BRIAN SANDOVAL Governor

MEMBERS

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

STATE OF NEVADA



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING April 25, 2018

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

CALL TO ORDER:

Leon Mead, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, April 25, 2018, State Contractors Board, Henderson and Reno, Nevada. <u>Exhibit A</u> is the Meeting Agenda and <u>Exhibit B</u> is the Sign in Log.

ADMINISTRATIVE LAW JUDGE:

Mr. Leon Mead, Esq.

STAFF MEMBERS PRESENT:

Mr. Paul Rozario, Director of Investigations Mr. Ron Lynn, Director of Operations

LEGAL COUNSEL PRESENT:

Mr. Jack Juan, Esq.

Mr. Rozario stated the agenda was posted in compliance with the open meeting law on April 12, 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: LEON MEAD, ESQ.

1. DISCIPLINARY HEARING:

<u>DIVERSIFIED CONTRACTING COMPANY, dba DIVERSIFIED DEMOLITION CO.</u>, License Nos. 75976, 75975

DIVERSIFIED CONCRETE CUTTING, INC., License No. 19007A

DEMOT TECH LTD., License Nos. 79029, 79032

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Mead found Respondents guilty of four (4) violations of NRS 624.3012(2) failure to pay any money when due; three (3) violations of NRS 624.302(6) failure to comply with a written request from the Board; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; two (2) violations of NRS 624.3012(1) diversion of money; one (1) violation of NRS 624.3016(1) failure to comply with the terms of a construction contract; one (1) violation of NRS 624.3016(1)

any fraudulent or deceitful act committed in the capacity of a contractor; one (1) violation of NRS 624.3012(4) failure to obtain the discharge of any lien recorded against the property to be improved with 75 days after the recording of the lien; 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 found in violation of all causes of action; however fines and investigative costs were not assessed against Respondent due to the automatic stay in the Chapter 7 bankruptcy. License numbers 75976 and 75975, Specialty Contracting Company, dba Diversified Demolition Co., and license number 19007A, Diversified Concrete Cutting, Inc. were revoked. Kenneth Michael Mercurio is prohibited from serving as a qualifier, officer, director, associate or partner of Demo Tech LTD., license numbers 79029 and 79032, or on any license in the future. License numbers 79029 and 79032, Demo Tech LTD. are suspended due to a lack of qualifier and proper officers, directors, associates and/or partners. Respondent Demo Tech LTD. shall fill these positions within thirty (30) days or the licenses will be revoked. This matter shall be forwarded to the District Attorney's office for prosecution for diversion of money and/or any violations as the District Attorney's office determines to be appropriate.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by ALJ Mead at 9:24 a.m.

Respectfully Submitted,

Melinda Mertz, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer