

BRIAN SANDOVAL
Governor

STATE OF NEVADA



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

STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
MAY 6, 2015**

REPLY TO:

Northern Nevada
9670 Gateway Drive, Suite 100
Reno, Nevada 89521
(775) 688-1141
Fax (775) 688-1271
Investigations (775) 688-1150

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Southern Nevada
2310 Corporate Circle
Suite 200
Henderson, Nevada 89074
(702) 486-1100
Fax (702) 486-1190
Investigations (702) 486-1110

CALL TO ORDER:

Jonathan L. Andrews, Esq., called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, **MAY 6, 2015**, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Jan B. Leggett

STAFF MEMBERS PRESENT:

Ms. Margi A. Grein, Executive Officer
Ms. Nancy Mathias, Licensing Administrator
Mr. Paul Rozario, Director of Investigations
Mr. Fred Schoenfeldt, Investigations Supervisor
Ms. Susan Broili-Kamesch, Licensing Supervisor, Reno

LEGAL COUNSEL PRESENT:

Noah Allison, Legal Counsel
Jonathan Andrews, Legal Counsel

The agenda was posted in compliance with the open meeting law **APRIL 31, 2015** at Washoe County Court House, Washoe County Library, Reno City Hall, both offices of the Board, on the Board's Internet Website and the Nevada Public Notice Website.

ADJUDICATING HEARING OFFICER: JAN B. LEGGETT

1. DISCIPLINARY HEARING-CONTINUED FROM MARCH 4, 2015:
G BUILT CONSTRUCTION LLC, LICENSE NO. 71766

Licensee Misty Dorothy Ulleseit was present.

The following Respondent's Exhibits were entered:

Exhibit A – Answer

Exhibit B – Response from 2 contractors

Hearing Officer Leggett found the Respondent G Built Construction LLC, license number 71766 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 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3012(2) failure to pay for materials and services and NRS 624.3013(3) failure to establish financial responsibility. License number 71766 is revoked. Respondent must pay a fine in the amount of \$500.00 for the First Cause of Action, \$50.00 for the Second Cause of Action; \$250.00 for the Third Cause of Action; \$50.00 for the Fourth Cause of Action, \$1,000.00 for the Sixth Cause of Action and \$500.00 for the Seventh Cause of Action for a total fine in the amount of \$2,350.00. Respondent shall pay the Board's investigative fees in the amount of \$2,089.00. The

Fifth Cause of Action was dismissed.

2. DISCIPLINARY HEARING: DEFAULT HEARING:
JORDAN RIVER CONSTRUCTION INC., LICENSE NO. 77295

Licensee was not present.

The following Agency Exhibit was entered:
Exhibit 1 – Hearing file

Hearing Officer Leggett found the Respondent Jordan River Construction Inc, license number 77295 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 624.3011(1)(b)(1) failure to comply with the building laws of the state; NRS 624.3016(1) fraudulent or deceitful act; NRS 624.302(5) failure or refusal to cooperate in an investigation; NRS 624.301(4) for willful failure or refusal without legal excuse on the part of a licensee as a contractor to prosecute a construction project or operation with reasonable diligence, thereby causing material injury to another; NRS 624.3012(1) diversion of money or property received for the completion of a specific construction project or operation or for a specified purpose in the completion of any construction project acting in the capacity of a contractor; NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; NRS 624.3017(3) advertising project of construction beyond scope of the license and NRS 624.3013(3) failure to establish financial responsibility. License number 77295 is revoked. Respondent shall pay a fine of \$2,000.00 for the First Cause of Action, \$1,000.00 for the Second Cause of Action, \$1,000.00 for the Third Cause of Action, \$3,000.00 for the Fourth Cause of Action, \$1,500.00 for the Fifth Cause of Action, \$1,000.00 for the Sixth Cause of Action, \$3,000.00 for the Seventh Cause of Action, \$1,000.00 for the Eighth Cause of Action, \$500.00 for the Ninth Cause of Action and \$2,000.00 for the Tenth Cause of Action for a total fine in the amount of \$16,000.00. Respondent shall pay the Board’s investigative fees in the amount of \$4,140.00.

