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STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
February 19, 2020**

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, February 19, 2020, 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

LEGAL COUNSEL PRESENT:

Mr. Jack Juan, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law on February 11, 2020, 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:

ANTHONY ENTERPRISES, INC., dba ANTHONY ROOFING & WATERPROOFING,
License No. 70415

Licensee was not present nor 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 February 18, 2020.

Exhibit B – Letter from Respondent's attorney, Thomas J. Gibson, Esq., to the Board dated January 13, 2020.

ALJ Allison found Respondent guilty of one (1) violation of NRS 624.30165(2) making false or misleading statements or representations of a material fact to induce another person to use the services of the contractor; one (1) violation of NRS 624.3016(1) fraudulent or deceitful acts committed in the capacity of a contractor; one (1) violation of NRS 624.302(7) failure to comply with an order of the Board; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(5) failure to include the license number and monetary license limit on contract; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,000.00 for each of the First and Fifth Alleged Violations; a fine of \$3,000.00 for the Second Alleged Violation; a fine of \$4,500.00 for the Third Alleged Violation; a fine of \$250.00 for the Fourth Alleged Violation for total fines of \$9,750.00 and investigative costs of \$2,838.00. License number 70415, Anthony Enterprises, Inc., dba Anthony Roofing & Waterproofing was revoked.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.

2. DISCIPLINARY HEARING:

PASSICK POOLS, LLC, License No. 81276

Licensee was present and represented by Bradley Marx, Esq. at the hearing.

ALJ Allison continued this matter to May 20, 2020.

3. DISCIPLINARY HEARING:

FRESH DESIGNS CONSTRUCTION, LLC, License No. 81662

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 Answer to the Board's Notice of Hearing received November 15, 2019.

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 624.3017(1) workmanship not commensurate with the standards of the trade in general; and one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of the State. The Third Alleged Violation was dismissed. Respondent was assessed a fine of \$500.00 for each of the First and Second Alleged Violations; a fine of \$1,000.00 for the Fourth Alleged Violation for total fines of \$2,000.00 and investigative costs of \$2,067.00. Fines and investigative costs are due within sixty (60) days of the February 19, 2020 hearing or license number 81662, Fresh Designs Construction, LLC shall be suspended.

4. DISCIPLINARY HEARING:

STONEWATER CONSTRUCTION, LLC, License No. 77419

This matter was continued to April 1, 2020.

5. DISCIPLINARY HEARING:

DISTINCT FORTUNE, LLC, dba NATIONAL GENERAL CONTRACTORS, License No. 79730

DISTINCT FORTUNE, LLC, dba NATIONAL MILLWORK & SHOWCASE, License No. 81285

DISTINCT FORTUNE, LLC, dba NATIONAL DRYWALL & PAINT, License No. 81286

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondents Answer to the Board's Complaint received July 15, 2019.

Exhibit B - Documents received from Sugar Nails, SN 1 -145.

Exhibit C - Documents received from the Fashion Show Mall, FSM 2 – 1093.

Exhibit D - Documents provided by Respondent, NGC 1 – 72.

ALJ Allison took the matter under advisement, pending a written Decision and Order.

6. DISCIPLINARY HEARING:

RENOVATIONS OF LAS VEGAS, INC., License No. 72107

Licensee was present and represented by Eric Dobberstein, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondents Answers to the Board's Complaint received April 10, 2019 and May 14, 2019.

Exhibit B – Respondent's Points & Authorities Brief in Support of The Answer to Notice of Hearing, Complaint and Requirement to Answer.

ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3017(1) workmanship not commensurate with the standards of the trade in general; one (1) violation of NRS 624.3015(2) contracting for a sum in excess of license limit; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(5) failure to include the license number and monetary license limit on contract; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The Second, Fourth, Sixth and Seventh Alleged Violations were dismissed. Respondent was assessed a fine of \$500.00 for each of the First and Eighth Alleged Violations; a fine of \$1,000.00 for the Third Alleged Violation; a fine of \$100.00 for the Fifth Alleged Violation for total fines of \$2,100.00 and investigative costs of \$3,871.00. Respondent is to provide a completed bank verification form within five (5) days of the February 19, 2020 hearing or license number 72107, Renovations of Las Vegas, Inc. shall be suspended. Fines and investigative costs are due within sixty (60) days of the February 19, 2020 hearing or license number 72107, Renovations of Las Vegas, Inc. shall be suspended.

7. DISCIPLINARY HEARING: (Continued from December 12, 2019)

T & L STONE, LLC, License Nos. 81734, 81735, 81736

Licensee was present and represented by Kurt Faux, Esq. at the hearing.

ALJ Allison continued this matter to March 18, 2020.

SPIKE CONSTRUCTION, INC., License Nos. 59148, 62942

Licensee was present and represented by Ladine Oravetz, Esq. at the hearing.

ALJ Allison continued this matter to March 12, 2020.

9. DISCIPLINARY HEARING - DEFAULTS:

a. LEGEND CONSTRUCTION & DEVELOPMENT, INC., License No. 81750

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

ALJ Allison continued this matter to April 15, 2020.

b. BIG DOG CUSTOM WORKS, LLC, License No. 77634

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 Big Dog Custom Works, LLC, license number 77634 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 624.3017(1) workmanship not commensurate with the standards of the trade in general; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with the Board's Notice to Correct; 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 in excess of license limit; 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; one (1) violation of NRS 624.302(6) failure to comply with a written request by the Board; 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; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,000.00 for each of the First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth Alleged Violations for total fines of \$8,000.00 and investigative costs of \$1,183.00. License number 77634, Big Dog Custom Works, 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 3:45 p.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer