

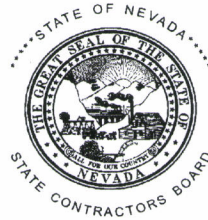
STEVE SISOLAK
Governor

STATE OF NEVADA

REPLY TO:

MEMBERS

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



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
(775) 688-1141
Fax (775) 688-1271
Investigations (775) 688-1150

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
April 17, 2019

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, April 17, 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:

Mr. Paul Rozario, Director of Investigations

LEGAL COUNSEL PRESENT:

Mr. Jack Juan, Esq.

Mr. Rozario stated the agenda was posted in compliance with the open meeting law on April 11, 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. DISCIPLINARY HEARING: (Continued from November 14, 2018, January 23, 2019, March 20, 2019)

PANDA WINDOWS AND DOORS, LLC, License No. 54716

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A –

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; and one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of the State. The Second and Fourth Causes of Action were dismissed. Respondent was assessed a fine of \$500.00 for each of the First and Third Causes of Action for total fines of \$1,000.00 and investigative costs of \$6,483.00. Fines and costs are to be paid within thirty (30) days of the April 17, 2019 hearing or license number 54716, Panda Windows and Doors, LLC shall be suspended.

2. DISCIPLINARY HEARING: (Continued from March 20, 2019)

KOMAX DEVELOPMENT, INC., License No. 67413

Licensees were present and represented by Mark McGannon, Esq. at the hearing.

ALJ Allison continued this matter to June 19, 2019.

3. DISCIPLINARY HEARING:

NULOOK VEGAS, INC., dba NULOOK FLOORS, License Nos. 83068, 78040, 78041, 77825

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 - 6 photos taken by Board Investigator Gary Copenhaver on April 11, 2019.

Exhibit 3 - 3 proposals provided by Nikki Bredberg.

Exhibit 4 - An e-mail from Nikki Bredberg dated March 25, 2019 with attachments.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint received March 5, 2019.

ALJ Allison continued this matter to June 19, 2019.

4. DISCIPLINARY HEARING: DEFAULT ORDERS

a. ERIC LAWRENCE FRATILLA, OWNER, dba GENESIS POOLS & SPAS BY ELF, License No. 69057

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

ALJ Allison continued this matter to June 19, 2019.

b. DIVERSIFIED PROTECTION SYSTEMS, INC., License Nos. 49662, 57347

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 Diversified Protection Systems, Inc., license numbers 49662 and 57347 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 624.302(7) failure to comply with an order by the Board; 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(5), as set forth in NAC 624.640(3) failure to notify the Board of a change of address within 30 days; 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, and Fifth Causes of Action for total fines of \$5,000.00 and investigative costs of \$1,107.00. License numbers 49662 and 57347, Diversified Protection Systems, 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.

c. ENVIRONMENTAL ASSURANCE, LLC, License Nos. 77996, 77997, 78133

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Allison continued this matter to May 15, 2019. License numbers 77996 and 77997, Environmental Assurance, LLC were suspended.

d. TRIANGLE CONSTRUCTION, INC., License Nos. 32494, 76268

Licensee was not present but was represented by Vernon Evans, Esq. at the hearing.

ALJ Allison continued this matter to June 19, 2019. License numbers 32494 and 76268, Triangle Construction, Inc. were suspended.

e. SANDERS CONSTRUCTION GROUP, LLC, License No. 71560A

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 Sanders Construction Group, LLC, license number 71560A 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 624.301(5) failure to comply with the terms of a construction contract; 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 624.301(2) abandonment of a construction project when the percentage of the project completed is less than the percentage of the total price paid; one (1) violation of NRS 624.3012(2) failure to pay any money when due; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,000.00 for each of the First, Second, Third, Fourth and Fifth Causes of Action for total fines of \$5,000.00 and investigative costs of \$1,340.00. License number 71560A, Sanders Construction Group, 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.

f. LATRONICA CONSTRUCTION, LLC, dba BUILD PRO, License No. 78914

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

ALJ Allison continued this matter to June 19, 2019.

g. LANGSTON CONCRETE, LLC, License No. 83478

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 Langston Concrete, LLC, license number 83478 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 624.3017(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 624.700(3)(a) failure to comply with the Board's Notice to Correct; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; 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 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 624.165(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; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(3) failure to notify the Board of a change of address within 30 days; one (1) violation of NRS 624.3013(4) failure to keep in force the bond for the full period required by 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 each of the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth and Eleventh Causes of Action for total fines of \$11,000.00 and investigative costs of \$1,177.00. License number 83478, Langston Concrete, 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.

ADMINISTRATIVE LAW JUDGE: MATT ADDISON, ESQ.

5. DISCIPLINARY HEARING:

T. W. C. CONSTRUCTION, INC., License No. 46293

Licensee was present and represented by Michael Infuso, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – 86 – Board Hearing File.

Exhibits 87 – 94 - Highlighted copies of Pages 10, 14, 15, 16, 17, 19, 22, and 23 of the Board's Exhibits.

Exhibits 95 – 96 - A Subpoena Duces Tecum issued by the Board to Respondent.

Exhibit 97 - A Board Memo dated February 14, 2018.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint received March 7, 2019.

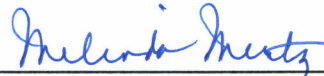
Respondent's Exhibits 1 - 320 - Respondent's Disclosure of Documents.

ALJ Addison dismissed the Board's Complaint against T. W. C. Construction, license number 46293.

ADJOURNMENT

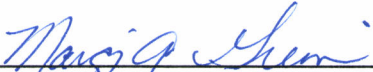
There being no further business to come before the Board, the meeting was adjourned by ALJ Addison at 4:15 p.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer