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## STATE CONTRACTORS BOARD

### MINUTES OF THE MEETING February 29, 2024

**ADMINISTRATIVE LAW JUDGE**

Richard Scotti, Esq. and Noah Allison, Esq.

**STAFF MEMBERS PRESENT**

Margi Grein, Executive Officer  
David Behar, Executive Director, Investigations  
Terry Wike, Compliance Supervisor

David Salas, Fraud Unit, Special Investigations

**LEGAL COUNSEL PRESENT** Louis Ling, Esq.

Executive Officer, Margi Grein, stated 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. **DISCIPLINARY HEARING** – Continued from January 17, 2024  
**Larry Vaughn Gearheart, dba Eagle Contracting, License No.: 15752**  
Case No.: 30062923  
Larry Vaughn Gearheart, Owner, CMS and Trade

Admitted ALL Exhibits – Board Hearing File

Appearances are made in person by Larry Gearheart, Respondent, John Wright, Esq.; Prosecutor Louis Ling, Esq.; Terry Wike, Compliance Supervisor, David Salas, Special Investigations. The Administrative Law Judge (ALJ) for this case is Richard Scotti, Esq. The parties present a joint presentation with proposed resolution. Respondent stipulates and admits to Allegation #1; Dismiss Allegations #2 and #4. Regarding Allegation #3 financial responsibility, financials have been reviewed by the Board and show that the unlimited bid amount is no longer supported and Respondent will need to lower the monetary bid limit to \$2.4 million. That due to Respondent changing his mode of operation, Respondent is to provide the first payroll paystub within 30 days or provide status of labor within that timeframe. That Respondent is to produce Wells Fargo W-4 immediately. The ALJ accepts the above agreement and ORDERS that Respondent has 30 days to pay fees and costs which will be assessed by the Board.

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2. **DISCIPLINARY HEARING – Continued from January 24, 2024**  
**Adame Handyman Services, LLC, License Nos. 87433; 83598**  
Case Nos. 30061001; 30061357; 30061656; 30061764; 30061807; 30062003; 30061911;  
30062168; 30062259; 300062035; 30061993; 30062154; 30061995; 30062503; 30062638;  
30063047; 30063185; 30063219; 30063329 ; 30063351; 30062814  
Karry Allen Cunningham, Managing Member  
Zulma Franco-Jimenez, Managing Member  
Luis Gerardo Adam Castillo, Managing Member

Admitted ALL Exhibits – Board Hearing File –

**Administrative Law Judge has changed from Richard Scott, Esq. to Noah Allison, Esq.** Appearances are made in person by Respondent, Zulma Jimenez; Luis Adame Castillo; Respondent's counsel; John Wright, Esq.; Prosecutor Louis Ling Esq.; Terry Wike, Compliance Supervisor; David Salas, Special Investigations. Administrative Law Judge Noah Allison (ALJ) asks for a status update regarding the money that is available for payout. John Wright, Esq., reports that Zach Larsen, Esq., has paid out \$140,000 in claims to two parties that were in settled in litigation. The ALJ ORDERS that a \$228,000 bond to the IOLTA account will be placed in Zach Larsen's IOLTA. Respondent's counsel, working with Zach Larsen office, will send out letters to the Claimants asking them to reply within 30 days whether or not they're still interested in pursuing their monetary claim against Respondent. The Claimant's claim will be analyzed for proposed payouts and the monies divided. After receipt of the payment, if the parties have a balance and wish to recover that, they will be able to fill out an application with the Residential Recovery Fund. Another status check will be held on April 17, 2024, which the Board will Notice.

3. **DISCIPLINARY HEARING –**  
**Top Rank Builders, Inc., License No. 74890**  
Case Nos. 30064005  
Efrain Rene Morales-Moreno, President, CMS and Trade

Admitted ALL Exhibits – Board Hearing File –  
Admitted Respondent's Exhibits

Appearances are made in person by Respondent, Megan Morales; Respondent's counsel; John Wright, Esq.; Prosecutor Louis Ling Esq.; Terry Wike, Compliance Supervisor; David Salas, Special Investigations.. Both parties argue their stance on the Respondent's Motion to Dismiss. The Administrative Law Judge (ALJ) is taking all allegations under advisement except for Allegation #4 which is dismissed. The ALJ further ORDERS that simultaneous briefs regarding (1) case authority for and against and (2) caselaw regarding misconduct/dishonesty as tolled when party lied. The simultaneous briefs are due March 22, 2024, and Respondent's rebuttal as movant reply brief is due April 5, 2024. A status check will be held on April 17, 2024, which the Board will Notice.

### **ADJOURNMENT**

The disciplinary hearing was adjourned by Administrative Law Judge Noah Allison, at 10:13 a.m.

Respectfully Submitted,

  
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Leslie Fuller, Recording Secretary

APPROVED

  
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Margi A. Grein, Executive Officer