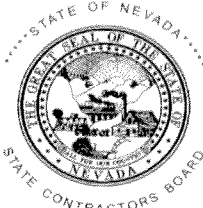


MEMBERS

Guy M. Wells, Chairman
Thomas "Jim" Alexander
Kevin E. Burke
Margaret Cavin
Joe Hernandez
Jan B. Leggett
Stephen P. Quinn



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STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
May 28, 2014**

CALL TO ORDER:

Richard Scotti, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, May 28, 2014, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

ADMINISTRATIVE LAW JUDGE:

Mr. Richard Scotti, Esq.

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. George Lyford, Director of Investigations
Mr. Daniel Hammack, Chief of Enforcement

LEGAL COUNSEL PRESENT:

Mr. Noah Allison, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on May 21, 2014, at Paseo Verde Library, Sawyer State Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board's Internet Website.

ADMINISTRATIVE LAW JUDGE: Richard Scotti, Esq.

1. DISCIPLINARY HEARING:

OLSON IRON, INC., License No. 60513

Licensee was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint with attached exhibits dated May 5, 2014.

ALJ Scotti found Respondent guilty of one (1) violation of NRS 624.301(5) failure to comply with the terms of a construction contract and one (1) violation of NRS 624.3013(5), as set forth in NRS 624.750(3)(b) diversion of money. Respondent was assessed a fine of \$1,000.00 for the First Cause of Action; a fine of \$250.00 for the Second Cause of Action for total fines of \$1,250.00 and investigative costs of \$1,756.00. Fines and investigative costs are to be paid within thirty (30) days of receipt of the Decision and Order or license number 60513, Olson Iron, Inc. shall be suspended. Respondent shall make restitution to Michael Lentini in the amount of \$10,486.00

within thirty (30) days of receipt of the Decision and Order or license number 60513, Olson Iron, Inc. shall be suspended.

2. DISCIPLINARY HEARINGS:

B. O. L. M. CORP., dba BRIANA'S DESIGN CENTER, License Nos. 58720, 28721, 59605

Licensee was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Scotti found Respondent guilty of one (1) violation of NRS 624.3014(2)(a) aiding or abetting an unlicensed person to evade the provisions of this chapter; one (1) violation of NRS 624.3015(4) knowingly entering into a contract with a contractor while that contractor is not licensed; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(5) failure to include its license number and monetary license limit on its contracts; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee; one (1) violation of NRS 624.3016(1) misrepresentation of a material fact. The Seventh Cause of Action was dismissed. Respondent was assessed a fine of \$1,000.00 for each of the First and Second Causes of Action; a fine of \$100.00 for the Third Cause of Action; a fine of \$250.00 for each of the Fourth and Sixth Causes of Action for total fines of \$2,600.00 and investigative costs of \$2,288.00. Fines and investigative costs are to be paid within forty five (45) days of the May 28, 2014 hearing or license numbers 58720, 58721 and 59605, B. O. L. M. Corp., dba Briana's Design Center shall be suspended. Respondent's license limits shall be lowered to \$45,000.00.

3. DISCIPLINARY HEARINGS:

MOLD DOCTOR, LLC, License No. 68357

Licensee was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Upon the Stipulation of the parties, ALJ Scotti found Respondent guilty of one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(5) failure to include its license number and monetary license limit on its contracts; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; one (1) violation of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The Second Cause of Action was dismissed. Respondent was assessed a fine of \$250.00 for each of the First and Fifth Causes of Action; a fine of \$100.00 for each of the Third and Fourth Causes of Action; a fine of \$500.00 for the Sixth Cause of Action for total fines of \$1,200.00 and investigative costs of \$1,961.00. License number 68357, Mold Doctor, LLC shall be suspended until a current financial statement with bank verification form for all cash accounts that supports the license limit is provided to the Board. If the financial statement fails to support the license limit, the license limit shall be lowered to the amount the financial statement supports. Fines and investigative costs are to be paid within 120 days of the May 28, 2014 hearing or license number 68357, Mold Doctor, LLC shall be suspended.

4. DISCIPLINARY HEARINGS:

MURRELL E. REDDING, JR., OWNER, dba REDDING DRILLING, License No. 38155

Licensee was not present but was represented by counsel at the hearing, Lars Evensen, Esq.

ALJ Scotti suspended Respondent's license, number 38155 and continued this matter to July 23, 2014.

5. DISCIPLINARY HEARINGS:

SPIKE CONSTRUCTION, INC., License No. 59148

Licensee was not present but was represented by counsel at the hearing, Eric Dobberstein, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Hearing Brief dated May 15, 2014.

Upon the Stipulation of the parties, ALJ Scotti found Respondent guilty of two (2) violations of NRS 624.3011(1)(b)(1) disregard of the building laws of this State; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The First and Fourth Causes of Action were dismissed. Respondent was assessed a fine of \$1,000.00 for the Second Cause of Action; a fine of \$100.00 for the Third Cause of Action; a fine of \$1,650.00 for the Fifth Cause of Action; a fine of \$250.00 for the Sixth Cause of Action for total fines of \$3,000.00 and investigative costs of \$1,989.00. Respondent shall provide a current financial statement with bank verification form for all cash accounts that support the license limit by July 21, 2014. If the financial statement fails to support the license limit, the license limit shall be lowered to the amount the financial statement supports. Fines and investigative costs are to be paid within thirty (30) days of the May 28, 2014 hearing or license number 59148, Spike Construction, Inc. shall be suspended.

6. DISCIPLINARY HEARINGS – DEFAULT ORDER:

a. GEOFFREY BURNET SHAW, OWNER, dba SILVER CITY CONSTRUCTION, License No. 13923

GEOFFREY B. SHAW, OWNER, dba SILVER CITY A/C, License No. 25808

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Scotti found Respondents Geoffrey Burnet Shaw, Owner, dba Silver City Construction, license number 13923 and Geoffrey B. Shaw, Owner, dba Silver City A/C, license number 25808 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with the Board's Notice to Correct; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of the State; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as

officer, director, associate or partner of licensee. Respondent was assessed a fine of \$500.00 for each of the First and Fifth Causes of Action; a fine of \$50.00 for the Second Causes of Action; a fine of \$250.00 for the Third Cause of Action; a fine of \$1,000.00 for the Fourth Cause of Action for total fines of \$2,300.00 and investigative costs of \$1,963.00. License number 13923, Geoffrey Burnet Shaw, Owner, dba Silver City Construction and license number 25808, Geoffrey B. Shaw, Owner, dba Silver City A/C were revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

b. FOOTHILL FIRE PROTECTION, LLC, License No. 77496

Licensee was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Upon the Stipulation of the parties, ALJ Scotti found Respondent guilty of one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of the State; one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$500.00 for the First Cause of Action; a fine of \$250.00 for each of the Second and Third Causes of Action for total fines of \$1,000.00 and investigative costs of \$1,822.00. Fines and investigative costs are to be paid within thirty (30) days of the May 28, 2014 hearing or license number 77496, Foothill Fire Protection, LLC shall be suspended.

c. SAMBROK, LLC, License No. 77244

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

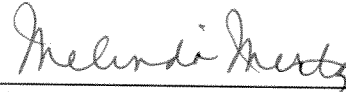
Exhibit 1 – Board Hearing File.

ALJ Scotti found Respondent Sambrok, LLC, license number 77244 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with the Board's Notice to Correct; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$500.00 for each of the First and Third Causes of Action; a fine of \$50.00 for the Second Cause of Action for total fines of \$1,050.00 and investigative costs of \$1,944.00. License number 77244, Sambrok, LLC was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

ADJOURNMENT


There being no further business to come before the Board, the meeting was adjourned by ALJ Scotti at 11:47 a.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer



Richard Scotti, Esq., Administrative Law Judge