

BRIAN SANDOVAL
Governor

STATE OF NEVADA



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Kevin E. Burke
Margaret Cavin
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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
August 24, 2016

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, August 24, 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

LEGAL COUNSEL PRESENT:

Mr. Jack Juan, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law on August 18, 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:

COMPLETE BATH REMODELING OF LAS VEGAS, LLC, dba 5 DAY KITCHENS OF LAS VEGAS,
License No. 78859

COMPLETE BATH REMODELING OF LAS VEGAS, LLC, dba RE-BATH OF LAS VEGAS,
License Nos. 57471, 57470, 69348

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

The following Agency Exhibits were entered:

Exhibit 1 – The Board's Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated June 10, 2016.

ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The First, Second, Third and Fifth Causes of Action were dismissed. Respondent was assessed a fine of \$500.00 for the Fourth Causes of Action and investigative

costs of \$1,164.00. Fines and investigative costs are to be paid within thirty (30) days of the August 24, 2016 hearing or license number 78859, Complete Bath Remodeling of Las Vegas, LLC, dba 5 Day Kitchens of Las Vegas shall be suspended. Restitution of \$3,400.00 was ordered for Frank Spano which offset the amount owed on the contract. The Board accepted the voluntary surrender of license number 78859, Complete Bath Remodeling of Las Vegas, LLC, dba 5 Day Kitchens of Las Vegas.

2. DISCIPLINARY HEARING: (Continued from March 16, 2016 May 18, 2016, and June 22, 2016)

ADDISON LANDSCAPING, INC., License No. 46744A

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

ALJ Allison ordered the Respondent to pay the fines of \$2,500.00 assessed from the March 16, 2016 hearing within thirty (30) days of the August 24, 2016 hearing or license number 46744A would be suspended. This matter was continued to September 21, 2016.

3. DISCIPLINARY HEARING - UPDATE: (Continued from March 16, 2016)

PALMETTO CONSTRUCTION, INC., License No. 68528

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

ALJ Allison granted a sixty (60) day extension to provide the ordered financial statement. This matter was continued to October 19, 2016.

4. DISCIPLINARY HEARING:

TRIPLE R CONSTRUCTION, LLC, License No. 74770

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 received July 18, 2016.

ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of the State. The First, Second, and Third Causes of Action were dismissed. Respondent was assessed a fine of \$500.00 for the Fourth Cause of Action and investigative costs of \$996.00. Fines and investigative costs are to be paid within sixty (60) days of the August 24, 2016 hearing or license number 74770, Triple R Construction, LLC shall be suspended.

5. DISCIPLINARY HEARING:

BRUCE DOUGLAS SPANGRUD, OWNER, dba GALAXY OUTDOOR, License No. 74770

Licensee was present and was represented by Shan Davis, Esq. 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 June 30, 2016.

ALJ Allison 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; one (1) violation of NRS 624.3015(2) contracting for a sum for one construction project in excess of the limit placed on the license by the Board; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$2,000.00 each for the First and Second Causes of Action; a fine \$500.00 for the Third Cause of Action for total fines of \$4,500.00 and investigative costs of \$876.50. All fines and investigative costs are to be paid within 120 days of the August 24, 2016 hearing or license number 73383, Bruce Douglas Spangrud, Owner, dba Galaxy Outdoor shall be suspended. A current compliant financial statement with bank verification form for all cash accounts that supports the license limit is due within sixty (60) days of the August 24, 2016 hearing or license number 73383, Bruce Douglas Spangrud, Owner, dba Galaxy Outdoor shall be suspended.

6. DISCIPLINARY HEARINGS: DEFAULT ORDERS

a. OPTICA NETWORK TECHNOLOGIES, LLC, License No. 76712

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 Optica Network Technologies, LLC, license number 76712 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(5), as set forth in NAC 624.640(3) failure to notify the Board within 30 days of a change of qualifler and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$3,000.00 each for the First and Second Causes of Action for total fines of \$6,000.00 and investigative costs of \$1,763.00. License number 76712, Optica Network Technologies, 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 9:41 a.m.

Respectfully Submitted,




Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer



Noah Allison, Esq., Administrative Law Judge