

BRIAN SANDOVAL
Governor

STATE OF NEVADA



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MEMBERS
Jan B. Leggett, Chairman
Kevin E. Burke
Margaret Cavin
Mason Gorda
Joe Hernandez
Kent Lay
Guy M. Wells

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
SEPTEMBER 6, 2017

CALL TO ORDER:

Jonathan L. Andrews, Esq., called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, **September 6, 2017**, 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
Mr. Jan B. Leggett

STAFF MEMBERS PRESENT:

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

LEGAL COUNSEL PRESENT:

Jonathan L. Andrews, Legal Counsel
Jack Juan, Legal Counsel

Ms. Grein stated the agenda was posted 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, July 6, 2016, November 2, 2016, March 1, 2017 and June 7, 2017)

DELTA MECHANICAL, INC., License Nos. 53330, 75345, 80398

Licensee was not present but was represented by Nathan J. Aman, Esq. at the hearing.

Hearing Officer Cavin continued this matter to the November 1, 2017 hearing.

2a. DISCIPLINARY DEFAULT HEARING:

MICHAEL W. ROHRER CONSTRUCTION, License No. 79441

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board’s Hearing File

Hearing Officer Cavin found the Respondent Michael W. Rohrer Construction, license number 79441 in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Licensee was found guilty of NRS 624.301(3) failure 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; 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 624.301(5) willful failure or refusal to comply with terms of a construction contract or written warranty thereby causing material injury to another; NRS 624.3012(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 624.3012(2) failure to pay for materials and services; 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; 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 and NRS 624.3013(3) failure to establish financial responsibility. License number 79441 was revoked. Respondent shall pay an administrative fine of \$ 1,000.00 per violation for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Causes of action for a total fine in the amount of \$10,000.00. Respondent shall reimburse the Board for investigative costs in the amount of \$4,180.00 and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

2b. DISCIPLINARY DEFAULT HEARING:

4 M PAINTING INCORPORATION, License No. 69182

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board’s Hearing File

Hearing Officer Cavin ordered this license to be placed on probation taking on no new work and continued this matter to the October 4, 2017 hearing.

ADJUDICATING HEARING OFFICER: JAN B. LEGGETT

3. DISCIPLINARY HEARING:

WILMAC CONSTRUCTION, License No. 23939

Licensee was present and represented by Michael McCauliffe, Esq. at the hearing.

The following Agency Exhibit was entered:

Exhibit 1 – Board’s Hearing File

The following Respondent Exhibit was entered:

Exhibit A – Respondent’s answer

Hearing Officer Leggett found the Respondent Wilmac Construction, license number 23939 guilty of (2) violations of NRS 624.3012(2) failure to pay for materials and services; (2) violations of NRS 624.302(7) failure or refusal to comply with an order of the Board and NRS 624.3013(3) failure to establish financial responsibility. License number 23939 is revoked. Respondent shall pay an administrative fine of \$500.00 each for the First, Second and Third Causes of Action. Respondent shall pay full restitution to the damaged parties and reimburse the Board for investigative costs of \$2,159.00 and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

ADJOURNMENT

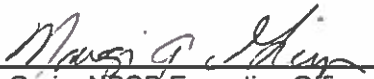
There was no further business to come before Hearing Officer Jan B. Leggett.

Respectfully Submitted,



Sandy Diederich, Recording Secretary

APPROVED:



Margi A. Grein, NSCB Executive Officer



Jan B. Leggett, Hearing Officer

ADJUDICATING HEARING OFFICER: MARGARET CAVIN

4. DISCIPLINARY HEARING:

BUILT ALL CONSTRUCTION, License No. 71508

Licensee was present and was represented by Joe M. Laub, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Board's Hearing File

The following Respondent Exhibit was entered:

Exhibit A – Respondent's Answer

Hearing Officer Cavin ordered this license suspended and continued this matter to the October 4, 2017 hearing.

5. FINANCIAL RESPONSIBILITY HEARING:

NATE JAMES MCVAY DBA RENEW BAMBOO, License No. 80935

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board's Hearing File

Hearing Officer Cavin continued this matter for thirty (30) days in order for the Respondent to provide a current financial statement that meets the requirements of the Board. If financial statement is received, this matter can be approved at staff level.

6. FINANCIAL RESPONSIBILITY HEARING:

GREEN BUILDING ECONOMICS LLC, License No. 81180

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board's Hearing File

Hearing Officer Cavin found the Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility and NRS 624.302(6) failure to comply with a written request by the Board. License number 81180 is revoked. Respondent shall pay a fine of \$750.00 and reimburse the Board's investigative fees in the amount of \$469.81.

7. FINANCIAL RESPONSIBILITY HEARING:

OASIS POOLS & SPAS LLC, License No. 79521

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board's Hearing File

Hearing Officer Cavin found the Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility and NRS 624.302(6) failure to comply with a written request by the Board. License number

79521 is revoked. Respondent shall pay a fine of \$750.00 and reimburse the Board's investigative fees in the amount of \$986.27.

PARK CONTRACTING LLC, License No. 81238

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board's Hearing File

Hearing Officer Cavin found the Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility, NRS 624.302(6) failure to comply with a written request by the Board and NAC 624.640(3) failure to notify the Board of a change in personnel within thirty (30) days after the change occurred. License number 81238 is revoked. Respondent shall pay a fine of \$850.00 and reimburse the Board's investigative fees in the amount of \$471.06.

10. FINANCIAL RESPONSIBILITY HEARING:

N V T LICENSES, LLC, License Nos. 77618, 77622, 77729 – Continued from May 3, 2017

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board's Hearing File

Hearing Officer Cavin accepted the request by the licensee to voluntary surrender all three (3) license numbers 77618, 77622 and 77729.

ADJOURNMENT

The meeting was adjourned by Hearing Officer Cavin at 10:20a.m. on September 6, 2017.

Respectfully Submitted,


Sandy Diederich, Recording Secretary

APPROVED:


Margi A. Grein, NSCB Executive Officer


Margaret Cavin, Hearing Officer