

BRIAN SANDOVAL  
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STATE OF NEVADA



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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING

April 22, 2015

**CALL TO ORDER:**

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, April 22, 2015, 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. Noah Allison, Esq.

**STAFF MEMBERS PRESENT:**

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

**LEGAL COUNSEL PRESENT:**

Mr. Jack Juan, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law on April 16, 2015, 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: Noah Allison, Esq.**

**1. DISCIPLINARY HEARING:** (Continued from October 22, 2014, January 21, 2015, March 18, 2015)

**TOMMY LI, OWNER, dba T & L STONE DESIGN & REMODELING,** License No. 77778

**TOMMY LI, OWNER, dba T & L STONE,** License Nos. 67842, 77510

Licensee was not present but was represented by Donald Williams, Esq. at the hearing.

**ALJ Allison dismissed the Second Cause of Action. No further action was taken against the Respondent.**

**2. DISCIPLINARY HEARING:**

**REVCON, LLC,** License Nos. 73824, 75703

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – A Settlement Agreement between the Respondent and Calportland Co. dated March 12, 2015.

Upon the Stipulation of the parties, ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.302(6) failure or refusal to comply with a request for information or records; and 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 the First Cause of Action and a fine of \$250.00 for the Second Cause of Action for total fines of \$750.00 and investigative costs of \$1,789.00. All fines and investigative costs are to be paid within sixty (60) days of the April 22, 2015 hearing or license numbers 73824 and 75703, RevCon, LLC shall be suspended. A current compliant financial statement with bank verification forms for all cash accounts that supports the license limits is due within thirty (30) days of the April 22, 2015 hearing or license numbers 73824 and 75703, RevCon, LLC shall be suspended.

### 3. DISCIPLINARY HEARING:

S. E. S. ROOFING, INC., License No. 75500

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 –

Upon the Stipulation of the parties, ALJ Allison found Respondent guilty of one (1) violation NRS 624.3015(5)(a) constructing or repairing a manufactured home unless the contractor is licensed pursuant to NRS 489.311; one (1) violation of NRS 624.3012(2) failure to pay any money when due; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The First and Second Causes of Action were dismissed. Respondent was assessed a fine of \$500.00 each for the Third, Fourth and Fifth Causes of Action for total fines of \$1,500.00 and investigative costs of \$2,343.00. All fines and investigative costs are to be paid within sixty (60) days of the April 22, 2015 hearing or license number 75500, S. E. S. Roofing, Inc. shall be suspended. A current compliant financial statement with bank verification form for all cash accounts that support the license limit is due within thirty (30) days of the April 22, 2015 hearing or license number 75500, S. E. S. Roofing, Inc. shall be suspended.

### 4. DISCIPLINARY HEARING:

MAJESTIC FLOORING, INC., License Nos. 72238, 72239

Licensee was present and represented by Carrie E. Hurtik, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 2 – A Marazzi Installation and Maintenance of tile print out.

Exhibit 3 - Board Hearing File.

Exhibit 4 – A color photo of a bottle of Aqua Mix Grout Haze Clean-Up.

The following Licensee Exhibits were entered:

Exhibit 1 – 38 – Desert Floor Inspections report.

Upon the Stipulation of the parties, ALJ Allison found Respondent guilty of 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 and one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. The Fourth Cause of Action was dismissed. Respondent was assessed a fine of \$50.00 for the Third Cause of Action and investigative costs of \$2,822.00. All fines and investigative costs are to be paid within 120 days of the April 22, 2015 hearing or license numbers 72238 and 72239, Majestic Flooring, Inc. shall be suspended. The Respondent shall hire a cleaning company who will be supervised by David Anderson using his cleaning protocol. Mr. Groover shall pick out the test area. The First and Second Causes of Action were continued to June 24, 2015.

#### **5. DISCIPLINARY HEARING: STIPULATED REVOCATIONS**

##### **a. ONE MANAGEMENT OF NEVADA, INC., dba ONE ENERGY OF NEVADA**, License No. 78074

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Upon the Stipulation of the parties, ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.302(5) failure or refusal to respond to a request to cooperate in the investigation of a complaint; one (1) violation of NRS 624.302(6) failure or refusal to comply with a request for information or records; and one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(3) failure to notify the Board of a change of address. Respondent was found in violation of the First, Second, Third and Fourth Causes of Action; however fines and investigative costs were not assessed due to Respondent's Chapter 7 Bankruptcy filing. License number 78074, One Management of Nevada, Inc., dba One Energy of Nevada was revoked.

##### **b. AZTEC COATINGS OF NEVADA, INC.**, License No. 76635

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Upon the Stipulation of the parties, ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility and one (1) violation of NRS 624.302(6) failure or refusal to comply with a request for information or records. Respondent was assessed a fine of \$500.00 for the First Cause of Action and a fine of \$250.00 for the Second Cause of Action for total fines of \$750.00 and investigative costs of \$1,680.00. License number 76635, Aztec Coatings of Nevada, Inc. 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.

#### **6. DISCIPLINARY HEARINGS: DEFAULT ORDERS**

##### **a. M 2 V, INC., dba TOOVEY TILE PROFESSIONALS**, License No. 68162

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

**ALJ Allison found Respondent M 2 V, Inc., dba Toovey Tile Professionals, license number 68162**

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 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$500.00 for the First Cause of Action and investigative costs of \$1,536.00. License number 68162, M 2 V, Inc., dba Toovey Tile Professionals 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.

**b. GREENLINE LANDSCAPE SERVICES**, License No. 56484A

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

This matter was continued to May 20, 2015.

**c. RICK WAYNE RAINEY, OWNER, dba R. W. RAINEY CONSTRUCTION**, License No. 76333

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Allison found Respondent Rick Wayne Rainey, Owner, dba R. W. Rainey Construction, license number 76333 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 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.302(5) failure or refusal to respond to a request to cooperate in the investigation of a complaint; and one (1) violation of NRS 624.302(6) failure or refusal to comply with a request for information or records. Respondent was assessed a fine of \$500.00 each for the First, Second and Third Causes of Action for total fines of \$1,500.00 and investigative costs of \$2,421.00. License number 76333, Rick Wayne Rainey, Owner, dba R. W. Rainey Construction 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 Allison at 12:30 p.m.

Respectfully Submitted,



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Melinda Mertz, Recording Secretary

APPROVED:



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Margi A. Grein, Executive Officer



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Noah Allison, Esq., Administrative Law Judge