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MEMBERS
Boyd Martin, Chairman
Margaret Cavin
Bryan Cowart
Joe Hernandez
Kent Lay
Jan B. Leggett
Louis Polish Jr.



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING September 20, 2023

ADMINISTRATIVE LAW JUDGE

Noah Allison, Esq.

STAFF MEMBERS PRESENT

Margi Grein, Executive Officer
Dave Behar, Executive Director, Investigations
Terry Wike, Compliance Supervisor

Damien Bilyeu, Compliance Investigator
Carl Hilbish, Compliance Investigator
Irene Elicerio, Compliance Investigator

LEGAL COUNSEL PRESENT

Jack Juan, Esq.

Executive Officer, Margi Grein, stated that the agenda was posted in compliance with the open meeting law at both offices of the Board, 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.

1. **DISCIPLINARY HEARING** – Continued from August 16, 2023
Budget Fence Co., dba Las Vegas Fence, License No.: 3059467
Case Nos.: 30059467
Brian Thomas Frederiksen, President, CMS and Trade
Yadira Frederiksen, Secretary, Treasurer

Admitted ALL previous Exhibits – Board Hearing File –

Appearances by Respondent, Brian Frederikson; Prosecutor Jack Juan, Esq.; Carl Hilbish, NSCB Compliance Investigator. Prosecutor seeks resolution of failure to get permit. The Board asks that Respondent obtain permit needed to cure the Notice to Correct; minimum fines with fees and costs. The Administrative Law Judge finds that the following discipline be invoked immediately. Violation of allegation #1 with a \$250 fine; Allegation #2 is dismissed; in violation of allegation #3 with a \$250 fine; Allegation #4 is held in abeyance and Respondent has 45 days to produce compliant financials. If Respondent is compliant there will be no fine assessed and the allegation will be dismissed. The Administrative Law Judge stays imposition of finding. Respondent to pay NSCB costs/fees and these must be paid within ten (10) days of the Decision and Order of the Administrative Law Judge. Further, that Respondent will have seven (7) days to contest or pay.

2. **DISCIPLINARY HEARING –**
Larry Vaughn Gearheart, dba Eagle Contracting, License No. 15752
Case No.: 30062923
Larry Vaughn Gearheart, Owner, CMS and Trade

Admitted ALL previous Exhibits – Board Hearing File –

Appearances are made by Respondent, Larry Gearheart and John Wright, counsel for Respondent; Prosecutor Jack Juan, Esq.; and Jack Snyder NSCB Fraud Investigator. The Administrative Law Judge recused himself from the hearing and this is moved to the November calendar. The Board will prepare the Notice of Continuance once the date is scheduled and confirmed with Administrative Law Judge Richard Scotti's availability.

3. **DISCIPLINARY HEARING –**
Bricker & Bricker Paver, Inc. dba/aka Brazilian Pavers, License No.: 56436
Case No.: 30062214
Alan Diniz, President, CMS and Trade

Admitted ALL Exhibits Board Hearing File –
Admitted ALL Respondents Exhibits –

Appearances are made by Complainant Adam Good; Respondent Alan Diniz appears in person and through John Wright, Esq, counsel for Respondent; Prosecutor Jack Juan, Esq.; Damien Bilyeu NSCB Compliance Investigator. Counsel Wright seeks a continuance due to email correspondence with Andrew Bao, counsel for Complainant. However, Complainant disagrees with the request to move the hearing and wants to continue. The Administrative Law Judge ask Complainant Good if he is represented by counsel Bao or not. Complainant replies he is not represented by counsel and seeks to go forward with the hearing. The Administrative Law Judge hears testimony and cross-examination from Complainant Good and Respondent. Counsel for Respondent asks that Allegation #3 be dismissed and in a direct verdict the Administrative Law Judge grants dismissal of Allegation #3. The Board asks that Respondent be found guilty of Allegations #1 and #2, plus NSCB fees/costs. The Administrative Law Judge takes the case under advisement.

4. **DISCIPLINARY HEARING –**
DNA Air Conditioning & Heating LLC, License No. 79500
Case No.: 30062303, 30060562
Andre Romaro Singleton, Managing Member, CMS and Trade

Admitted ALL Exhibits Board Hearing File –

Appearances are made by Respondent Andre Singleton and with counsel, Brandon Phillips, Esq.; Prosecutor Jack Juan, Esq.; Terry Wike, Compliance Supervisor; and Irene Elicerio, NSCB Compliance Investigator. Prosecutor and counsel for Respondent agree that C-Los Case No. 30062303, has been paid in full to the Board's satisfaction. The Administrative Law Judge ORDERS an Interim Order to continue both cases to November 15, 2023. If compliant financials

are not provided by November, 15, 2023, there will be immediate suspension of Respondent's license. The Board will prepare the Notice of Continuance to November 15, 2023.

5. **DISCIPLINARY HEARING** –
Michael Lawrence dba The Gate Operator, Unlicensed
Case No.: 30062626

Admitted ALL Exhibits Board Hearing File –
Respondent's Exhibits to be produced as necessary.

Respondent Michael Lawrence appears in person; Prosecutor Jack Juan, Esq.; and Luis Rico, NSCB Criminal Investigator. After hearing testimony and cross-examination of all parties, the Administrative Law Judge ORDERS that citation #CR-2306-1146 is upheld.

6. **DISCIPLINARY HEARING** –
National Flooring Group LLC, License No. 85744
Case No.: 30059489, 30061043
Miguel Cortes-Campos, Managing Member, CMS and Trade
Katrina Ulumi, Managing Member

Admitted ALL Exhibits Board Hearing File –
Admitted Respondent's Exhibits 1- 6.

Appearances are Respondent through Juaheed Feja who appears in person and through counsel Matthew Johnson, Esq.; Prosecutor Jack Juan, Esq.; and Irene Elicerio, NSCB Compliance Investigator. After hearing testimony and cross-examination of all parties, the Administrative Law Judge ORDERS that **case number 30059489** is being taken under advisement. The Board and Respondent's counsel have agreed that in the matter of **Case number 30061043** the parties have agreed upon a Stipulation and Agreement that Respondent will provide to the Board proof of permit within thirty (30) days for a complete dismissal of all claims. If this is not accomplished within the thirty (30) days, the case will be continued to a future date.

7. **DISCIPLINARY HEARING** –
K&M Construction, dba Cooler Days, License No. 70826
Case No.: 30062158
Kelly Jo Domsch, President, CMS and trade

Admitted ALL Exhibits Board Hearing File –

Appearances by Complainant Homeowner Wayne Klestner; Respondent does not appear; Prosecutor Jack Juan, Esq.; and Carl Hilbish, NSCB Compliance Investigator. After hearing testimony from Claimant Homeowner, and being advised by the Prosecutor that the Board prepared and Noticed all parties with a Notice of Default and good cause showing proof of service, the Administrative Law Judge finds that there is a preponderance of evidence for failure to Reply and/or Answer, that Respondent is in violation of allegation #1 with a \$1,000 fine; that Respondent is in violation of allegation #2 with a \$1,000 fine. That Allegation #3 is dismissed. That the

revocation of license is immediate and that Respondent is to pay fees and costs. The D & O to be prepared by the Administrative Law Judge. The Board advised the Complainant of the Residential Recovery Fund by giving him a pamphlet regarding the steps to follow to apply for any funds that may be available to him.

8. **DISCIPLINARY HEARING –**

Lifetime Power LLC, License No.: 87632

Case No.: 30062403, 30062723, 30062783, 30062797, 30062810, 30062884, 30063016, 30063041

Valerie Sushkova, Manager

Admitted ALL Exhibits Board Hearing File –

Appearances are made by Complainant/Homeowners Ziao Tran and Mrs. Tran; Complainant/Homeowner Brian Goto; Respondent does not make an appearance. Prosecutor Jack Juan, Esq.; and Terry Wike, NSCB Compliance Supervisor. The prosecution makes an Oral Motion to Amend and Supplement to NRS 624.3012(2) (money owing) the Administrative Law Judge grants the motion. The Board states that a Default Notice has been noticed and thereupon the cases, one-by-one are proved up. With a preponderance of evidence and proof of service, the Administrative Law Judge finds that the Summary Suspension is upheld and revocation of license is immediate. The Administrative Law Judge imposes the maximum allowable fines and finds that Respondent is found to be in violation of allegation #11 \$10,000 X11; In violation of allegation #12 \$10,000 X15; In violation of allegation #13 \$500 X15; In violation of allegation #14 \$2,000 X22; In violation of allegation #15 \$500 X15; In violation of allegation #16 \$500 X15; In violation of allegation #17 \$10,000 X5; In violation of #18; In violation of four (4) money owing \$5,000 X4 for a grand total of \$299,000 in fines. The Administrative Law Judge advises it is his desire for this case to be transcribed and sent to the Clark County District Attorney, the Nevada Attorney General and the Public Utility Commission so this Respondent may be charged with the 11 criminal felonies for diversion of money NRS 624.3012(1).

9. **DISCIPLINARY HEARING –**

Humble Construction, License No. 85395

Case No.: 30061554

Bernardo Corona-Guizar, President; Treasurer; Director, CMS and Trade

Gerardo Guizar-Rodriguez, Vice President, Secretary

Admitted ALL Exhibits Board Hearing File –

Respondent does not appear; Prosecutor Jack Juan, Esq.; and Irene Elicerio, NSCB Compliance Investigator. The Board advises the court that a Notice of Default with proof of service has been Noticed on the Respondent. Whereupon the Administrative Law Judge ORDERS that license is hereby revoked and stayed for 30 days. Respondent is in violation of allegation #1 with a fine of \$1,000; in violation of allegation #2 with a fine of \$1,000. The Administrative Law Judge gives the Respondent 30 days to respond to the ORDER and if no reply immediate revocation will stand.

10. **DISCIPLINARY HEARING –**
Renovative Solutions, License Nos. 63301, 63420, 77822
Case No.: 30061829
Antonio Caro II, President, CMS and Trade

Admitted ALL Exhibits Board Hearing File –

Respondent does not appear; Prosecutor Jack Juan, Esq.; and Irene Elicerio, NSCB Compliance Investigator. The Board advises the court that a Notice of Default with proof of service has been Noticed on the Respondent. Whereupon the case is proved up and the Administrative Law Judge ORDERS that with good cause showing and a preponderance of evidence, all three (3) license are hereby revoked. Respondent is in violation of allegation #1 with a fine of \$1,000; in violation of allegation #2 with a fine of \$1,000; in violation of #3 with a fine of \$1,000; in violation of allegation #4 with a fine of \$1,000; in violation of allegation #5 with a fine of \$1,000. All fines, fees/costs are due within thirty (30) days.

11. **DISCIPLINARY HEARING –**
LV Pavers Strong LLC, License No.: 88002
Case No.: 30062004
German Salazar Flores, Managing Member, Trade
Olga Lidia Hernandez, CMS

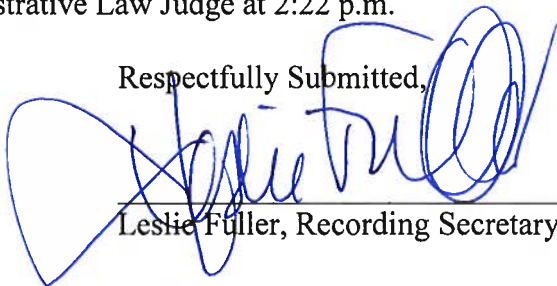
Admitted ALL Exhibits Board Hearing File – (including photo document file) –

Respondent does not appear; Prosecutor Jack Juan, Esq.; and Carl Hilbish, NSCB Compliance Investigator. The Board advises the court that a Notice of Default with proof of service has been Noticed on the Respondent. Whereupon the case is proved up and the Administrative Law Judge ORDERS that the license is hereby revoked. Respondent is in violation of allegation #1 with a fine of \$1,000; in violation of allegation #2 with a fine of \$1,000; in violation of #3 with a fine of \$1,000 plus Board fees/costs. The Administrative Law Judge gives the Respondent 30 days to respond to the ORDER and if no reply immediate revocation will stand.

ADJOURNMENT

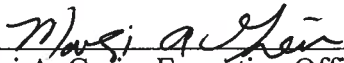
The meeting was adjourned by the Administrative Law Judge at 2:22 p.m.

Respectfully Submitted,



Leslie Fuller, Recording Secretary

APPROVED



Margi A. Grein, Executive Officer