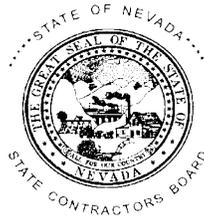


BRIAN SANDOVAL
Governor

STATE OF NEVADA



MEMBERS

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

REPLY TO:

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

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

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING

November 18, 2015

CALL TO ORDER:

David Brown, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, November 18, 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. David Brown, 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. Noah Allison, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law on November 12, 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: DAVID BROWN, ESQ.

1. DISCIPLINARY HEARING:

DARRYL LEO BACKMAN, OWNER, dba DARRYL BACKMAN, License No. 55573

Licensee was present and represented by Tony M. May, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – A November 17, 2015 e-mail from Maria Perona.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated November 3, 2015.

Exhibit B – Photos taken by Board Investigator Gordon LaPointe.

Upon the Stipulation of the parties, ALJ Brown found Respondent guilty of one (1) violation of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license and one (1)

violation of NRS 624.3011(1)(b)(1) violation of the building laws of this State. The First and Second Causes of Action were dismissed. The Fifth Cause of Action will be dismissed upon Respondent providing a current financial statement that supports the license limit. Respondent was assessed a fine of \$250.00 for the Third Cause of Action and a fine of \$1,000.00 for the Fourth Cause of Action for total fines of \$1,250.00 and investigative costs of \$1,925.00. Respondent's license, number 55573 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 supports the license limit, the license will be reactivated. All fines and investigative costs are to be paid within ninety (90) days of the November 18, 2015 hearing or license number 55573, Darryl Leo Backman, Owner, dba Darryl Backman shall be suspended.

2. DISCIPLINARY HEARING:

HART TECH, LLC, dba GO SOLAR, License Nos. 76382, 77760

HART TECH, LLC, dba SERVICE 1ST ENERGY SOLUTIONS, License Nos. 73844, 75376

Licensee was not present but was represented by Samira Knight, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – A Stipulated Agreement between the Respondent and the Board.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated October 14, 2015.

Upon the Stipulation of the parties, ALJ Brown found Respondent guilty of one (1) violation of NRS 624.3014(2)(a), (b) and (d) aiding or abetting an unlicensed person to evade the provisions of this chapter, conspiring with an unlicensed person to perform an unauthorized act, acting as agent, partner or associate of an unlicensed person; 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 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; and one (1) violation of NRS 624.3016(1) any fraudulent or deceitful act committed in the capacity of a contractor. The Fifth Cause of Action was dismissed. Respondent was assessed a fine of \$1,000.00 each for the First and Third Causes of Action; a fine \$50.00 for the Second Cause of Action; a fine of \$500.00 for the Fourth Cause of Action for total fines of \$2,550.00 and investigative costs of \$1,100.00. All fines and investigative costs are to be paid within thirty (30) days of the November 18, 2015 hearing or license number 76382, Hart Tech, LLC, dba Go Solar shall be suspended.

3. DISCIPLINARY HEARING:

LARRY SILECCHIO, OWNER, dba SILECCHIO CONSTRUCTION, License No. 46112

DISCOUNT BUILDERS, LLC, dba DISCOUNT BUILDERS, License No. 79779

DESERT VIEW REMODELERS, LLC, dba UNIVERSAL WINDOWS DIRECT, License No. 77650

PLATINUM REMODELING, INC., dba L. S. REMODELING, License No. 80197

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – The back of Respondent's contract with Turner.

Exhibit 3 – Respondent's list of subcontractors on the Turner project.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated October 13, 2015.

After receiving the evidence, and in conformity therewith, ALJ Brown ordered Paragraph 15 of the Board's Complaint to be amended to allege failure to diligently prosecute a construction project and found Respondent Silecchio Construction guilty of one (1) violation NRS 624.301(4) failure to prosecute a construction project with reasonable diligence; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) for failure to comply with Board's Notice to Correct; and one (1) violation of NRS 624.3016(5), as set forth in NRS 624.600(1)(a)(b) failure to provide the required notices to the homeowner. The Third, Fifth and Sixth Causes of Action were dismissed. Respondent Silecchio Construction was assessed a fine of \$1,000.00 for the First Cause of Action; a fine \$500.00 for the Second Cause of Action; a fine \$250.00 for the Fourth Cause of Action for total fines of \$1,750.00 and investigative costs of \$2,070.00. All fines and investigative costs are to be paid within thirty (30) days of the November 18, 2015 hearing or license number 46112, Larry A. Silecchio, Owner, dba Silecchio Construction shall be suspended.

