



Horizons

nevada

state contractors board

February 2013



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HAVE A SUGGESTION FOR THE NEXT ISSUE?

Send us an e-mail and let us know!

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Message from Chairman Guy M. Wells



The New Year is upon us, and we at the Contractors Board have already embraced some new changes. In November, we bid farewell to our colleague Nat Hodgson as he focuses on his role as Executive Director of the Southern Nevada Home Builders Association. We all appreciated the insightful expertise Nat offered when engaged in Board business, but it was his endless quips and jovial stories that generated a strong camaraderie among all members, which we will miss most. With his departure, we have welcomed our newest member, Jan Leggett.

Appointed by Governor Brian Sandoval in November, Jan joins the Board with over 40 years' experience as a subcontractor in the landscape and irrigation industry in Nevada, working as manager and qualified employee of Moana Nursery in Reno. He is twice past president of the Northern Nevada Landscape and Irrigation Council and is the current chairperson of the Government Affairs Committee of the Northern

Nevada Associated General Contractors. We'd like to congratulate Jan and also Stephen Quinn, who was reappointed by Sandoval to serve a second term with the Board. We look forward to your contributions to the Board in the months ahead.

One issue that continues to be a daunting reality for the industry is that of unlicensed contracting. Every day people report these incidents or actions to the Board. Every day our investigators follow up on complaints, proactively questioning individuals at jobsites, and dropping off materials to local businesses and government partners. Every day there are tens if not hundreds of people who take action to right a wrong; yet every night we go home knowing we will face the same dilemma in the morning.

This quarter, I'd like to start a movement. As licensed contractors in this state, you are the front line of defense; the boots on the ground; the eyes in the sky. You notice when work isn't being done by licensed professionals. You worry about the risk homeowners are unknowingly taking when they hire unlicensed contractors. And you are frustrated at the loss of business to individuals who choose not to operate by the law. So, I'm putting you to a challenge. What will you do each day to combat unlicensed contracting?

If all of us were to make at least one effort a day, wouldn't change be noticed? There are over 15,000 licensed contractors in this state. Think about this for a moment. That's:

- 15,000 opportunities each day to educate at least one person about the benefits and protections of hiring a licensed contractor.
- 15,000 opportunities each day to report unlicensed activity to the Contractors Board.
- 15,000 opportunities each day to train your staff on how to communicate key messages to customers.
- 15,000 opportunities each day to right a wrong.

We may never see the end of unlicensed contracting in our state or the nation as a whole, but I guarantee if we all make a commitment to fulfilling a daily opportunity that's before us, we will see dramatic change, and we will know that change was the result of the industry fighting for what is right and what we believe in.

In closing, I'd like to reassure you that any call you make to the Board will be taken seriously and investigated.

Thank you for your continued support.

Message From Margi Grein, Executive Officer



I hope the New Year is treating you well so far! We're nearly halfway into our third quarter, and I can already tell this year is going to fly by. Since our last issue of *Horizons* was released, we've welcomed a new Board member, adopted a new regulation, which you can read more about in this issue, and seen the Legislature kick off their 2013 session.

Whether or not you're a member of a contractor association, I would encourage you to take some time in near future to scan through the legislative proposals, identify bills that are of interest to you, and make your voice be heard. We've included information in this issue on how to track bills, so that you can receive updates on their progress as they move quickly through the 120-day legislative process.

The Board has met with a number of contractor groups in recent months to discuss legislative matters. These roundtable discussions provide

a valuable opportunity for the Board to stay in touch with what's happening in the industry, establish an open and transparent line of communication with contractors, and listen to and address the ideas and concerns brought forward by the industry. Meetings such as this will continue to be a part of our strategic efforts to establish partnerships that generate common goals and improved operations for all.

Outside of the legislative discussions, we had the opportunity to discuss unlicensed contracting issues with other organizations and addressed how they can assist with reporting unlawful activities to the Board. What we've found is a great interest to partner. Contractors are appreciative of the information and gain a better understanding of what is needed to successfully file a case with the District Attorney's office for prosecution. A prime example of how these presentations work was highlighted the morning following a meeting with the Nevada Security Association. One of NSA's members came across an unlicensed contractor, e-mailed the information over to our office, an investigator validated the unlicensed activity, and a violation was issued. This may only be one example, but when multiplied and spread throughout an

entire industry, the message will soon be received by unlicensed contractors that we are watching and working hard to discontinue their unlawful practices.

Before concluding my message, I would like to acknowledge the industry for all your efforts to notify the Board of issues you see in our communities and other concerns you have. Much of the work that keeps us busy from day-to-day is the result of your tips and leads. We strive constantly to provide professional and responsive customer service, and we very much appreciate the feedback you provide. Many of you have likely received a survey via e-mail asking of your interactions with the Board. We hope you will take the time to complete these surveys, so that we may better understand how our efforts are perceived and work to improve those areas that may be lacking.

As the winter weather begins to shift to sunny skies, I wish you all a busy season ahead. Please do not hesitate to contact the Board if you have any questions regarding your license or if we may be of assistance to you in some other fashion.

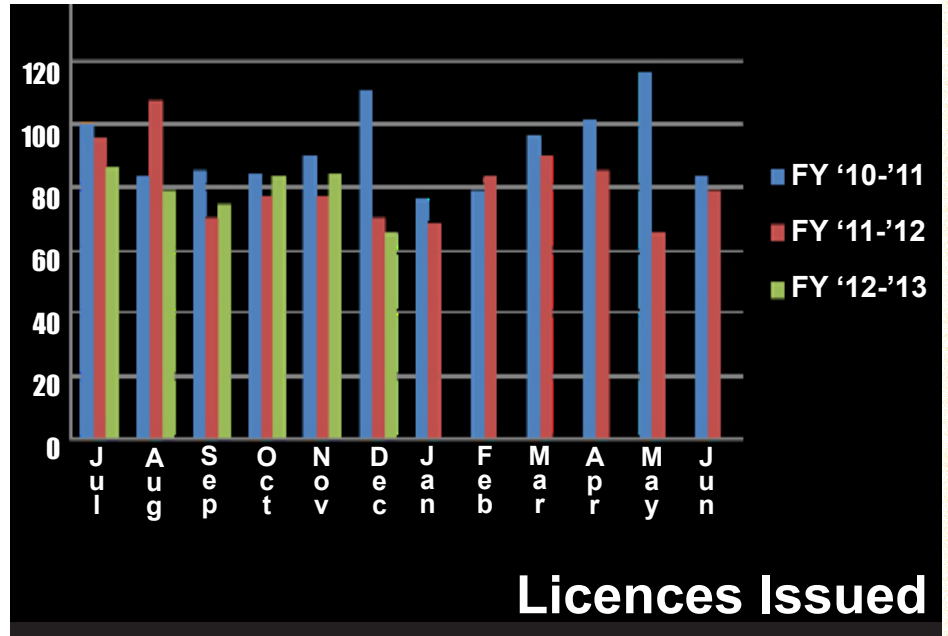
A handwritten signature in blue ink that reads "Margi Grein". The signature is fluid and cursive, written in a professional style.

Licensing

NSCB's Licensing Division is responsible for assisting individuals interested in obtaining a Nevada contractor's license, as well as processing license applications and ensuring all necessary qualifications are met.

QUARTERLY STATISTICS

The Nevada State Contractors Board issued 232 licenses from October through December 2012, an increase of 4 percent over the same quarter in 2011. 1,605 contractors renewed their licenses during the period, and another 152 renewed inactive licenses. Also during the quarter, the Board received 350 new license applications, approving 244 and tabling or denying 43.



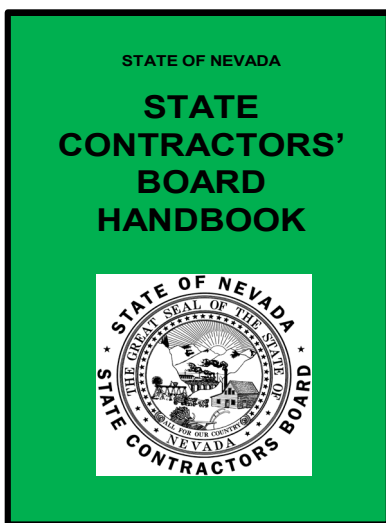
Board adopts new regulation

After holding a regulation workshop on October 11, 2012 and a subsequent regulation hearing November 1, 2012, the Nevada State Contractors Board adopted regulation change R098-12, which was then unanimously approved by the Legislative Commission.

Although members of the public attended both the workshop and hearing, no comments or objections were offered specific to R098-12.

The amended regulation, which took effect December 20, 2012, made a number of minor changes - most of which repealed or clarified language that was no longer needed or was already addressed in other sections of Nevada law.

One change of interest to contractors is the 50 percent reduction in fees for the late filing of a renewal application for both an active and inactive license.



Enforcement - Licensed Contractors

NSCB's Compliance Investigations Division assists homeowners and licensed contractors with contracting matters such as workmanship issues, money owing complaints and violations of industry regulations.

QUARTERLY STATISTICS

The Board opened 474 investigations of licensed contractors following complaints alleging various violations:

- 145 complaints involved workmanship issues; and
- 99 were for money-owing;
- 231 concerned industry regulation violations.

The Board issued 76 administrative citations, assessed \$66,800 in fines and \$27,793 in investigative costs and referred 22 cases for disciplinary hearings, resulting in the revocation of seven licenses.

Marketing messages for licensed contractors

We know the frustrations contractors experience with unlicensed contracting matters, which is why we want to provide you the messaging tools to educate your customers about why hiring a licensed contractor is the best option. Try these talking points on your next call:

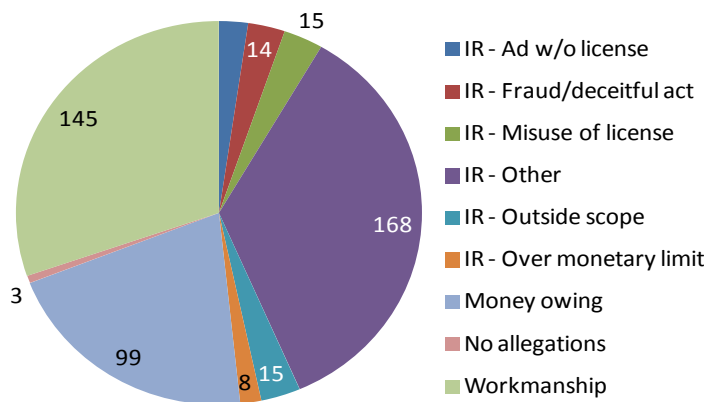
- When you hire a licensed contractor, you receive many protections that are not available to homeowners who hire unlicensed contractors.
- We have passed the required trade and law exams to ensure we are current on what the standards of the

industry are - unlicensed contractors do not.

- We carry Workers' Compensation insurance and are responsible for any on-the-job injuries that may occur.
- You could be eligible for the Residential Recovery Fund if any unintended damage to your home results in the work we perform.
- You have up to four years to file a complaint with the Board should something go wrong.
- Unlicensed contractors may have discounted prices to offer you, but you will likely pay more in the long-run due to poor workmanship and cheap materials.

Think of all the customers you alone can educate! Go on the Board's [website](#) and encourage consumers to view the brochures available to them. Helping homeowners make informed decisions is our responsibility and will benefit the industry as word of mouth begins to spread. Working together as an industry is the only way to create lasting change for us all.

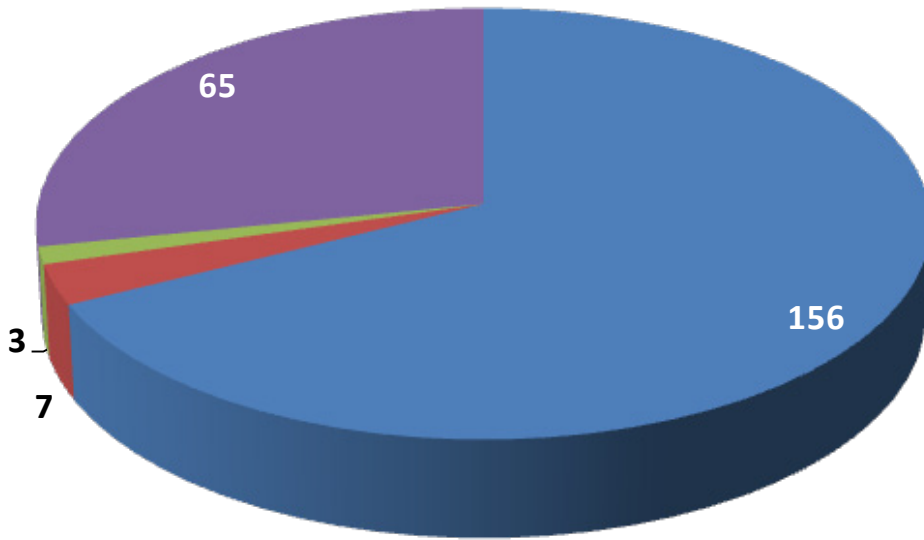
Complaints Investigated



Enforcement - *Unlicensed Contractors*

NSCB's Criminal Investigations Division responds to all unlicensed contractor complaints. After gathering evidence, the Board submits cases to the district attorney, who may file and prosecute misdemeanor, gross misdemeanor or felony charges.

Criminal Complaints

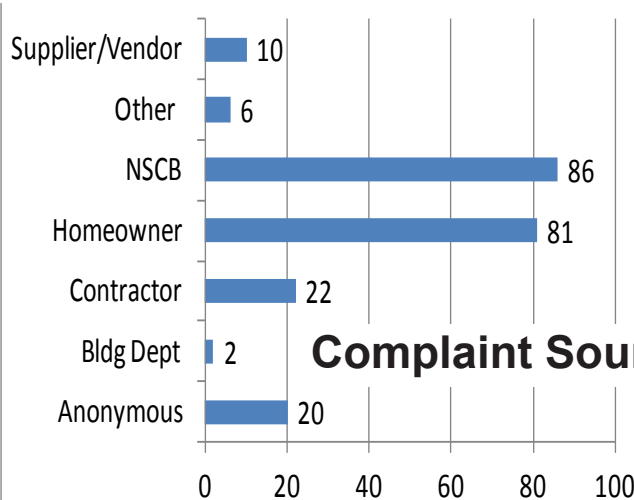
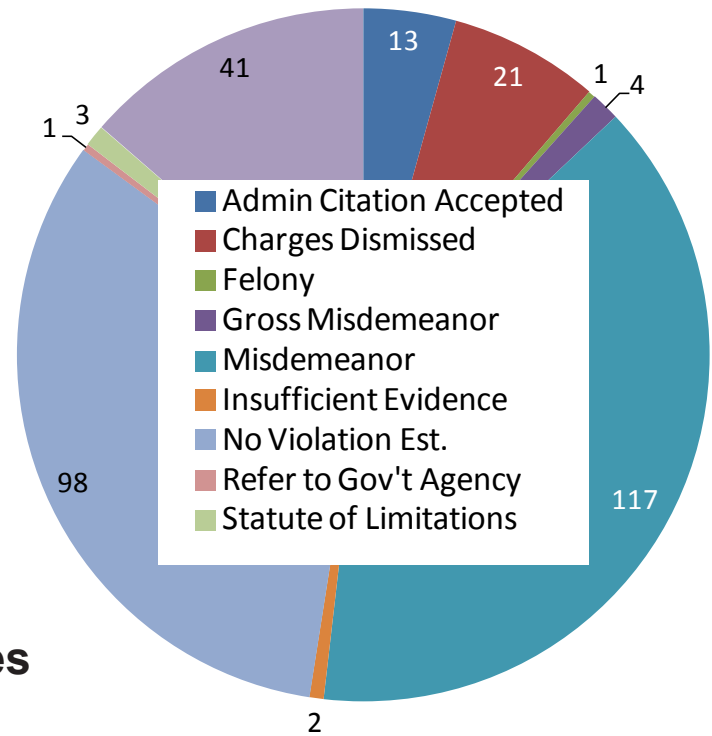


- Contracting w/o License
- Criminal Fraud
- No Allegations
- Unlawful Advertising

QUARTERLY STATISTICS

During the quarter, NSCB opened 227 criminal complaints and closed 301, leaving 204 pending. Through the three-month period, the Board's investigations yielded 122 convictions, with an additional 99 criminal charges filed.

Complaint Outcomes



Complaint Sources

Board: Lower “handyman exemption”

Reduction to \$500 among NSCB’s legislative goals

During the 2013 legislative session, the Nevada State Contractors Board will ask lawmakers to further limit the home repair value unlicensed “handymen” can perform. Specifically, the bill seeks to reduce the contracting exemption contained in Nevada Revised Statute 624.031 from \$1,000 to \$500.

The request to change the handyman exemption is one of a handful of bills NSCB has submitted for the session, which begins Feb. 4 in Carson City.

“This bill would better protect homeowners by lowering their financial exposure to unlicensed contractors, whose workmanship and skills are unproven,” NSCB Executive Officer Margi Grein said.

This measure will protect the state’s licensed contractors by increasing the value of their Nevada contractor’s license.

“Licensees have passed trade and law exams, carry workers’ compensation insurance and pay into the Residential Recovery Fund. It is unfair to allow unlicensed “handymen” – who have not undertaken these responsibilities and overhead expenses – to take business from license holders,” she explained.

Unlicensed contracting is a serious issue impacting states



across the nation. Of utmost concern is the health and safety of the public that places its trust in unlicensed individuals who may or may not be qualified to complete the project. Poor workmanship by unlicensed contractors increases a homeowner’s risk and liability. Lowering the exemption will limit this risk.

Another request would allow the Board to exercise greater judgment when it finds certain violations. The bill would leave the decision to the Board (changing the law’s language from “shall” to “may”) on whether to issue a written administrative citation when it believes a contractor has performed work beyond the scope of his or her license.

The change would allow the Board the opportunity to analyze all facts in a case before issuing a final judgment. The current provision extends the Board this discretion on issuing citations for all other violations of Chapter 624.

Tracking Legislation

The Nevada State Legislature’s [website](http://leg.state.nv.us) (<http://leg.state.nv.us>) is updated throughout the day during the session, allowing citizens to track bills through the process. Once on the legislative website, click on “Session Info” toward the top left of your screen. From here, you can click on “Bill Information” and search through a complete list of both Assembly and Senate bills. Additionally, you will also want to click on “Prefiled Bills,” which includes a list of all bills filed prior to the start of session.

After clicking a bill, you will find information on the bill’s history, movements through the Legislature, committee referrals, scheduled hearings and the full text, both as introduced and as amended.

You can also search for bills by topic, clicking “subject index” on the homepage. For more advanced tracking, register an account on the Personalized Legislative Tracking system. Here you can make a list of key bills and follow their progress and receive notices when action is taken.

For a primer on how the Legislature works and how a bill becomes state law, see the [Nevada Legislative Manual](#).

Expert: Housing pays off in jobs, taxes

A nationally recognized economic expert says the residential construction industry must ensure government leaders understand the impact of their industry on the economy. Speaking at the Jan. 16 Southern Nevada Home Builders Association luncheon, Elliot Eisenberg showed how single-family construction pays for itself in one year and continues to contribute to the local quality of life throughout houses' occupancy.

Eisenberg holds master's and doctoral degrees in public administration and a bachelor's degree in economics, is president of Graphs and Laughs and a frequent television commentator on economic issues.

He explained that the economic impact of a new home comes in three phases. During the construction phase, each home creates nearly two permanent jobs, more than \$100,000 in personal income and \$30,000 in tax revenue.

Following construction, the "ripple phase" typically creates half-again as much economic activity. That benefit comes, Eisenberg joked, because "as Americans, we outsource saving money to China." The \$100,000 in new personal wealth generated by building the house gets spent "on cars, haircuts and tattoos," Eisenberg explained. Those purchases, in turn, create wealth and new jobs for barbers and tattoo artists.

Finally, during the home's occupancy, it continues to create economic activity as the residents pay for day-to-day expenses. This phase, though initially only about one-fourth as lucrative as the construction phase, eventually becomes vastly larger, compounding year after year.

He said residential construction's contributions to the local economy during a typical year in which 3,700 new homes are built is about \$110 million during the first year and another \$3 million to \$6 million each year of the occupant phase. The reasons politicians and the public don't appreciate this contribution, he said, is twofold. First, the job creation is disbursed. When a new casino begins operations, it's easy to see the thousands of jobs created because they're all under one roof. It's different in homebuilding.



ECONOMIST ELLIOT EISENBERG

Second, many people overestimate the housing's negative financial impact on a community. For example, Eisenberg said that because the average couple produces two children, many people assume households average four people.

"But guess what? Children grow up," Eisenberg said. "Those costs last 13 years, not the 30, 40, 50 years of the house's occupancy."

He also said local costs for K-12 education are overestimated. In Clark County, he explained, the state pays for 72 percent of lower education costs through taxes collected from other sources.

New houses do come with costs to the community. Sewer connections, electric meters, incremental increases in police and fire protection, additional teachers and garbage collectors, etc. Eisenberg calculates at \$5,500 per year, along with \$8,400 in initial costs. And though the average new home in Clark County costs owners only about \$2440 in annual property taxes, he notes that utility bills, gas taxes and other fees increase the typical household's local tax bill to \$6,400.

"So we can see that not only does housing construction pay for itself, it does it within the first year," Eisenberg concluded.

Seven steps to increase your odds of getting paid

By William A. Levy, Esq.
Prestige Law Group

Are you still waiting to be paid for the gorgeous backyard or pool you created, even though the homeowners have been enjoying it most of the summer? Are you concerned that you may never receive final payment for the tile floor you are currently installing in a local dealership? Are you hesitant to take on a huge office or home remodel because you are worried about ultimately collecting all the fees due to you? Are you just looking for practical safeguards to ensure payment once you have completed a project? Then this article is for you!

Especially during these tough economic times, it is critical that contractors take steps to put themselves in the best possible position to be compensated for their hard work. The seven easy steps outlined below will help you, the contractor, to greatly increase your odds of being paid.

(1) Be selective with whom you do business. Often when a contractor has a problem with an owner or general contractor, some warning at the outset of the contract negotiations was ignored. Accordingly, prior to entering into



WILLIAM A. LEVY

a contract, you should consider the owner's or general contractor's reputation within the construction industry and/or the community as a whole. Consulting with the Nevada State Contractors Board to affirm that the contractor is licensed and bonded, and to investigate any complaints against the general is a must. In addition, remember to consider your own prior history with that particular owner or general. If the owner or general has a history of not paying, that should be a red flag warning you to avoid doing business with that entity. After all, you would rather not work than work for free!

(2) Always enter into a written contract. That is, do not pick and choose which

projects need a written contract; make it a practice to always have a written contract. Moreover, the written contract should be clearly and concisely written, and all of the material terms of it should be set forth in plain English. Some of those important terms include: the scope of work provision, the change order provision, the payment provision, the claims provision, the termination provision, the date to complete provision, and the dispute resolution provision. Never start the work until and unless the contract is signed by all parties involved. Your ability to effectively negotiate the terms of the contract becomes far less once the work begins.

(3) Prior to commencing the work, make certain that enough money has been set aside to fund the project to its completion. You can do so by requiring the owner to open a construction control account or post a payment bond. Do not take the risk that the money may run out before the project is complete.

(4) Any and all change orders need to be in writing. The majority of disputes in a construction project are over the change orders. Since it is inevitable that there will

See SEVEN, page 11

SEVEN from page 10

be changes to the project, it is critical that the contract provide how these changes will be handled. For example, the written change order should provide what work is being added or deleted, whether there is an increase or decrease in the contract price, whether an extension of the date to complete the work is being granted, and signatures of all parties involved. Never start the change order work unless and until a written change order is executed and signed. If you do, you risk doing that work for free.

(5) Closely monitor the payment process. The payment provision of the contract sets up your ability to collect for your work. However, you must timely submit a pay request each month based on the project's percentage of completion in order to receive payment. You cannot expect to be paid if you are not timely submitting invoices. Equally important is your monitoring of receipt of payments. Since it becomes more difficult to collect money due to you the longer it goes unpaid, it is imperative that you approach this two-step process vigorously.

(6) Address the issue early if a payment problem arises. There is no substitute for calling or visiting the owner to inquire about the status of your payment. It is important to address the late payment on the date it became past due, and not wait until 60 or 90 days have passed. If you are unable to

get payment or satisfactory answers via a phone call or visit to the owner, as to when payment will be received, you should file a complaint with the Nevada State Contractors Board. You should even consider filing a claim against the payment bond and the general's licensure bond, and/or stopping work on the project. However, if you stop work, you must follow the terms of the contract provision governing contract termination.

(7) Record a mechanic's lien. Unlike other professionals, a contractor that is not timely paid may record a mechanic's lien on the owner's property, pursuant to Nevada Revised Statute 108. That owner cannot refinance or sell the property without first addressing the lien. Although NRS 108 ("the mechanic's lien statute") provides you the best leverage as far as securing payment, you must follow the specific provisions set forth in the statute in order to obtain this leverage. For example, if you do not have a contract directly with the owner of the property, you must provide the owner with a preliminary notice to notify the owner that you are performing work on the project. Failing to do so will negate your lien rights.

Furthermore, the mechanic's lien must be recorded within 90 days of the last date of work performed on the job by any contractor working on the project; however, this time frame can be shortened to 40 days if the

owner records a Notice of Completion. The bottom line is that if you have properly perfected your mechanic's lien rights and another contractor has not done so, it is more likely that you will be paid if there is only enough money to pay one contractor. The owner or general will seriously consider payment to the contractor that puts itself in the best possible position of being paid. But remember, the lien is only valid for six months; if payment is not received by the six-month time frame, a mechanic's lien foreclosure action must be commenced.

While there is no guarantee that a contractor will be compensated for services rendered, it is reassuring to know that there are practices that you, the contractor, can put into place to put yourself in the best possible position to receive payment. Consistently following the seven recommendations outlined above will greatly increase your odds of being paid.

William A. Levy, a partner with Prestige Law Group, possesses nearly 30 years of experience, including 20 years as a senior partner in a large Las Vegas civil litigation firm. He has earned an AV® Preeminent™ Peer Review Rating, the ultimate ranking by Martindale-Hubbell®, bestowed upon him for his professional excellence and high ethical standards. In addition to litigation and dispute resolution, he represents clients in the areas of construction, business, employment, real estate, personal injury and family law. Mr. Levy can be reached at 702-451-9474 or at bill@plglv.com.

Guilty plea in felony unlicensed case

Unlicensed contractor Ralph Waisman accepted a pretrial agreement on Nov. 29, 2012, pleading guilty to felony charges stemming from an investigation by the Nevada State Contractors Board. Clark County District Court Judge Michelle Leavitt suspended Waisman's 12-to-36 month jail sentence, ordered him to pay court costs and more than \$65,500 in restitution to his victims and placed him on probation for up to five years. Waisman was released on his own recognizance. The 2012 case was his third conviction for contracting without a license, thus incurring the felony charges.

NSCB began an investigation after receiving complaints from three southern Nevada homeowners. One case in-

involved a victim over age 60. She produced an invoice from Waisman for cabinetry work in the amount of 4,306.70 with the notation that \$2,100 had been paid. The homeowner's checkbook confirmed she had paid the \$2,100. In initiating the complaint, she said Waisman had abandoned the project about a quarter of the way to completion. Estimates from contractors licensed to perform cabinetry construction and installation indicated it would cost between \$11,000 and \$13,650 to complete the project Waisman had abandoned.

Evidence in another case included copies of a contract between the homeowner and J Waisman Cabinetry (salesperson Ralph Waisman) for \$17,600, a check from the com-

plainant to J Waisman in the amount of \$1,500 for cabinet installation and 20 invoices and email messages from Waisman.

In another complaint, a homeowner provided an email bid from Waisman for a wine rack (\$1,340), playroom cabinet (\$1,750) and installation (\$350). The homeowner also authorized a credit card purchase for cabinet materials, which were never delivered to his home. The supplier's records indicate the material was delivered to Waisman.

In the final case the homeowner produced documentation that he had paid Waisman \$3,324.20 with a balance due of \$1,880 on an agreement for Waisman to build cabinets for the complainant's house.

Compliance check for licensed contractors

The Nevada State Contractors Board fulfills its mandate to protect the public health, welfare and safety partly by ensuring licensed contractors remain compliant with state laws. Licensees can aid the Board – and avoid headaches for themselves – by meticulously following the law:

- Prominently display your license number and monetary limit on all bids, contracts and marketing material, including trade show displays, service vehicles, business cards, letterhead and websites.
- If your address, qualifying person or other relevant information changes, notify the Board in writing within the statutory timeframes.
- Inform your homeowner clients of the Resi-

dential Recovery Fund by including the relevant language on all residential contracts.

- Never advertise, bid or contract for work outside the scope or monetary limit of your license. When hiring subcontractors, always check that their licenses are active and valid for the work they are to perform.
- Don't forget to renew your license online. You also can find instructions on expanding the license's scope or limit, changing a business address or a qualified person and more at: www.nscb.nv.gov or by contacting one of the Board's offices at (702) 486-1100 or (775) 688-1141.

Probation, restitution in Douglas County case

An unlicensed Douglas County contractor has been sentenced to restitution with a suspended 30-day jail sentence following an investigation by the Nevada State Contractors Board. Originally charged with defrauding senior citizens in three separate home repair schemes, Luigi Rossi pleaded guilty to a single count of contracting without a license in a deal with the county district attorney's office. Prosecutors accepted the deal in order to secure restitution in the amounts of \$3,470 and \$2,185 for two of

the victims. The homeowner in the third case signed an affidavit testifying that he does not believe he has been scammed and seeks no restitution.

That case spurred the NSCB investigation after receiving a complaint from a family member that the 87-year-old homeowner had paid Rossi – who operates Reliable Handyman Service, LLC – more than \$80,000 for construction work at his home in Gardnerville. The work included installation of a gas fireplace, hardwood flooring and walk-in bathtub

as well as construction of decks and an enclosed sunroom including electrical and plumbing work. Two separate contracts, both for several thousand dollars, were well in excess of the \$1,000 exemption for handyman services. These projects require a Nevada contractor's license, which Rossi does not possess. The fireplace, flooring and tub were never delivered or installed.

The plea agreement included a \$1,137 fine and assessment of \$1,355 in investigative costs.

Unlicensed contractor accepts felony plea deal

A plea agreement in Clark County District Court has saved an unlicensed contractor possible jail time.

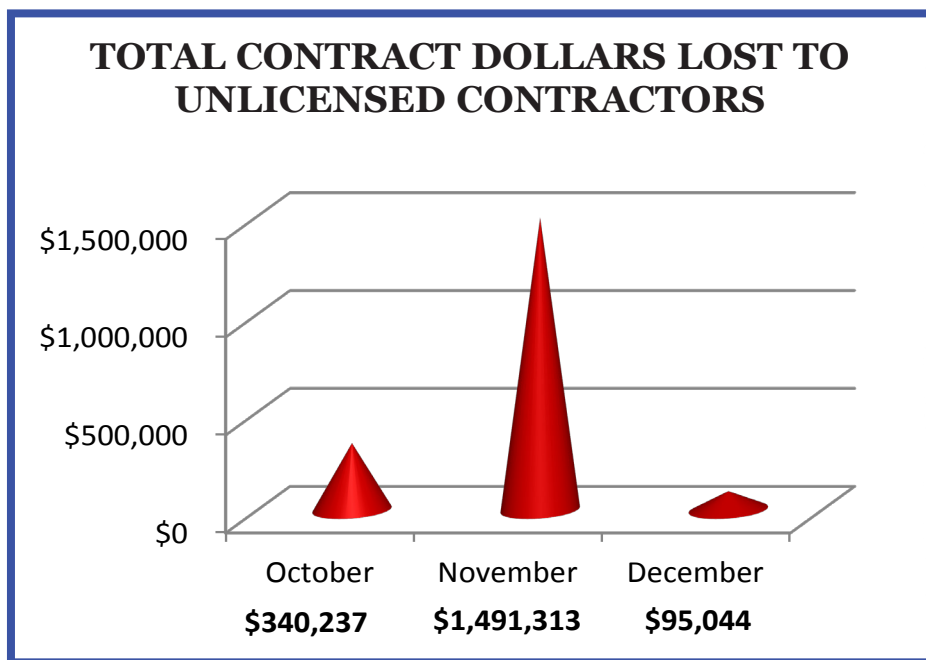
Damon Henderson pleaded guilty to felony diversion of funds. If he pays nearly \$15,000 in restitution to three victims and successfully completes the other terms in the plea deal, the conviction will be reduced to a misdemeanor. Judge Jennifer Togliatti accepted the deal, which also stipulates Henderson repay the Nevada State Contractors Board \$1,560 in investigative costs.

Togliatti suspended the 14- to 40-month prison sentence and sentenced the defendant to up to five years of probation.

The Nevada State Contractors Board initiated an investigation after the three complain-

ants all reported they had made substantial down payments to Kitchen World for delivery and installation of kitchen cabinets. Investigators found Kitchen World's C-3(b) license had been suspended for not main-

taining a bond. The investigation also discovered that Henderson, who was not identified on the Kitchen World license, operated in the capacity of a contractor using the company's name.



Board disciplines six contractors

During its January 9 and 16 disciplinary hearings, the Nevada State Contractors Board adjudicated cases involving six licensed contractors accused of violating Nevada Revised Statutes Chapter 624.

Western Stone Masonry. License number 63468 (Masonry) was suspended after the Kaysville, Utah contractor was found in violation for substandard workmanship; failure to take appropriate corrective action; acting in the capacity of a contractor beyond the scope of the license; failure to include the Residential Recovery Fund information on a contract or proposal; failure to respond to a written request from the Board; failure to keep in force a bond or cash deposit; failure to notify the Board of a change in personnel or address within 30 days of the change; willful disregard of the building laws of the state; and failure to establish financial responsibility.

The licensee was fined \$2,900 and ordered to pay investigative costs. The license remains suspended until fines and costs are paid and a current financial statement supporting the license limit is provided to the Board.

Tile Vegas, LLC, dba Stix & Stones Flooring, license numbers 71850 (Terrazzo & Marble Installation) and 71851 (Tiling), were revoked after the Las Vegas contractor was found in violation for failure to comply with the terms of a construction contract, causing material injury to another; abandonment of a construction project; failure to include the Residential Recovery Fund information on a contract or proposal; failure to include the monetary license limit or license number on a contract or proposal; failure to notify the Board of a change in personnel or address within 30 days of the change; failure to keep in force a bond or cash deposit; failure to establish financial responsibility; and misrepresentation of material fact.

The licensee was fined \$2,600, ordered to pay investigative costs, make full restitution to all damaged parties and reimburse the Board for

any monies paid out of the Residential Recovery Fund prior to consideration of future licensure.

Hernandez Lawn Care & Landscaping, license numbers 71149 (Landscape Contracting), 71596 (Masonry – limited to pavers only), and 72358 (Concrete Contracting – limited to decorative concrete curbing only) were surrendered after the Sparks contractor was found in violation for contracting on a suspended or revoked license and failure to include the Residential Recovery Fund information on a contract or proposal. The licensee was fined \$600 and ordered to pay investigative costs.

The licenses will be revoked if all fines and costs are not paid within the timeframe ordered by the Board's hearing officer.

Safari Rockeries Inc., license numbers 73991 (Landscape Contracting) and 47025 (Excavating and Grading and Excavating Grading Trenching & Surfacing) were revoked after the Reno-based contractor was found in violation for failure to complete a construction project or operation for the price stated in the contract; failure to take appropriate corrective action; failure to comply with the terms of a construction contract thereby causing material injury to another; failure to include the Residential Recovery Fund information on a contract or proposal; failure to include the monetary license limit or license number on a contract or proposal; commencing work on a project without obtaining necessary building permits; and failure to establish financial responsibility.

The licensee was fined \$3,150 and ordered to pay investigative costs.

Draeger Construction, LLC, license numbers 50111 (General Building), 52818 (Roofing and Waterproofing), and 55535 (Carpentry) were suspended for substandard workmanship; failure to take appropriate corrective action; failure to respond to a written request from the Board; failure to include the Residential Recovery Fund

See DISCIPLINE, page 15

Governor warns of home repair scams

Media outlets throughout the state began running public service announcements developed by the Nevada State Contractors Board and delivered by Governor Brian Sandoval.

Aimed at educating the public on the dangers of hiring unlicensed contractors, the 30-second PSAs fulfill NSCB's mission to protect consumers, and highlight the professionalism and proven skill of licensed contractors.

Unlicensed and unscrupulous contracting activities throughout Nevada will continue to be a factor as homeowners engage in winterizing and spring maintenance projects amid a climate of continued challenging economic decisions. Emergency repairs such as leaky roofs, faulty water heaters and broken heating systems will pose an immediate challenge for homeowners looking for a quick and cheap fix. NSCB hopes the PSA messages will remind homeown-



GOV. BRIAN SANDOVAL

ers to verify contractors are licensed by the Board to perform the work at hand, and to not simply hire based on the bottom-dollar price.

The PSAs – separate messages for northern Nevada and southern Nevada – complement NSCB's recently launched Senior Awareness Program, which informs seniors of common scams within the construction industry, highlights

warning signs and offers advice on how seniors can protect themselves.

Licensed contractors are encouraged to join the Board in relaying the consumer benefits of hiring only licensed contractors:

- Plumbing, electrical, heating, ventilation and air conditioning services require a licensed contractor in the State of Nevada. These services cannot be performed by a “handyman.”

- Homeowners who contract with unlicensed contractors are not eligible for the Residential Recovery Fund.

- Contracts made with an unlicensed contractor are not recognized or valid in Nevada.

- Homeowners could be held liable for any injuries incurred by unlicensed contractors' employees, as they often do not carry workers' compensation insurance.

DISCIPLINE from page 14

information on a contract or proposal; failure to establish financial responsibility; and failure to keep in force a bond or cash deposit. The licensee was fined \$2,350, ordered to pay investigative costs, make full restitution to all damaged parties, and reimburse the Board for any monies paid out of the Residential Recovery Fund prior to consideration of future licensure.

Re-Bath of Las Vegas, LLC, license numbers 57470 (Glass and Glazing – limited to enclosures for showers, tubs, and toilet partitions), 57471 (Plastic Tile & Wallboard), and 69348 (Artificial or Cultured Marble) were fined \$1,100

and ordered to pay investigative costs after the Las Vegas contractor was found in violation for failure to comply with the terms of a construction contract thereby causing material injury to another; failure to establish financial responsibility; for the partnership, corporation, firm or association participating in a prohibited act; misuse of a license; and willful disregard of the building laws of the state. The licensee was fined \$1,100 and ordered to pay investigative costs. The licenses are subject to suspension if all fines and costs are not paid within the timeframe ordered by the Hearing Officer.

Be a “card-carrying” licensed contractor

The Nevada State Contractors Board continuously reminds property owners to check contractors’ pocket identification cards before agreeing to proposals, signing contracts or allowing anyone to perform work on their homes or businesses.

As these outreach efforts continue, NSCB also encourages all licensed contractors to carry the pocket cards while on the job and especially in situations where they think they might be soliciting business or talking to potential customers.

The hard plastic license pocket cards recently were redesigned to include NSCB’s logo and the state seal in addition to the license number, business name, classification(s), and license expiration date. One card is issued upon issuance and renewal of the license. NSCB allows contracting



companies to purchase additional cards at \$10 each to distribute to key on-site personnel to use when potential customers inquire about services.

To obtain additional pocket cards, call the Board offices at 702-486-1100 in southern Nevada or 775-688-1141 in northern Nevada.

National Rebuilding Day set for April 27

Rebuilding Together Southern Nevada is seeking sponsors and volunteers for National Rebuilding Day, April 27. The organization coordinates volunteer teams to perform rehabilitation and repairs on homes for disadvantaged citizens. Typical projects include roofing, plumbing, HVAC, window installation and landscaping.

Rebuilding Together South-



ern Nevada Director of Program Development Therese Elliott said the organization is seeking to upgrade 25 homes this year. By improving homes’ performance and appearance,

volunteers not only lift the spirits of their occupants, but contribute to the wellbeing of the entire neighborhood.

There’s plenty of work for anyone – you don’t have to be a professional craft worker – interested in giving back to their community. Sponsors can donate materials or cash.

For more information, contact Elliott at 702-259-4900.

Measure Up...Use Licensed Contractors
Southern Nevada (702) 486-1100 Northern Nevada (775) 688-1141
www.nscb.nv.gov
Nevada State Contractors Board

BUMPER STICKERS

Help educate the public. Place our new bumper stickers on your work vehicles today!

Tip leads to “Most Wanted” arrest

A tip from an alert citizen has led to the arrest of a member of the Nevada State Contractors Board’s ‘Top 10 Most Wanted’ list, while another list member remains at large.

A woman visiting relatives in Arizona contacted NSCB Jan. 29, after coming face-to-face with unlicensed contractor James Gregg. Gregg had been on NSCB’s Most Wanted List for less than two weeks after homeowners in northern Nevada alleged Gregg committed roof repair scams. The Reno Justice Court issued one felony and one misdemeanor warrant for his arrest for obtaining money under false pretense and contracting without a license.

Gregg approached the tipster’s relative’s home to solicit roofing services. Having recalled seeing Gregg’s picture on a southern Nevada news station, the consumer declined his services, identified Gregg’s location and called NSCB. Board investigators arranged for the Chandler, Ariz. Police Department to make the arrest the same day.

Gregg also has a felony warrant out for his arrest in Mesa, Ariz., for defrauding a senior with the same roofing scam.

“This case is a prime example of how information conveyed by the Board through the media not only empowers



MANUEL CRISTALES

consumers to make educated decisions, but equips them with the knowledge to protect themselves from becoming victimized by unscrupulous contractors,” said NSCB Executive Officer Margi A. Grein. “We applaud the efforts of this consumer to take immediate action resulting not only in Gregg’s arrest, but the prevention of harm to other homeowners.”

The Board placed Manuel Cristales on the Top 10 list after a felony warrant was issued for him by the Justice Court of Reno Township in the amount of \$15,000 for contracting without a license (NRS 624.700) and diverting funds (NRS 624.750).

NSCB is requesting the assistance of the public to contact the Board or their local police department with any information on the whereabouts of Cristales.



JAMES GREGG

Cristales is a white male, approximately 5’6”, 180 pounds, with brown eyes and black hair. He operates under the business name Anthony Landscape and Design, drives a brown Toyota van with license plate number 973VUL, and has multiple tattoos, including the names of Selina, Anthony, Ashley, and Leseth on his back.

Cristales is known for bidding landscaping projects in excess of \$1,000 and receiving payments from homeowners and abandoning projects without performing any work.

Information on Cristales’ movements or location can be reported to either of the Board’s offices:

Henderson 702-486-1160

Reno 775-850-7838

Continued Education & Training

Technology has changed the way different industries operate. It has even changed the construction industry. In order to keep up with changing technology and information, it has become a necessity to continually seek training and education. If you are interested in furthering your education and training your employees, please click on links to various OSHA safety, construction and computer courses. Links will direct you to various educational institutions located in Northern and Southern Nevada. Contact information will be listed, so please direct any questions regarding the courses to the educational institutions.

Southern Nevada

College of Southern Nevada

[CSN Course Schedule \(.pdf\)](#)

**Please Note: The CSN Course Schedule link is a PDF document. The following pages and categories are listed for your convenience. Note, too, that some courses may require prerequisites.*

Air Conditioning Technology - pg. 5.

Residential Codes & Introduction to Building Information Modeling - pg. 7.

Building/Plumbing Codes - pg. 16.

Construction Technology - pg. 21.

Computer Aided Drafting/Design - pg. 22.

Construction Management - pg. 32.

Computer Office Technology - pg. 32.

Fire Protection - pg. 63.

Geographic Information Systems - pg. 67.

Landscape - pg. 76.

Mechanical pg. 82.

Sustainable Construction - pg. 106.

General Inquiries Contact: (702) 650-2276

OSHA Safety Courses
<http://tinyurl.com/6pa9vyx>

Contact:
OSHAOTIEC@csn.edu or
1 (877) 651-OSHA

Computer Courses
<http://tinyurl.com/6twzcu>

Contact:
DWED@csn.edu
(702) 651-4747

Computer Basics
<http://tinyurl.com/6wubnmm>

Contact:
DWED@csn.edu
(702) 651-4747

Northern Nevada

Truckee Meadows Community College

Safety and Training Courses: <http://tinyurl.com/7m226hq>
contact: salquist@tmcc.edu or (775) 857-4958

Computer Courses: <http://tinyurl.com/7jdvmrr>
Contact: wdce@tmcc.edu or (775) 829-9010

TMCC Course Schedule: <http://www.tmcc.edu/schedule/downloads/documents/ADMIClassScheduleSpring13.pdf>

**Please Note: This link is a PDF document. The following pages, categories and phone numbers are listed for your convenience. Some courses may require prerequisites. For information, call (775) 673-7000..*

Air Conditioning Courses - pg. 1

Architecture - pg. 4.

Building Inspection - pg. 12.

Computer Aided Drafting & Design - pg. 16

Computer & Office Technology - pg. 17.

Construction - pg. 21

Electrical Technology - pg. 32



Great Basin College

Once you click on the links listed below, make sure to also click on "Current Offerings" to view dates, times and locations of courses. Some courses may require prerequisites.

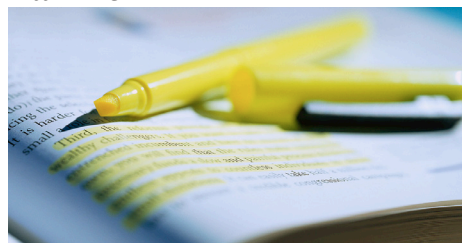
Computer Aided Drafting & Design: <http://tinyurl.com/74c8vv4>

Electrical Theory: <http://tinyurl.com/7s2enda>

Geographic Information Systems: <http://tinyurl.com/8xh6wt5>

Computer Office Technology: <http://tinyurl.com/767e06y>

General Inquiries Contact (775) 738-8493



Western Nevada College

Course Schedule: <http://www.wnc.edu/academics/catalog/all/>

**Please Note: This link is a PDF document. The following locations are listed for your convenience. Some courses may require prerequisites.*

Computer Aided Drafting Design - Carson City, pg. 19.

Construction Courses - Carson City, pg. 20.

Geographic Information Systems - Carson City, pg. 23.

Computer Applications/Internet Courses - Carson City, pg. 30.

Renewable Energy Courses - Carson City, pg. 34.

Short-Term Construction Courses - Carson City, pg. 48.

Short-Term Online Computer Courses - pg. 49.

Contact: info_desk@wnc.edu or (775) 445-3000



Nevada Contractor's Checklist

The following information is a set of tips designed to help Nevada Contractors work within the law. For a full text of laws that affect contracting in Nevada, see *The State of Nevada "State Contractors Board Handbook" containing Chapter 624 of the Nevada Revised Statutes and Chapter 624 of the Nevada Administrative Code. Contact the Nevada State Contractors Board for a copy of this valuable resource.*

- Always make sure license number and monetary limit is on all contracts or bids. *NAC 624.640(5)*
- Keep your bond current. *NRS 624.270*
- Check to ensure that licenses of persons with whom you contract are valid and active. *NAC 624.650*
- Be sure that name of the business under which a contractor is contracting is the same as the license number. *NRS 624.305*
- Be sure that amount of the bid or contract is within the monetary limit of the contractor. *NRS 624.3015(2)*
- Be sure that the contract is within the scope of work/license classification. *NRS 624.3015(3)*
- Know what you are contracting for, verify the terms of the contract, and comply with the terms of the contract. *NRS 624.3013(1)*
- If it's not in your written contract, it doesn't exist – Make sure all change orders are in writing and signed by all parties. *NRS 624.3013(1)*
- Leave Residential Recovery Fund Disclosure with client for all residential contracts. *NRS 624.520*
- Provide your customer with required Notice to Owner Disclosure. ***NRS 624.600(1)(2) and (3) as described in NAC 624.693 and NAC 624.6932.***
- Make sure your license number is on all advertisements for your business including your vehicles, business cards, letterhead, signage, directories, newspaper, website, etc. *NRS 624.720*
- Your license number should be approximately 1½" on your motor vehicle. *NRS 624.288*
- If your address or other pertinent information about your business changes, notify the Contractors Board in writing within 30 days. *NAC 624.640(3)*

You can check license and classification information on the Nevada State Contractors Board website listed below, by using the NSCB's automated phone system or by calling NSCB staff directly.

Nevada State Contractors Board

Southern Nevada Offices
2310 Corporate Circle, Suite 200
Henderson, NV 89074
(702) 486-1100
Fax- 702-486-1190

Northern Nevada Offices
9670 Gateway Dr. Suite 100
Reno, NV 89521
(775) 688-1141
Fax 775-688-1271

www.nscb.state.nv.us

Information contained in this document is meant to be instructional. The information is believed to be accurate at the time of its production. The Nevada State Contractors Board and the State of Nevada assume no responsibility for any damage that arises from any action that is based on the information found in this publication. Questions regarding civil law and the civil courts system should be addressed by an attorney.