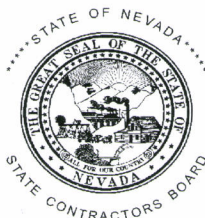


MEMBERS

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



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STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
May 23, 2018**

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, May 23, 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:

Ms. Margi Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations
Mr. George Lyford, Associate Director

LEGAL COUNSEL PRESENT:

Mr. Jack Juan, Esq.

Mr. Rozario stated the agenda was posted in compliance with the open meeting law on May 15, 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. REHEARING/RECONSIDERATION HEARING:

RAY IRON WELDING, LLC, License No. 80342

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 - Respondent's bank verification form received at the Board on May 2, 2018. (Confidential)

Exhibit 3 - An estimate from Gilbert Construction to Pauline Bahat dated March 13, 2018 along with a payment receipt for permits and payment by Ms. Bahat.

Exhibit 4 - A copy of three (3) checks payable to Ray Iron Welding, LLC.

Exhibit 5 - Check status of permits and applications from the City of Las Vegas Building Department website.

Exhibit 6 - A permit inspection for the Bahat project.

The following Licensee Exhibits were entered:

Exhibit A - Respondent's letter along with documentation attached to the letter dated April 3, 2018.

Exhibit B - A signed Acceptance Work dated August 16, 2017.

ALJ Allison found Respondent guilty of two (2) violations of NRS 624.301(5) failure to comply with the terms of a construction contract; two (2) violations of NRS 624.3017(1) workmanship not commensurate with the standards of the trade in general; two (2) violations 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 of the contract paid; 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; two (2) violations of NRS 624.3016(1) any fraudulent or deceitful act committed in the capacity of a contractor; 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 624.3011(1)(b)(1) violation of the building laws of the State; one (1) violation of NRS 624.302(6) failure to comply with a written request by the Board; two (2) violations of NRS 624.3014(1)(a) acting in the capacity of a contractor under any license issued except in the name of the licensee as set forth upon the license; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; 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 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. Respondent was assessed a fine of \$500.00 for each of the First, Fifth and Sixth Causes of Action; a fine of \$250.00 for each of the Second and Seventh Causes of Action; a fine of \$100.00 for each of the Third and Fourth Causes of Action for total fines of \$2,200.00 and investigative costs of \$3,358.00. Respondent was ordered to pay restitution to Pauline Bahat in the amount of \$722.00 within sixty (60) days from the May 23, 2018 hearing. Respondent was ordered to provide a current compliant financial statement with bank verification form for all cash accounts that supports the license limit within sixty (60) days from the May 23, 2018 hearing. Respondent was ordered to provide either a current workers' compensation insurance policy or an exemption form to the Board within sixty (60) days from the May 23, 2018 hearing. Failure to comply shall result in the revocation of license number 80342, Ray Iron Welding, LLC. If Respondent timely pays the fines and investigative costs, the fines will be reduced by half to \$1,100.00.

2. DISCIPLINARY HEARING: (Continued from April 18, 2018)

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 4 – A signed agreement between the Respondent and Lynn Baker dated May 15, 2018.

ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of this State and one (1) violation of NRS 624.302(6) failure to comply with a written request by the Board for information or records. The First, Second and Third Causes of Action were dismissed. Respondent was assessed a fine of \$500.00 for the Fourth Cause of Action and a fine of \$250.00 for the Third Cause of Action for total fines of \$750.00 and investigative costs of \$2,000.00. Fines and investigative costs are to be paid within ninety (90) days from the May 23, 2018 hearing or license number 81435, West Coast Building & Design, LLC, dba W. C. B. & D. General Contractor shall be suspended.

3. DISCIPLINARY HEARING: (Continued from April 18, 2018)**JOHN JAMES SCANLON, OWNER, dba LET IT RAIN ROOFING,** License No. 58426

Licensee was present and represented by John Henry Wright, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – an e-mail from Board Investigator Gary Copenhaver to Julio Sabates, Compliance Supervisor dated May 22, 2018.

Exhibit 3 – Nine (9) photos taken by Board Investigator Gary Copenhaver on May 21, 2018.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated February 2, 2018.

ALJ Allison found Respondent guilty 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 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner. The First, Second and Fifth Causes of Action were dismissed. Respondent was assessed a fine of \$500.00 for the Third Cause of Action and a fine of \$250.00 for the Fourth Cause of Action for total fines of \$750.00 and investigative costs of \$3,412.00. Fines and investigative costs are to be paid within ninety (90) days from the May 23, 2018 hearing or license number 58426, John James Scanlon, Owner, dba Let It Rain Roofing shall be suspended.

4. DISCIPLINARY HEARING:**AM/PM AIR CONDITIONING, INC.,** License No. 17110

Licensee was present and represented by Tony May, Esq. at the hearing.

ALJ Allison continued this matter to June 6, 2018.

5. DISCIPLINARY HEARING:**BROOKLYNN STONE, LLC,** License Nos. 72035, 80306

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – Board's additional documents

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated April 20, 2018.

ALJ Allison continued this matter to June 20, 2018 to allow Respondent the opportunity to obtain an attorney.

6. DISCIPLINARY HEARING:

NOW SERVICES OF NEVADA, LLC, dba COOL AIR NOW, License No. 79017

NOW SERVICES OF NEVADA, LLC, dba PLUMBING REPAIR NOW, License No. 79139

J & F BUILDING CO., License Nos. 76264, 81489

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 - A May 11, 2018 letter from Patricia A. Marr, Esq. to the Board.

Exhibit 3 - A City of Henderson building permit for the Miller Project.

Exhibit 4 - Two (2) photos taken by Board Investigator Ron Simon.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated April 26, 2018.

Exhibit B - The back of Respondent's contract with Ms. Miller.

ALJ Allison took this matter under advisement.

7. DISCIPLINARY HEARING: DEFAULT ORDERS

a. THE MAKEOVER GROUP, INC., License Nos. 74413, 74414

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

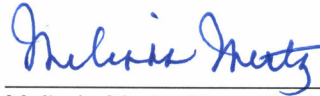
The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Allison found Respondent The Makeover Group, Inc., license numbers 74413 and 74414 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 624.3015(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 NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; 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 624.302(1)(a) contracting while the license has been suspended or revoked; 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, Sixth, Seventh, Eighth and Ninth Causes of Action and a fine of \$250.00 for the Fifth Cause of Action for total fines of \$8,250.00 and investigative costs of \$1,873.00. License numbers 74413 and 74414, The Makeover Group, 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.

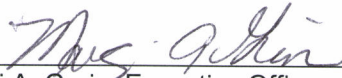
There being no further business to come before the Board, the meeting was adjourned by ALJ Allison at 11:41 a.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer