

BRIAN SANDOVAL
Governor

STATE OF NEVADA

REPLY TO:

MEMBERS

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



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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
January 20, 2016

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, January 20, 2016, 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 January 13, 2016, 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 February 19, 2014, November 12, 2014, January 21, 2015, July 22, 2015)

LEO JOSEPH SANTORO, OWNER, dba L & S AIR CONDITIONING & HEATING, License No. 40987

Licensee was present and represented by Richard Peel, Esq. at the hearing.

The following Licensee Exhibits were entered:

Exhibit C – A Certificate of Release of Federal Tax Lien from the IRS dated January 11, 2016.

ALJ Allison dismissed the Board's Complaint against Leo Joseph Santoro, Owner, dba L & S Air Conditioning & Heating, license number 40987.

2. DISCIPLINARY HEARING:

CARL AGBLEZE, OWNER, dba C. A. BUILDERS, License No. 67913

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 dated November 6, 2015.

ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3016(4) failure to give notice required by NRS 108.227, 108.245 or 108.246; 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(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$250.00 for the First Cause of Action; a fine \$500.00 for the Second Cause of Action; a fine \$100.00 for the Third Cause of Action for total fines of \$850.00 and investigative costs of \$1,751.00. The Respondent was found in violation of the Fourth Cause of Action; however a fine was not assessed. All fines and investigative costs are to be paid within 120 days of the January 20, 2016 hearing or license number 67913, Carl Agbleze, Owner, dba C. A. Builders shall be suspended. Respondent's license shall remain suspended until a current financial statement with bank verification form for all cash accounts that supports the license limit is provided to the Board.

3. DISCIPLINARY HEARING:

MORRISON CONSTRUCTION, License No. 47260A

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 dated December 16, 2015.

Upon the Stipulation of the parties, ALJ Allison found Respondent guilty of one (1) violation NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; 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 624.3016(1) any fraudulent or deceitful act committed in the capacity of a contractor; 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; and 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 \$1,000.00 each for the Second and Third Causes of Action; a fine \$50.00 for the Fourth Cause of Action; a fine of \$100.00 for the Fifth Cause of Action for total fines of \$2,650.00 and investigative costs of \$1,500.00. All fines and investigative costs are to be paid within ninety (90) days of the January 20, 2016 hearing or license number 47260A, Morrison Construction shall be suspended. Respondent's license limit was lowered to \$10,000.00.

4. DISCIPLINARY HEARING:

YAN HONG LIU, OWNER, dba C & L ENTERPRISE, License No. 60690

LIUS GROUP, LLC, dba FLOOR COVERINGS INTERNATIONAL OF LAS VEGAS,

License Nos. 80127, 80128, 80129

Licensees were 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 November 17, 2015.

ALJ Allison found Respondent C & L Enterprise guilty of one (1) violation NRS 624.3015(5)(a) constructing or repairing a mobile home, manufactured home, manufactured building, commercial coach or factory-built housing unless the contractor is licensed pursuant to NRS 489.311. The Second and Third Causes of Action were dismissed. Respondent C & L Enterprise was assessed a fine of \$500.00 for the First Cause of Action and investigative costs of \$1,835.00. All fines and investigative costs are to be paid within ninety (90) days of the January 20, 2016 hearing or license number 60690, Yan Hong Liu, Owner, dba C & L Enterprise shall be suspended.

5. DISCIPLINARY HEARING:

ROD ARRON KOPREK, OWNER, dba ROD KOPREK ROOFING, License No. 50820

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 dated December 7, 2015.

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. The Second Cause of Action was dismissed. Respondent was assessed a fine of \$100.00 for the Third Cause of Action. The First Cause of Action was held in abeyance. This matter was continued to February 17, 2016.

6. DISCIPLINARY HEARINGS: DEFAULT ORDERS

CALVADA CONCRETE, LLC, License No. 78388

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

The following Agency Exhibits were entered:

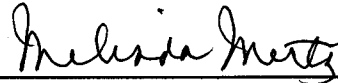
Exhibit 1 – Board Hearing File.

ALJ Allison found Respondent Calvada Concrete, LLC, license number 78388 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 624.302(7) failure to comply with an order of the Board; one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,500.00 each for the First, Second and Third Causes of Action for total fines of \$4,500.00 and investigative costs of 1,673.00. License number 78388, Calvada Concrete, 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 Allison at 10:17 a.m.


Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer

Noah Allison, Esq., Administrative Law Judge