

JIM GIBBONS  
Governor

STATE OF NEVADA



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING  
DECEMBER 2, 2009

REPLY TO:

**LAS VEGAS**  
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MEMBERS  
Kevin E. Burke, Chairman  
Michael Efstratis  
John C. Ellison  
Jerry Higgins  
Nathaniel W. Hodgson, III  
William "Bruce" King  
Stephen P. Quinn

**CALL TO ORDER:**

Hearing Officer Michael Efstratis called the meeting of the State Contractors Board to order at 8:35 a.m., Wednesday December 2, 2009, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

**BOARD MEMBERS PRESENT:**

Mr. Michael Efstratis  
Mr. Jerry Higgins

**STAFF MEMBERS PRESENT:**

Ms. Margi A. Grein, Executive Officer  
Mr. George J. Lyford, Director of Investigations  
Mr. Gary Hoid, Deputy Director of Investigations

**LEGAL COUNSEL PRESENT:**

Mr. David Brown, Esq., Legal Counsel  
Mr. Bruce Robb, Esq., Legal Counsel

The agenda was posted in compliance with the open meeting law November 23, 2009 at Reno City Hall, Washoe County Court House and Washoe County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board Internet Website.

**ADJUDICATING BOARD MEMBER: MICHAEL EFSTRATIS**

**1. DISCIPLINARY HEARING:**

**ADEPT LANDSCAPING, LICENSE NO. 57198**  
**ADEPT CONCRETE and PAVERS, LICENSE NO. 60896**  
**ADEPT PAINTING, LICENSE NO. 52161**

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

**This matter was continued for thirty (30) days.**

**2. DISCIPLINARY HEARING:****BLUE DIAMOND POOL & SPA LLC, LICENSE NO. 71204****DREAM CRAFTERS LLC, LICENSE NO. 54864****CREATIVE TILE & STONE LLC, dba HERITAGE TILE & STONE, LICENSE NOS. 72378 and 72413**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Photos from Carolyn Lewis

Hearing Officer Efstratis found the Respondent Blue Diamond Pool & Spa LLC, license number 71204 guilty of violating NRS 624.301(5) willful failure or refusal to comply with the terms of a construction contract or written warranty, thereby causing material injury to another; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Notice to owner; NRS 624.3013(5) as set forth in NAC 624.640(5) each licensee shall include in all bids he submits or contracts he enters into for construction work within this State, the number of his license and any monetary limit placed upon his license; NRS 624.3018(2), association of any act or omission constituting a cause for disciplinary action; NRS 624.3016(5) failure to comply with NRS 624.935(3) and NAC 624.6966(3) for unconditional lien releases; NRS 624.3016(5) failure to comply with NRS 624.935(5); NRS 624.3016(5) failure to comply with NRS 624.940(2)(d) and NAC 624.6958(2)(d); NRS 624.3016(5) failure to comply with NRS 624.940(2)(g) and NAC 624.6964(4); NRS 624.3016(5) failure to comply with NRS 624.940(2)(h) and NAC 624.6958(2)(i)(1); NRS 624.3016(5) failure to comply with NRS 624.940(2)(i) and NAC 624.6958(2)(j); NRS 624.3016(5) failure to comply with NRS 624.940(3)(a); NRS 624.3016(5) failure to comply with NRS 624.940(3)(b)(1) and NAC 624.6958(l); NRS 624.3016(5) failure to comply with NRS 624.940(3)(b)(2); NRS 624.3016(5) failure to comply with NRS 624.940(4); NRS 624.3016(5) failure to comply with NAC 624.6958(2)(n); NRS 624.3016(5) failure to comply with NAC 624.6958(2)(o). Blue Diamond Pools was ordered to pay a fine of \$1,000.00 and investigative costs in the amount of \$1,809.00 within 30 days of December 2, 2009 or license numbers 71204, 54865, 72378 and 72413 will be automatically suspended. The Seventeenth Cause of Action was dismissed. Licensee was ordered to re-plaster the Lewis pool prior to April 30, 2010.

**3. DISCIPLINARY HEARING:****B I C CONSTRUCTION, LICENSE NO. 39595**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Agreement dated December 1, 2009 signed by Bruce Cohen

Exhibit 3 – Agreement dated December 1, 2009 signed by Jerry Enneking

Hearing Officer Efstratis found the Respondent B I C Construction Ltd, license number 39595 guilty of violating NRS 624.3013(5) as set forth in NAC 624.640(5) each licensee shall include in all bids he submits or contracts he enters into for construction work within this State, the number of his license and any monetary limit placed upon his license. Hearing Officer Efstratis ordered revocation of license number 39595 and ordered licensee to pay Mr. Enneking by cashiers check in the amount of \$4,400.00 within ten (10) days of December 2, 2009. In addition Hearing Officer Efstratis ordered payment of investigative costs in the amount of \$1,000.00 to be paid within sixty (60) days of December 2, 2009.

**4. DISCIPLINARY HEARING-STIPULATED REVOCATION:  
C S E CONSTRUCTION, LICENSE NO. 47122**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Efstratis found the Respondent C S E Construction, license number 47122 guilty of violating NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Efstratis ordered revocation of license number 47122 and ordered Respondent to pay a fine in the amount of \$500.00; reimburse the Board for investigative costs in the amount of \$1,869.00; provide repayment to the bonding company within thirty (30) days.

**5. DISCIPLINARY HEARING- DEFAULT ORDER:  
WILLIAM F. WOOLSEY, LICENSE NO. 41197  
S V W W LLC, LICENSE NO. 55484  
GREY HAWK CONSTRUCTION INC, LICENSE NO. 66254**

Licensee was not present, but was represented by Steve Harris, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Efstratis found the Respondent William F. Woolsey, license number 41197 in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Licensee was found guilty of violating NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records; NRS 624.302(5) failure or refusal to cooperate in an investigation; NRS 624.3018(2) association of any act or omission constituting a cause for disciplinary action; NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Efstratis ordered revocation of license numbers 41197, 55484 and 66254; and ordered Respondent to pay a fine in the amount of \$1,000.00; reimburse the Board for investigative costs in the amount of \$2,129.00 and pay full restitution to damaged parties and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

**DISCIPLINARY HEARING- DEFAULT ORDER:  
QUALITY GLASS AND WINDOW INSTALLATION, INC, LICENSE NO. 52407**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Efstratis found the Respondent Quality Glass and Window Installation Inc., license number 52407 in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Licensee was found guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NRS 624.700(3)(a) failure to comply with the Board's Notice to Correct; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Notice to owner; NRS 624.3013(4) by failing to keep in force the bond or cash deposit pursuant to NRS 624.270 for the full period required by the Board; NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Efstratis ordered revocation of license number 52407; and ordered Respondent to pay a fine in the amount of \$2,600.00; reimburse the Board for investigative costs in the amount of \$1,944.00; and pay full restitution to damaged parties and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Efstratis at 10:45 a.m.

Respectfully Submitted,

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Sandy Diederich, Recording Secretary

APPROVED:

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Margi A. Grein, Executive Officer

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Michael Efstratis, Hearing Officer