3. DISCIPLINARY HEARING: DEFAULT HEARING:
BILL DICKSON CONSTRUCTION SERVICES LLC, LICENSE NO. 52655A

Licensee was present.

The following Agency Exhibit was entered:
Exhibit 1 – Hearing file

Hearing Officer Leggett continued this matter to June 3, 2015.

4. DISCIPLINARY HEARING: DEFAULT HEARING:
MILLHOUSE REPAIR LLC, LICENSE NO. 75322

Licensee was not present.

The following Agency Exhibit was entered:
Exhibit 1 – Hearing file

Hearing Officer Leggett found Respondent Millhouse Repair LLC, license number 75322 guilty of violating NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3013(5), as set forth in NAC 624.640(3) if any change occurs in a licensee’s address or personnel which affects the accuracy of statements in the application upon which his license is based, he shall report the change in writing to the Board within 30 days after the change occurs; 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 624.3013(4) failure to keep in full force the bond or cash deposit pursuant to NRS 624.270 for

the full period required by the Board; NRS 624.3018(2) association of any act or omission constituting a cause for disciplinary action and NRS 624.3013(3) failure to establish financial responsibility. License number 75322 is revoked. Respondent shall pay a fine of \$750.00 for the First Cause of Action, \$100.00 for the Second Cause of Action, \$50.00 for the Third Cause of Action, \$50.00 for the Fourth Cause of Action, \$1,000.00 for the Fifth Cause of Action, no fine imposed for the Sixth Cause of Action, and \$500.00 for the Seventh Cause of Action for a total fine in the amount of \$2,450.00. Respondent shall pay the Board's investigative fees in the amount of \$1,893.00.

5. DISCIPLINARY HEARING:

SIERRA CONSTRUCTION & DEVELOPMENT LLC, DBA S D C FRAMING, LICENSE NO. 71348

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Hearing file

The following Respondent's Exhibit was entered:

Exhibit A - Answer

Hearing Officer Leggett found Respondent Sierra Construction & Development LLC dba, SDC Framing, license number 71349 guilty of violating NRS 624.301(4) for willful failure or refusal without legal excuse on the part of a licensee as a contractor to prosecute a construction project or operation with reasonable diligence, thereby causing material injury to another; NRS 624.3012(1) diversion of money or property received for the completion of a specific construction project or operation or for a specified purpose in the completion of any construction project acting in the capacity of a contractor; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner and NRS 624.3013(3) failure to establish financial responsibility. License number 71348 is revoked. Respondent shall pay a fine of \$1,000.00 for the First Cause of Action, \$1,000.00 for the Second Cause of Action, \$50.00 for the Third Cause of Action, \$500.00 for the Fourth Cause of Action for a total fine in the amount of \$2,550.00. Respondent shall pay the Board's investigative fees in the amount of \$1,838.00.

6. DISCIPLINARY HEARING:

SIERRA DEVELOPMENT, LICENSE NO. 68759

SIERRA CONSTRUCTION & DEVELOPMENT LLC, DBA S D C FRAMING, LICENSE NO. 71348

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Hearing file

The following Respondent's Exhibit was entered:

Exhibit A - Answer

Hearing Officer Leggett found Respondent Sierra Development, license number 68759 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 Fund Notice to owner; NRS 624.3012(2) failure to pay for materials and services; NRS 624.305(1) which provides: No license may be used for any purpose by any person other than the person to whom such license is issued, and no license may be assigned, transferred or otherwise disposed of to permit the unauthorized use thereof; NRS 624.3012(2) failure to pay for materials and services; NRS 624.3012(2) failure to pay for materials and services; NRS 624.3012(2) failure to pay for materials and services; 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. License numbers 68759 and 71348 are revoked. Respondent shall pay a fine of \$2,000.00 for the First Cause of Action, \$50.00 for the Second Cause of Action, \$50.00 for the Third Cause of Action, \$1,000.00 for the Fourth Cause of Action, \$1,000.00 for the Fifth Cause of Action, \$1,000.00 for the Sixth Cause of Action, \$1,000.00 for the

Seventh Cause of Action, \$1,000.00 for the Eighth Cause of Action, no fine imposed on the Ninth Cause of Action and \$500.00 for the Tenth Cause of Action for a total fine in the amount of \$7,600.00. Respondent shall pay the Board's investigative fees in the amount of \$4,210.00.

7. DISCIPLINARY HEARING:

IMTIAZ AHMED DBA, LOBO ROOFING, LICENSE NO. 70178

Licensee was present and represented by counsel Terrill Dory, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Hearing file

The following Respondent's Exhibits were entered:

Exhibit A – Answer

Exhibit B – Series of Exhibits

Hearing Officer Leggett found the Respondent Imtiaz Ahmed dba, Lobo Roofing, license number 70178 guilty of violating NRS 624.3017(1) substandard workmanship; 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 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner and NRS 624.3011(2) if a contractor performs construction without obtaining any necessary building permit there is a rebuttable presumption that the contractor willfully and deliberately violated the building laws of this State or of its political subdivisions. Respondent shall pay a fine of \$500.00 for the First Cause of Action, Second Cause of Action was dismissed, \$500.00 for the Third Cause of Action, \$1,000.00 for the Fourth Cause of Action, Fifth Cause of Action was dismissed and \$500.00 for the Sixth Cause of Action for a total fine in the amount of \$2,500.00. Respondent shall pay the Board's investigative fees in the amount of \$2,038. Fines and fees shall be paid within thirty (30) days or license number 70178 will automatically be suspended.

8. DISCIPLINARY HEARING:

KNIGHTON CONSTRUCTION LLC, LICENSE NO. 11802A

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Hearing file

The following Respondent's Exhibit was entered:

Exhibit A – Answer

Hearing Officer Leggett found Respondent Knighton Construction LLC, license number 11802A guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3011(1)(a) disregard of plans and specifications; NRS 624.301(3) by failing in a material respect on the part of a licensee to complete any construction project or operation for the price stated in the contract for the project or operation or any modification of the contract and NRS 624.3013(3) failure to establish financial responsibility. License number 11802A is revoked. Respondent shall pay a fine of \$500.00 for the First Cause of Action, Second Cause of Action was dismissed, \$500.00 for the Third Cause of Action, \$500.00 for the Fourth Cause of Action and \$500.00 for the Fifth Cause of Action for a total fine in the amount of \$2,000.00. Respondent shall pay the Board's investigative fees in the amount of \$2,233.00.

9. FINANCIAL RESPONSIBILITY HEARING-CONTINUED FROM MARCH 4, 2015

DEMATIC CORP, LICENSE NOS. 67195, 67197

Licensee was not present but was represented by counsel.

The following Respondent's Exhibits were entered:

Exhibit A – Answer

Exhibit B – Supplemental Answer

Hearing Officer Leggett dismissed this case.

**10. FINANCIAL RESPONSIBILITY HEARING:
SYSTEMS WATERPROOFING INC., LICENSE NO. 78542**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Hearing file

Hearing Officer Leggett dismissed this case.

**11. FINANCIAL RESPONSIBILITY HEARING:
SIERRA NEVADA STONE, LICENSE NO. 61361**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Hearing file

Hearing Officer Leggett found Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility and NRS 624.302(5) failure to comply. License number 61361 is revoked. Respondent must pay a fine in the amount of \$1,000.00 and investigative fees in the amount of \$465.39.

**12. FINANCIAL RESPONSIBILITY HEARING:
PREMIER BATHS INC, LICENSE NO. 77540**

Respondent's corporate counsel Melissa Allman was present and represented by William Wray, Esq and Donna Dimagio, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Hearing file

The following Respondent's Exhibit was entered:

Exhibit A - Answer

Hearing Officer Leggett found Respondent guilty of violating NRS 624.302(5) failure to comply. License number 77540 shall remain active. Respondent must pay a fine in the amount of \$1,000.00 and investigative fees in the amount of \$504.14 within thirty (30) days or license number 77540 will automatically be suspended.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Leggett at 11:55a.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, NSCB Executive Officer

Jan B. Leggett, Hearing Officer