
- BURNS MORE FAT**  
THAN JOGGING

ONLY 30 MINUTES A DAY,  
5 TIMES A WEEK CAN MAKE YOU  
HEALTHIER AND HAPPIER.

*Every Body WALK!*  
The Campaign to Get America Walking

[WWW.EVERYBODYWALK.ORG](http://WWW.EVERYBODYWALK.ORG)

## Walk your way to better health

Seniors needn't think they have to sign up for high-impact aerobics classes or run 10K races to stay in shape. Instead, fitting a simple 35-minute walk into their daily activities can keep them physically strong and agile.

"Walking is a tremendously good activity for senior citizens. It's cheap, it's simple, almost anybody can do it and it," said Dr. Michael Pratt, the acting chief for the Physical Activity and Health Branch in the Division of Nutrition and Physical Activity at the Centers for Disease Control and Prevention in Atlanta (CDC).

Regular exercise is a must for older adults if they want to maintain mobility and independence, he said, but most older adults aren't getting enough activity and we know that they stand to benefit from regular exercise.

It's never too late to begin exercising, said Dr. Pratt.

"One of the issues with older adults, particularly with women, is that many have grown up thinking that exercise is not for them," he said. "They think if they're not athletes, they shouldn't be active. To this, I would like to say that it's never too late to start. Most of the benefits of exercise that accrue for younger adults also apply to older adults, no matter when they begin exercising," he said.

# Board nets felony fraud conviction

A two-year investigation by the Nevada State Contractors Board's Fraud Unit and federal authorities has resulted in indictments against two men associated with Recreational Development Company.

On July 27, a federal grand jury indicted the North Las Vegas general contractor's president, Jeffrey Whittle, and general manager, Brian Vanderburgh, on one count of conspiracy and four counts of wire fraud.

NSCB opened an investigation after receiving a tip in August 2014 alleging Recreational Development falsified invoices on a Veterans Administration clinic constructed in 2010-11. The extensive investigation un-

covered evidence allegedly showing eight separate invoices were falsely submitted at a total value of \$281,000, and that illegal payments were being made to the developer's on-site representative and RDC.

After issuing 38 subpoenas, identifying and reviewing 19 bank accounts and acquiring more than 12,000 related documents, NSCB forwarded the case to the U.S. Attorney's Office who brought in the FBI to pursue potential federal violations.

Whittle has entered a guilty plea to the Conspiracy charge and is awaiting sentencing on November 21, 2016.

## Contact The Contractors Board!

### RENO

9670 Gateway Drive  
Suite 100  
Reno, NV 89521  
775-688-1141

### HENDERSON

2310 Corporate Circle  
Suite 200  
Henderson, NV 89074  
702-486-1100

*Unlicensed Contractor Hotline 702-486-1160 or 775-850-7838*