4. DISCIPLINARY HEARING:

DESERT VIEW REMODELERS, LLC, dba UNIVERSAL WINDOWS DIRECT, License No. 77650

DESERT VIEW REMODELERS, LLC, dba UNIVERSAL SOLAR DIRECT, License No. 79863

LARRY SILECCHIO, OWNER, dba SILECCHIO CONSTRUCTION, License No. 46112

DISCOUNT BUILDERS, LLC, dba DISCOUNT BUILDERS, License No. 79779

PLATINUM REMODELING, INC., dba L. S. REMODELING, License No. 80197

Licensee Universal Windows Direct 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 dated October 9, 2015.

ALJ Brown found Respondent Desert View Remodelers, LLC guilty of one (1) violation NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license and one (1) violation of NRS 624.3018(2) relating to the licenses of Desert View Remodelers—License Nos. 77650 and 79863—which imposes liability up certain persons related to the Respondent as officer, director, associate or partner of licensee. The Third Cause of Action was dismissed. Respondent Desert View Remodelers, LLC was assessed a fine of \$500.00 for the First Cause of Action and investigative costs of \$1,000.00. Fines and investigative costs are to be paid within thirty (30) days of the November 18, 2015 hearing or license number 77650, Desert View Remodelers, LLC, dba Universal Windows Direct and license number 77650, Desert View Remodelers, LLC, dba Universal Solar Direct shall be suspended.

5. DISCIPLINARY HEARING:

NULOOK VEGAS, INC., dba NULOOK FLOOR, License Nos. 78041, 78040, 77825

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 copy of a check made payable to John Jodra in the amount of \$1,298.00 dated October 27, 2015 and a signed release.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated October 21, 2015.

Upon the Stipulation of the parties, ALJ Brown found Respondent guilty of one (1) violation NRS 624.302(5) failure to respond to a written request from the Board. The First, Second and Fourth Causes of Action were dismissed. Respondent was assessed a fine of \$150.00 for the Third Cause of Action and investigative costs of \$921.00. Fines and investigative costs are to be paid within ninety (90) days of the November 18, 2015 hearing or license number 78041, Nulook Vegas, Inc., dba Nulook Floor shall be suspended.

6. DISCIPLINARY HEARINGS: DEFAULT ORDERS

a. DESERT GREEN LANDSCAPE MAINTENANCE, INC., dba D. G. LANDSCAPE,

License No. 75613

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Brown found Respondent Desert Green Landscape Maintenance, Inc., dba D. G. Landscape, license number 75613 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. Respondent was found guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.3011(1)(b)(4) violation of the laws of this State regarding industrial insurance; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; and one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board. Respondent was assessed a fine of \$500.00 for the First Cause of Action; a fine of \$1,000.00 each for the Second, Third and Fourth Causes of Action for total fines of \$3,500.00 and investigative costs of \$1,688.00. License number 75613, Desert Green Landscape Maintenance, Inc., dba D. G. Landscape 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. RAYMOND MATHEW ELLWANGER, OWNER, dba HOME INNOVATIONS, License No. 67302

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

ALJ Brown continued this matter to the disciplinary hearings on December 16, 2015.

There being no further business to come before the Board, the meeting was adjourned by ALJ Brown at 11:45 a.m.

Respectfully Submitted,

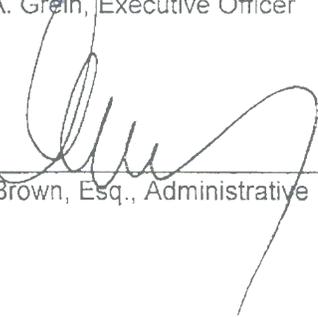


Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer



David Brown, Esq., Administrative Law Judge