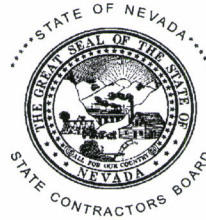


BRIAN SANDOVAL  
Governor

STATE OF NEVADA



MEMBERS

Margaret Cavin, Chair  
Melissa Caron  
Mason Gorda  
Joe Hernandez  
Kent Lay  
Jan B. Leggett  
Guy M. Wells

REPLY TO:

**Southern Nevada**  
2310 Corporate Circle  
Suite 200  
Henderson, Nevada 89074  
(702) 486-1100  
Fax (702) 486-1190  
Investigations (702) 486-1110

[www.nscb.nv.gov](http://www.nscb.nv.gov)

**Northern Nevada**  
5390 Kietzke Lane, Suite 102  
Reno, Nevada 89511  
(775) 688-1141  
Fax (775) 688-1271  
Investigations (775) 688-1150

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING  
February 21, 2018

**CALL TO ORDER:**

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, February 21, 2018, 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:**

Mr. Paul Rozario, Director of Investigations  
Mr. George Lyford, Associate Director  
Mr. Ron Lynn, Director of Operations

**LEGAL COUNSEL PRESENT:**

Mr. Jack Juan, Esq.

Mr. Razario stated the agenda was posted in compliance with the open meeting law on February 14, 2018, 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:** (Continued from August 23, 2017)

**MICHAEL D. BELL, OWNER, dba GOLDEN BEAR CONSTRUCTION,** License No. 37123

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

**ALJ Allison continued this matter to June 20, 2018 for a status update.**

**2. RE-HEARING – RECONSIDERATION HEARING:** (January 17, 2018)

**SUNSET OASIS LANDSCAPING, LLC,** License Nos. 80570, 80646, 81714

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

The following Agency Exhibits were entered:

Exhibits 1 - 129 – Board Hearing File.

Exhibits 130 – 359 - Documents provided by Douglas Herman.

Exhibits 360 - 370 - Jobsite photos taken by Board Investigator Ron Simon on February 6, 2018.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's letter to the Board dated February 12, 2018

Exhibit B - Respondent's additional documents.

ALJ Allison found Respondent guilty one (1) violation of NRS 624.3012(2) failure to pay any money when due; one (1) violation of NRS 624.301(5) failure to comply with the terms of a construction contract; one (1) violation of NRS 624.3012(4) failure to obtain the discharge of any lien recorded when the contractor has received sufficient money as payment within 75 days after the recording of the lien; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.750(4)(b) diversion of funds; one (1) violation of NRS 624.3016(5) as set forth in NRS 624.600(1)(a)(b)(2)(3)(a)(b) failure to provide required notices; one (1) violation of NRS 624.3015(2) contracting for a sum in excess of the limit placed on the license by the Board; and one (1) violation of NRS 624.3013(5), as set forth in NRS 624.256(9) second violation of failure to provide proof of industrial insurance within a five (5) year period. The First, Second, Third, Fourth, Fifth, Sixth, Eighth, Ninth, Sixteenth and Eighteenth Causes of Action were dismissed. Respondent was assessed a fine of \$1,000.00 for each of the Tenth, Eleventh, Fifteenth, and Seventeenth Causes of Action; a fine of \$500.00 for each of the Twelfth and Thirteenth Causes of Action; a fine of \$100.00 for the Fourteenth Cause of Action for total fines of \$5,100.00 and investigative costs of \$4,019.00. The Seventh Cause of Action will dismissed if a current compliant financial statement with bank verification form for all cash accounts that support the license limits is provided within sixty (60) days of the February 21, 2018 hearing. License numbers 80570, 80646 and 81714, Sunset Oasis Landscaping, LLC were suspended. Fines and investigative costs are to be paid, a current compliant financial statement provided and proof of compliance with DIR is to be provided within sixty (60) days of the February 2, 2018 hearings or license numbers 80570, 80646 and 81714 shall be revoked.

### 3. DISCIPLINARY HEARING: DEFAULT ORDERS

#### a. U. S. LANDSCAPE, INC., License No. 48201

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 U. S. Landscape, Inc., license number 48201 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. Respondent U. S. Landscape, Inc. was found guilty of one (1) violation of NRS 624.3012(2) failure to pay any money when due; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; two (2) violations of NRS 624.302(6) failure to comply with a written request from the Board; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,000.00 for the First Cause of Action; a fine of \$500.00 for each of the Second and Fifth Causes of Action; a fine of \$250.00 for each of the Third and Fourth Causes of Action for total fines of \$2,500.00 and investigative costs of \$2,069.00. License number 48201, U. S. Landscape, Inc. 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.

#### b. SONS OF CONSTRUCTION, LLC, License No. 76945

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 Sons of Construction, LLC, license number 76945 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 624.3012(2) failure to pay any money when due; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,000.00 for the First Cause of Action; a fine of \$250.00 for each of the Second and Third Causes of Action; a fine of \$500.00 for the Fourth Cause of Action for total fines of \$2,000.00 and investigative costs of \$1,686.00. License number 76945, Sons of Construction, 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

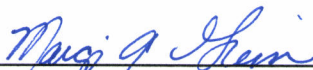
There being no further business to come before the Board, the meeting was adjourned by ALJ Allison at 10:40 a.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer