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STATE OF NEVADA

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STATE CONTRACTORS BOARD

Northern Nevada 5390 Kietzke Lane, Suite 102 Reno, NV 89511 (775) 688-1141 Fay (775) 688-1271

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

www.nscb.nv.gov

Southern Nevada 8400 West Sunset Road, Suite 150 Las Vegas, NV 89113 (702) 486-1100 Fax (702) 486-1190 Investigations: (702) 486-1160

MINUTES OF THE MEETING August 2, 2023

ADMINISTRATIVE LAW JUDGE

Richard Scotti, Esq.

STAFF MEMBERS PRESENT

Terry Wike, Compliance Supervisor

LEGAL COUNSEL PRESENT Jack Juan, Esq.

Executive Director Margi Grein stated that the agenda was posted in compliance with the open meeting law at both offices of the Board, on the Board's Internet Website, the Nevada Public Notice Website, and e-mailed electronically to persons who have expressed interest in being kept informed of the Board's meetings.

1. <u>DISCIPLINARY HEARING</u> – Notice of Hearing and Complaint and Order of Summary Suspension:

S & E Contracting, Inc., dba Made in the Shade, License Nos. 85710, 85711, 85712 Case Nos.: 30063114; 30063120, 30063123; 30063102; 30063103, 30060598, 30062850, 30063129, 30063128, 30063127, 30062869, 30063133, 30063135, 30063137, 30063138, 30063142, 30063143, 30063178, 30063179, 30063180, 30063181, 30063182, 30063195, 30063223, 30063265, 30063266, 30063319, 30063350 and 30063364. Steven Andrew Adinolfi, President/Secretary/Treasurer/ Director, CMS and Trade Emily Kathryn Adinolfi, Director

Admitted ALL Exhibits Board Hearing File -

Appearances made by Respondent, Steven Adinolfi; Prosecutor Jack Juan, Esq.; Terry Wike, NSCB Compliance Supervisor; and Homeowners Valerie Pfister, Jeff Valentine, Anne Martz, and Christopher Olson. After testimony from the named homeowners, the Administrative Law Judge finds there is a preponderance of evidence and the sheer volume of complaints along with abandonment and diversion of funds, to find the summary suspension justified. The Administrative Law Judge finds and ORDERS that the summary suspension of license is affirmed and he will have a Decision & Order within four (4) days. The Administrative Law Judge finds the Respondent in violation of allegations #1; #2 and #3, with the fine amounts under advisement.

2. <u>DISCIPLINARY HEARING</u> –

Comfort Painting & Remodeling of Nevada LLC, License Nos. 85140

Case No.: 30062212

Horacio Castor, Managing Member, CMS and Trade

Admitted Exhibits 1-13, 14-53 and pictures 61-105 - Board Hearing File -

Appearances made by Respondent, Horacio Castor and Christian Castor; Prosecutor Jack Juan, Esq.; Terry Wike, NSCB Compliance Supervisor, Irene Elicerio, NSCB Compliance Investigator. The Administrative Law Judge finds there is a preponderance of evidence and finds Respondent not in violation of allegation #2, and further finds Respondent in violation of allegations #1 with a fine of \$500; in violation of allegation #3 with a fine of \$250; in violation of allegation #7 with a fine of \$250; in violation of allegation #7 with a fine of \$250. Violation #6 will be dismissed provided the Respondent provides a copy of the jurisdictional license. Violation #8 will be dismissed in 30 days if compliant financial documents are provided. A fine of \$500 will be assessed if the compliant financial documents are not received. The Board will assess fees and costs that are to be paid within 30 days.

3. <u>DISCIPLINARY HEARING</u> –

Nevada Cooling and Heating LLC, License No. 77551

Case No.: 30059651

Joe Deivy Dominguez, Manager, CMS and Trade

Nicole Marie Dominguez, Manager

Admitted Exhibits 1-29 Board Hearing File -

Appearances made by Respondent, Joe Dominguez; Prosecutor Jack Juan, Esq.; and Carl Hilbish, NSCB Compliance Investigator. The Administrative Law Judge finds Respondent in violation of allegations #1 with a fine of \$500; in violation of allegation #2 with a fine of \$250; in violation of allegation #3 with a fine of \$500, but will dismiss the violation if compliant financial documents are provided within thirty (30) days; The Board will assess fees and costs that are to be paid within 30 days.

4. <u>DISCIPLINARY HEARING</u> –

Tajo One Inc., License No. 72355, 71786, 80525

Case No.: 30061361

Nikki Maureen Steinborn, President

Andrew Francis Steinborn, Vice President, Treasurer, Secretary, CMS and Trade

Admitted Exhibits 1-91 (and photos) Board Hearing File –

Appearances made by Respondent, Andrew Steinborn; Prosecutor Jack Juan, Esq.; Terry Wike, NSCB Compliance Supervisor and Damien Bilyeu, NSCB Compliance Investigator; and Homeowners Mr. and Mrs. Ronald M. Shanas. The Administrative Law Judge finds there is a preponderance of evidence and finds Respondent in violation of allegations #1 with a fine of \$5,000; in violation of allegation #2 with a fine of \$5,000; in violation of allegation #4 with a fine of \$500, but will dismiss the violation if compliant financial documents are provided within thirty (30) days; The Board will assess fees and costs that

are to be paid within 30 days. The Administrative Law Judge stays the summary suspension and places Respondent on probation for 30 days. The stay will be lifted after either (1) restitution to the Homeowners in the amount of \$9,160.00 or (2) Respondent hires a licensed contractor to complete the work to the satisfaction of the Board and homeowners. If neither are done within the thirty (30) days, permanent suspension will commence.

5. **DISCIPLINARY HEARING –**

Greencare Designs, LLC, License Nos. 78730; 77114; 77460

Case Nos.: 300654068 and 30057188

Jeffrey Glen Best, Manager, CMS and Trade

Admitted Exhibits 1-105 (plus 48 photos not bates numbered) Board Hearing File; Respondent Exhs. A-M, Exh. N and Exh. O admitted into record. –

Appearances made by Respondent, Jeffrey Best, Manager, CMS and Trade, John Reese, Managing Partner, Greencare Designs, LLC, Juan Sigila, Field Supervisor, Greencare Designs, Steven Dooley, Greencare Designs, LLC, Millie Hamlin, Accounting Manager, Greencare Designs, LLC; Respondent's attorney of record, Eric Dobberstein, Esq.; Prosecutor Jack Juan, Esq.; Damien Bilyeu, NSCB Compliance Investigator; and Homeowner Leslie D. Homan. The Administrative Law Judge takes the Respondent's Motion to Dismiss (based on Arbitration provision) under advisement and requests that Prosecutor Juan and Attorney Dobberstein prepare a three (3) page brief within 14 days. ALJ takes Burden of Proof under advisement. Due to the length of the hearings preceding this one, the remaining case number 30057188 will be continued to a date to be provided by the Board.

<u>ADJOURNMENT</u>

The meeting was adjourned by the Administrative Law Judge at 3:59 p.m.

Respectfully Submitted,

Leslie Fuller, Recording Secretar

APPROVED

Margi A. Grein, Executive Officer