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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING May 19, 2020

CALL TO ORDER:

Matt Addison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Tuesday, May 19, 2020, State Contractors Board, Henderson and Reno, Nevada.

ADMINISTRATIVE LAW JUDGE:

Tele-meeting via Zoom

Mr. Matt Addison, Esq.

STAFF MEMBERS PRESENT:

Tele-meeting via Zoom

Ms. Margi A. Grein, Executive Director
Mr. Paul Rozario, Director of Investigations
Mr. Tim Geswein, General Counsel
Mr. Julio Sabates, Investigations Supervisor

LEGAL COUNSEL PRESENT:

Tele-meeting via Zoom

Mr. Louis Ling., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law and Declaration of Emergency Directive 006 on the Board's Internet Website, the Nevada Public Notice Website, and e-mailed electronically to persons who have expressed interest in being kept informed of the Board's meetings.

ADMINISTRATIVE LAW JUDGE: MATT ADDISON, ESQ.

1. DISCIPLINARY HEARING:

STERLING NEVADA,

License No. 66608

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board's Hearing File.

ALJ Addison accepted the stipulation to reduce the license monetary limit to \$10,000 and the Respondent, Sterling Nevada, agreed to personally indemnify the license. Ordered to pay a fine of \$500 and reimburse the

Board's investigative costs of \$538.80 within 30 days from the date of the hearing, or license will be revoked. Financial Review approved.

2. DISCIPLINARY HEARING:

C AND C FLOORS LLC,

License No. 76997

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 -Board's Hearing File.

ALJ Addison found the Respondent C and C Floors, LLC, license number 76997 in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Licensee was found guilty of violating NRS 624.3011(1)(b)(2) disregard of safety or labor laws of the State; two (2) counts of NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records; and, NRS 624.3013(3) failure to establish financial responsibility. License number 76997 was revoked. Respondent shall pay a fine of \$1,000 for the First alleged violation; a fine of \$500 each for the Second and Third alleged violations; and, a fine of \$500 for the Fourth alleged violation, for a total fine of \$2,500, and assessed investigative costs of \$1,982. Fines and costs shall be paid prior to re-licensure. Respondent shall pay full restitution to any damaged parties and reimburse the Board for any claims and associated expenses that may be paid out of the Residential Recovery Fund.

3. DISCIPLINARY HEARING:

GREEN DAY LLC,

License Nos. 78620, 78621

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board's Hearing File.

ALJ Addison found the Respondent Green Day LLC, license numbers 78620 and 78621 guilty of violating NRS 624.3013(5), pursuant to NRS 624.263(3) failure to comply with the provisions of this chapter or regulations of the Board; NRS 624.3013(3) failure to establish financial responsibility; and, NRS 624.3018(2) act cause for discipline against licensee who is member, officer, director, associate. License numbers 78620 and 78621 are revoked. Respondent shall pay a fine in the amount of \$550. Fine shall be paid prior to re-licensure. Respondent shall pay full restitution to any damaged parties and reimburse the Board for any claims and associated expenses that may be paid out of the Residential Recovery Fund.

4. DISCIPLINARY HEARING:

STONEWATER CONSTRUCTION LLC,

License No. 77419

Licensee was present and represented by counsel John Bullock, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Boards' Hearing File.

ALJ Addison continued the matter to June 3, 2020; license number 77419 remains suspended.

5. DISCIPLINARY HEARING:

PERRY W. BOTTARI dba BOTTARI CONSTRUCTION,

License No. 37459

Licensee was present and represented by counsel Jeff Spencer, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Boards' Hearing File.

ALJ Addison found the Respondent Perry W. Bottari dba Bottari Construction, license number 37459 guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), per NAC 624.700(3)(a) failure to comply with the Board's Notice to Correct; NRS 624.3011(1)(a) by willfully and prejudicially departing from or disregard of plans or specifications in any material respect; NRS 624.3016(6) by failing to comply with NRS 624.600; NRS 624.3013(5), as set forth in NRS 624.520 failure to provide Residential Recovery Fund Notice to owner; and, 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. The Third and Eighth alleged violations were dismissed. Respondent shall pay a fine of \$500 for the First alleged violation, a fine of \$1,000 for the Second alleged violation, a fine of \$500 for the Fourth alleged violation, a fine of \$250 for the Fifth alleged violation, a fine of \$50 for the Sixth alleged violation and a fine of \$50 for the Seventh alleged violation for a total fine in the amount of \$2,350, and assessed investigative costs of \$1,741, Respondent shall pay Lostra Engineering \$27,000 to begin evaluating the work on the Gibbons residence. Fines, costs and restitution to Lostra Engineering are to be paid within 21 days or license number 37459 will automatically be suspended.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by ALJ Addison at 9:55 a.m.

Respectfully Submitted,


Sandra Diederich, Recording Secretary

APPROVED:


Margi A. Greff, NSCB Executive Officer