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Margaret Cavin
Bryan Cowart
Walter Flores-Aguirre
Kent Lay
Jan B. Leggett
Louis Polish Jr.



STATE CONTRACTORS BOARD

MINUTES OF THE HEARING February 25, 2025

ADMINISTRATIVE LAW JUDGE

Richard Scotti Esq.

STAFF MEMBERS PRESENT

David Behar, Executive Officer
Terry Roberts, Interim Director of Investigations
Damien Bilyeu, Compliance Supervisor

Patrick Peterson, Compliance Investigator
Mark Shryock, Compliance Investigator

LEGAL COUNSEL PRESENT

Jack Juan, Esq.

Executive Officer, David Behar, 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:

***Kline Brothers Pools, LLC – License No.: 88179**

Case Nos.: 30061931, 30062608, 30062987, 30062988, 30063025, 30063111

Jon Thomas Banning – Managing Member

John E. Kline – Managing Member, CMS and Trade

Joshua J. Kline – Managing Member

Admit ALL Exhibits

Homeowners Daniel and Jenna Zaccagnino; Brian Rosenthal; Joseph Munoz; Linda Stone; Colleen and Scott Hagen; John Maruyama; and Joseph Caddy; Respondent's managing member appears through his attorney, Eric Dobberstein, Esq.; Prosecutor Jack Juan, Esq.; Damien Bilyeu, Compliance Supervisor; Patrick Peterson, Compliance Investigator. After a sworn statement by Respondents counsel, as to why the Respondent will not be in attendance, he leaves the hearing. **THEREAFTER, sworn testimony is heard by the Homeowners regarding the unfortunate dealings with the Respondent. THEREUPON, after discussion with the Board, and a preponderance of evidence and testimony, the Administrative Law Judge (ALJ) immediately revokes license # 88179; dismisses allegations #6, #11, #22, #28 and #34. The ALJ finds the Respondent in violation of allegation #1, #2, #3, #4, #5, #7, #8, #9, #10, #12, #13, #14, #15, #16, #17, #18, #19, #20, #21, #23, #24, #25, #26, #27, #29, #30, #31, #32, #33, #35, #36, #37, #38 with a fine of \$1,000 per allegation, for a total in fines of \$33,000. The ALJ further ORDERS that if any of the Complainants make a claim against the Residential**

Recovery Fund and are granted any amount of money, that Respondent will be liable for reimbursement of that amount; That Jon Thomas Banning, John E. Kline and Joshua J. Kline are jointly and severally liable for all fines and liable for each allegation, are permanently banned and prohibited from conducting business, serving as an officer, director or partner for any licensed company in the State of Nevada and that the fines, fees and costs are to be paid within thirty (30) days of the date of the Decision and Order.

2. **DISCIPLINARY HEARING:**

***JTB Property Beautification Landscape Design dba JTB Landscapers –
License Nos.: 79190, 88499**

Case No.: 30059901, 30061556, 30062560, 30062647, 30062793, 30062891, 30062936,
30063017, 30063026, 30063028, 30063110, 30063273, 30063274, 30063275, 30062561
Jon Thomas Banning – President, CMS and Trade

Homeowners were in attendance, but due to a ruling by ALJ Allison at another hearing, are not allowed to testify in this matter; Respondent, nor his counsel of record make an appearance for this hearing; Prosecutor Jack Juan; Patrick Peterson, Compliance Investigator; and Mark Shryock, Compliance Investigator. **After sworn testimony, cross-examination and re-direct of witnesses, the Administrative Law Judge (ALJ) finds that with a preponderance of evidence that License Nos. 79190 and 88499 are immediately revoked. That case number 30062891, allegation #39 is dismissed; that case number 30063017, allegation #53 is dismissed; that case number 30066326, allegation #61 is dismissed; that case number 30063110, allegation #76 is dismissed; That Allegations #1, #2, #4, #5, #6, #7, #8, #9, #10, #11, #12, #13, #14, #15, #16, #17, #18, #19, #20, #21, #22, #23, #24, #25, #26, #27, #28, #29, #30, #31, #32, #33, #34, #35, #36, #37, #38, #40, #41, #42, #43, #44, #45, #46, #47, #48, #49, #50, #51, #52, #54, #55, #56, #57, #58, #59, #60, #62, #63, #64, #65, #66, #67, #68, #69, #70, #71, #72, #73, #74, #75, #77, #78, #79, #80, #81, #82, #83, #84, #85, #86, #87, #88, #89, #90, #91, #92, #93, #94, #95, and #96 with fines of \$1,000 each, for a total of \$92,000 in fines; that the Board is granted fees and costs that will be determined; that if any of the Complainant Homeowners make a claim against the Residential Recovery Fund and are granted any amount of money from that claim, that Respondent will be liable for reimbursement of that amount. FURTHER that Respondent is to pay the Homeowners any out-of-pocket expenses they may have incurred to complete the abandoned work; that fees and costs will be assessed by the Board will be sent in the form of a Bill of Costs.**

ADJOURNMENT

The disciplinary hearing was adjourned by Administrative Law Judge Noah Allison, Esq. at 10:40 a.m.

Respectfully Submitted,



Leslie Fuller, Recording Secretary

APPROVED



David Behar, Executive Officer