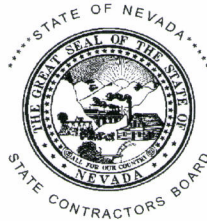


MEMBERS

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



Southern Nevada
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STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
June 20, 2018**

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, June 20, 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

LEGAL COUNSEL PRESENT:

Mr. Jack Juan, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law on June 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 and February 21, 2018)

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

Licensee was present and represented by Justin Townsend, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 2 – The signed Arbitration Award between Respondent and Jeffrey Ulrich and a letter from the American Arbitration Association dated June 8, 2018.

ALJ Allison dismissed the Board's Complaint.

2. DISCIPLINARY HEARING:

R O W CUSTOM ENTERPRISES NEVADA, INC., License No. 69556

Licensee was present and represented by Leland Backus, Esq. at the hearing.

ALJ Allison dismissed the Board's Complaint. Respondent agreed to pay the Board's Administrative Citation with a fine of \$500.00 and investigative costs of \$1,701.00 within thirty (30) days of receipt of the Administrative Citation. Respondent's license limit was lowered to \$100,000.00. A current compliant financial statement that supports the license limit is to be provided within thirty (30) days of receipt of the Administrative Citation.

3. DISCIPLINARY HEARING:

HAWAIIAN POOLS AND WATERSCAPES, LLC, License Nos. 82631, 82632, 82633, 82634

Licensee was present and represented by Leland Backus, Esq. 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 dated May 9, 2018 along with additional documents to include a contract and photos.

ALJ Allison dismissed the Board's Complaint.

4. DISCIPLINARY HEARING:

C & C SPECIALTIES, LLC, dba LV HOUSE DOCTOR, License No. 76906

C & C SPECIALTIES, LLC, dba LV YARD DOCTOR, License No. 78533

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – A Confidential Settlement Agreement and Mutual Release of Claims between Respondent and Dominick Fano dated February 7, 2018.

Exhibit 3 – An e-mail from Dominick Fano to the Board.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated June 6, 2018.

Exhibit B – Respondent's invoice to Fano dated September 22, 2017.

ALJ Allison found Respondent LV House Doctor guilty one (1) violation of NRS 624.3014(2)(a) aiding or abetting an unlicensed person to evade the provisions of this chapter; one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of the State; one (1) violation of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license. The Second, Fifth, Sixth and Seventh Causes of Action were dismissed. Respondent was assessed a fine of \$500.00 for the First Cause of Action; a fine of \$250.00 for each of the Third and Fourth Causes of Action for total fines of \$1,000.00 and investigative costs of \$2,522.00. Fines and investigative costs are to be paid within sixty (60) days of the June 20, 2018 hearing or license number 76906, C & C Specialties, LLC, dba LV House Doctor shall be suspended. Respondent is to provide a current compliant financial statement with bank verification form for all cash accounts that

support the license limit of license number 78533, C & C Specialties, LLC, dba LV Yard Doctor along with an active workers' compensation policy within sixty (60) days of the June 20, 2018 hearing. Upon compliance with the Board's Decision and Order, Respondent may file an application with the Board to inactivate license number 76906, C & C Specialties, LLC, dba LV House Doctor.

5. DISCIPLINARY HEARING:

AQUARIUS LANDSCAPE & SPRINKLER CO., INC., dba AQUARIUS LANDSCAPING,

License No. 19009

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 dated April 25, 2018 along with attachments.

Exhibit B – The back of Respondent's contract.

ALJ Allison found Respondent guilty 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 624.302(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; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The Third Cause of Action was dismissed. 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, Fourth and Fifth Causes of Action for total fines of \$2,500.00 and investigative costs of \$2,010.00. Respondent's license, number 19009 shall be suspended until Respondent provides a current compliant financial statement with bank verification form that supports the license limit. Fines and investigative costs are to be paid and a current financial statement provided within ninety (90) days of the June 20, 2018 hearing or license number 19009, Aquarius Landscape & Sprinkler Co., dba Aquarius Landscaping shall be revoked.

6. DISCIPLINARY HEARING: (Continued from March 21, 2018, April 18, 2018, May 21, 2018)

KOMAX DEVELOPMENT, INC., License No. 67413

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

The following Licensee Exhibits were entered:

Exhibit C – Respondent's Settlement Agreement and Mutual Release with Freddy Hwang dated June 19, 2018.

ALJ Allison found Respondent guilty one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board and one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board. The First, Third, Fourth, Fifth, Sixth and Eighth Causes of Action were dismissed. Respondent was assessed a fine of \$500.00 for each of the First and Seventh Causes of Action for total fines of \$1,000.00 and investigative costs of \$5,875.00. License limit lowered to \$550,000.00. License number 67413, Komax Development, Inc. shall be reactivated. Fines and investigative costs are to be paid within sixty (60) days of the June 20, 2018 hearing or license number 67413, Komax Development, Inc. shall be revoked.

7. DISCIPLINARY HEARING: DEFAULT ORDERS**a. UNIVERSAL ELECTRIC CONTRACTORS, LLC, dba UNIVERSAL ELECTRIC & SOLAR,**
License No. 76589

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 Universal Electric Contractors, LLC, dba Universal Electric & Solar, license number 76589 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. Respondent was found guilty of four (4) violations of NRS 624.3012(2) failure to pay any money when due; two (2) violations 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 624.3016(1) any fraudulent or deceitful act committed in the capacity of a contractor; one (1) violation of NRS 624.3011(1)(b)(2) violation of the safety laws or labor laws of this State; 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 624.3013(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, Fifth, Sixth, Seventh and Eighth Causes of Action; a fine of \$250.00 for each of the Third, Fourth, Ninth, Tenth, Eleventh and Twelfth Causes of Action; a fine of \$500.00 for each of the Thirteenth and Fourteenth Causes of Action for total fines of \$8,500.00 and investigative costs of \$3,395.00. License number 76589, Universal Electric Contractors, LLC, dba Universal Electric & Solar 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. MAINTENANCE BROS., LLC, License No. 80530

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

The following Agency Exhibits were entered:

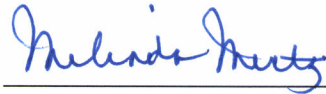
Exhibit 1 – Board Hearing File.

ALJ Allison found Respondent Maintenance Bros., LLC, license number 80530 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; 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 \$2,074.00. License number 80530, Maintenance Bros., 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

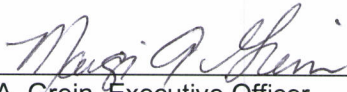
There being no further business to come before the Board, the meeting was adjourned by ALJ Allison at 12:05 p.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer