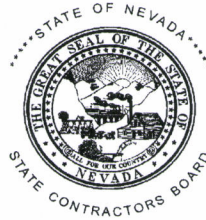


STEVE SISOLAK
Governor

STATE OF NEVADA



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

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

MEMBERS
Margaret Cavin, Chair
Kevin Burke
Joe Hernandez
Kent Lay
Jan B. Leggett
Melissa Maguire
Guy M. Wells

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
March 20, 2019

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:27 a.m., Wednesday, March 20, 2019, 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.
Mr. Matt Addison, 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 March 13, 2019, 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. RECONSIDERATION OF DEFAULT ORDER DATED JANUARY 28, 2019:

NEW IMAGE CONTRACTING, INC., License No. 55152

B & C CONSTRUCTION, License No. 78242

B & C GROUP, LLC, dba TRITON INDUSTRIES, License No. 78840

Licensee B & C Construction was present but not and represented by counsel at the hearing.

ALJ Allison ordered license number 78242, B & C Construction, reinstated to Active status. Respondent B & C Construction has sixty (60) days from March 20, 2019 to have a new qualified individual in place.

2. DISCIPLINARY HEARING: (Continued from November 14, 2018 and January 23, 2019)

PANDA WINDOWS AND DOORS, LLC, License No. 54716

Licensee was present and represented by Carrie Hurtik, Esq. at the hearing.

3. DISCIPLINARY HEARING:

AMERITECK INDUSTRIES, License No. 73216

Respondent 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's e-mail dated February 19, 2019, with attachments.

Exhibit B – Respondent's e-mail dated March 19, 2019, with attachments.

ALJ Allison found Respondent guilty of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; NRS 624.3011(1)(b)(1) violation of the building laws of the State; and NRS 624.3014(2)(a) aiding or abetting an unlicensed person to evade the provisions of this chapter. Respondent was assessed a fine of \$500.00 for the First Cause of Action; and a fine of \$1,500.00 for each of the Second and Third Causes of Action for total fines of \$2,000.00 and investigative costs of \$2,774.00. Respondent license, number 73216 is reinstated to Active status. Fines and investigative costs are to be paid within sixty (60) days of the March 20, 2019 hearing or license number 73216, Ameritek Industries shall be revoked.

4. DISCIPLINARY HEARING:

DEL H CONTRACTORS, LLC, License Nos. 76782, 76781, 76780

M. D. GARAGE DOORS SERVICES, LLC, License No. 79726

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

This matter was reduced to an Administrative Citation.

5. DISCIPLINARY HEARING:

RAY BROTHERS CONSTRUCTION, INC., dba C. D. R. CONSTRUCTION, License No. 83642

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's Answer to the Board's Complaint received February 14, 2019.

ALJ Allison found Respondent guilty of 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 624.3011(1)(b)(1) violation of the building laws of the State; 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 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; 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; 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 NRS 624.700(1)(a) acting in the capacity of a contractor without having an active license; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The Sixth Cause of Action was dismissed. Respondent was assessed a fine of \$2,500.00 for the First Cause of Action; a fine of \$500.00 for each of the Second, Fourth, and Eighth Causes of Action; a fine of \$100.00 for each of the Third and Seventh Causes of Action; a fine of \$250.00 for each of the Fifth and Ninth Causes of Action for total fines of \$4,520.00 and investigative costs of \$2,056.00. If Respondent gets the inspection completed and closed the permit within thirty (30) days of the March 20, 2019 hearing, the fine amount on the First Cause of Action shall be reduced to \$1,000.00. Respondent's license limit is reduced to \$60,000.00. Fines and investigative costs are to be paid within sixty (60) days of the March 20, 2019 hearing or license number 83642 shall be revoked.

6. DISCIPLINARY HEARING:

BACKYARD CONNECTION, LLC, License No. 67813

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's Answer to the Board's Complaint received February 27, 2019.

ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3017(2) failure to include in its advertisement the license number of the licensed contractor and one (1) violation of NRS 624.3011(1)(b)(4) violation of the laws of this State regarding industrial insurance. The Third Cause of Action was dismissed. Respondent was assessed a fine of \$100.00 for the First Cause of Action and a fine of \$500.00 for the Second Cause of Action for total fines of \$600.00 and investigative costs of \$1,968.00. Fines and investigative costs are to be paid within sixty (60) days of the March 20, 2019 hearing or license number 67813 shall be revoked. Respondent shall comply with a Business Review within sixty (60) days of the March 20, 2019 hearing.

7. DISCIPLINARY HEARING:

LINDSEY SWIMMING POOL PLASTERING, License No. 30242

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's Answer to the Board's Complaint received February 11, 2019.

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 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.165(3)(e)(2) failure to hold an active business license in the City of Las Vegas; one (1) violation of NRS 624.3011(1)(b)(4) violation of the laws of this State regarding industrial insurance; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The Second Cause of Action was dismissed. Respondent was assessed a fine of \$500.00 for each of the First and Fifth Causes of Action; a fine of \$100.00 for each of the Third and Fourth Causes of Action; and a fine of \$250.00 for the Sixth Cause of Action for total fines of \$1,450.00 and investigative costs of \$2,191.00. Respondent has thirty (30) days

from the March 20, 2019 hearing to provide a current compliant financial statement with bank verification form for all cash accounts that supports the license limit or license number 30242 shall be revoked. Respondent shall make restitution to Jillian Tindall in the amount of \$500.00 within thirty (30) days of the March 20, 2019 hearing. Fines and investigative costs are to be paid within sixty (60) days of the March 20, 2019 hearing or license number 30242 shall be revoked.

8. DISCIPLINARY HEARING:

KOMAX DEVELOPMENT, INC., License No. 67413

Licensees were 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's Answer to the Board's Complaint received February 11, 2019.

ALJ Allison continued this matter to April 17, 2019.

9. DISCIPLINARY HEARING:

J. A. COTA, INC., License No. 78988

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

The following Agency Exhibits were entered:

This matter was reduced to an Administrative Citation.

10. DISCIPLINARY HEARING:

WEST COAST BUILDING & DESIGN, LLC, dba W. C. B. & D. GENERAL CONTRACTOR,
License No. 81435

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – An e-mail from Jess Askeroth with attachment dated March 7, 2019.

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 624.3013(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 624.302(6) failure to comply with a written request by the Board. The Second and Fifth Causes of Action were dismissed. Respondent was assessed a fine of \$1,000.00 for the First Cause of Action; a fine of \$250.00 for the Third Cause of Action; a fine of \$500.00 for the Fourth Cause of Action for total fines of \$1,750.00 and investigative costs of \$2,038.00. Respondent was ordered to pay restitution to Jess Askeroth the amount of \$6,093.00 within thirty (30) days of the date of the Decision and Order or license number 81435, West Coast Building & Design, LLC, dba W. C. B. & D. General Contractor shall be revoked. Fines and investigative costs are to be paid within sixty (60) days of the date of the Decision and Order or license number 81435, West Coast Building & Design, LLC, dba W. C. B. & D. General Contractor shall be revoked.

ADMINISTRATIVE LAW JUDGE: MATT ADDISON, ESQ.**11. DISCIPLINARY HEARING:**

CLIMATE CONTROL CONSULTANTS, LLC, dba COMANCHE RESIDENTIAL SERVICES,
License No. 83052

CLIMATE CONTROL CONSULTANTS, LLC, dba C & C CONTRACTING, License No. 83051

Licenses were not present. Respondent John Paul Freeman, Qualified Individual of Climate Control Consultants, LLC dba Comanche Residential Services was represented by John Henry Wright, Esq. Respondent was represented by Eric Dobberstein, Esq. telephonically.

ALJ Addison continued this matter to May 15, 2019. License number 83051, Climate Control Consultants, LLC, dba C & C Contracting was suspended.

12. DISCIPLINARY HEARING: DEFAULT ORDERS

a. SILVER STATE MECHANICAL, INC., License Nos. 81694, 80517

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Addison found Respondent Silver State Mechanical, Inc., license numbers 81694 and 80517 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 by the Board; one (1) violation of NRS 624.3011(1)(b)(4) violation of the laws of this State regarding industrial insurance; two (2) violations of NRS 624.3013(4) failure to keep in force the bond for the full period required by the Board; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; and one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. Respondent was assessed a fine of \$1,000.00 for each of the First, Second, Third, Fourth, Fifth, Sixth and Seventh Causes of Action for total fines of \$7,000.00 and investigative costs of \$1,968.00. License numbers 81694 and 80517, Silver State Mechanical, Inc. were 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.

13. DISCIPLINARY HEARING: (Continued from March 6, 2019)

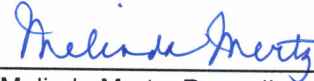
ASPEN CREEK CONSTRUCTION, License Nos. 74085, 74463

Licensee was present and was represented by Jason Peak, Esq. at the hearing.

ALJ Addison will have preliminary findings by March 27, 2019 to determine which Notice to Correct items are to be repaired at the Respondent's expense. A list will be given to the Iverson's, who will have two (2) weeks to get a bid from DLC Construction for the items on the list. The bid will be forwarded to the Respondent's attorney who will have two (2) weeks to compile a list of arguments against which will then be forwarded to ALJ Addison. ALJ Addison will make his decision on this matter by May 3, 2019.

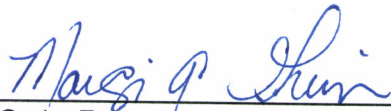
There being no further business to come before the Board, the meeting was adjourned by ALJ Addison at 11:20 p.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer