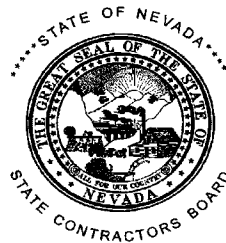


BRIAN SANDOVAL
Governor

STATE OF NEVADA



922REPLY TO:

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Southern Nevada
2310 Corporate Circle
Suite 200
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(702) 486-1100
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Investigations (702) 486-1110

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

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
JULY 6, 2016

CALL TO ORDER:

Jonathan Andrews, Esq., called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, **JULY 6, 2016**, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Ms. Margaret Cavin

STAFF MEMBERS PRESENT:

Ms. Margi A. Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations
Mr. Dan Hammack, Chief Enforcement
Mr. Fred Schoenfeldt, Investigations Supervisor
Ms. Susan Kamesch, Licensing Supervisor, Reno

LEGAL COUNSEL PRESENT:

Jonathan Andrews, Legal Counsel
David Brown, Legal Counsel

The agenda was posted in compliance with the open meeting law **JUNE 29, 2016** at Reno City Hall, Washoe County Court House, South Valleys Library, Paseo Verde Library, Sawyer State Building, Clark County Library, both offices of the Board, on the Board's Internet Website and the Nevada Public Notice Website.

ADJUDICATING HEARING OFFICER: MARGARET CAVIN

1. DISCIPLINARY HEARING: CONTINUED FROM MAY 4, 2016
NEVADA DELTA MECHANICAL INC, LICENSE NO. 72999
DELTA MECHANICAL INC, LICENSE NO. 53330
DELTA MECHANICAL INC, LICENSE NO. 75345
DELTA MECHANICAL INC, LICENSE NO. 80398

Licensee was present with counsel Nathan J. Aman, Esq.

Exhibit 2 – Notice of Deposit of Penal Amount on license bond

The following Respondent's Exhibits were entered:

Exhibit B – Debtors' Joint Plan of Reorganization dated May 17, 2016
Exhibit C – Joint Disclosure Statement
Exhibit D – Business and Industry Monthly Operating Report on Nevada Delta
Exhibit E - Business and Industry Monthly Operating Report on Delta Mechanical

Hearing Officer Cavin reduced the monetary license limits to \$50,000.00 each on license numbers 72999, 53330 and 75345. All licenses shall remain on probation. Respondent shall continue to update staff on existing projects but shall not accept any new contracts with an update on the bankruptcy. This matter has been continued for a status update on November 2, 2016.

2. DISCIPLINARY HEARING:
HOME PERFECT INC, LICENSE NO. 67360A

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board’s Hearing File

The following Respondent’s Exhibit was entered:

Exhibit A – Respondent’s letter dated 5-27-16

Hearing Officer Cavin found the Respondent Home Perfect Inc, license number 67360A guilty of violating NRS 624.3015(3) knowingly bidding to contract or contracting for work that is beyond the scope of the license; NRS 624.301(4) 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 624.3017(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 required by NAC 624.640(5), failure to include the monetary license limit on contract; NRS 624.3013(4) failure to maintain bond; NRS 624.3013(5) pursuant to NRS 624.520(1) failure to notify owner of their rights related to the Residential Recovery Fund and NRS 624.3013(3) failure to establish financial responsibility. License number 67360A is revoked. Respondent pay a fine of \$500.00 each on the First, Second, Third and Fourth Causes of Action, \$100.00 on the Fifth Cause of Action, \$500.00 on the Sixth Cause of Action, \$100.00 on the Seventh Cause of Action, and \$500.00 on the Eighth Cause of Action for a total fine in the amount of \$3,200.00; reimburse the Board’s investigative costs of \$1,887.00 and pay restitution to any and all damaged parties prior to re-licensure.

3. DISCIPLINARY HEARING:
DESIGNING WITH NATURE, LICENSE NO. 48686

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board’s Hearing File

The following Respondent’s Exhibit was entered:

Exhibit A – Respondent’s answer dated 6-6-16

Hearing Officer Cavin found the Respondent Designing with Nature, license number 48686 guilty of violating NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; NRS 624.301(5) willful failure or refusal to comply with terms of a construction contract or written warranty thereby causing material injury to another; 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(3) failure to establish financial responsibility. License number 48686 is suspended. Respondent pay a fine of \$2,000.00 on the First Cause of Action, \$1,000.00 on the Second Cause of Action, \$2,000.00 on the Third Cause of Action, \$1,000.00 on the Fourth Cause of Action and \$500.00 on the Fifth Cause of Action for a total fine in the amount of \$6,500.00; reimburse the Board’s investigative costs of \$2,671.00, provide a current financial statement within sixty (60) days of July 6, 2016 or license number 48686 will automatically be revoked. Respondent shall pay restitution to any and all damaged parties.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Cavin at 10:11a.m.

Respectfully Submitted,


Sandy Diederich, Recording Secretary

APPROVED:


Margi A. Grein, NSCB Executive Officer


Margaret Cavin, Hearing Officer