

KENNY C. GUINN  
Governor

STATE OF NEVADA

REPLY TO:

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**STATE CONTRACTORS BOARD**

**MINUTES OF THE MEETING  
November 2, 2004**

**MEMBERS**  
RANDALL SCHAEFER  
*Chairman*  
MARGARET CAVIN  
Vice Chair  
DAVID W. CLARK  
SPIRIDON FILIOS  
JERRY HIGGINS  
J. BRIAN SCROGGINS  
MICHAEL ZECH

**1. CALL TO ORDER:**

Hearing Officer Higgins called the meeting of the State Contractors Board to order at 9:00 a.m., Tuesday, November 2, 2004, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

**BOARD MEMBERS PRESENT:**

Mr. David Clark  
Mr. Jerry Higgins

**STAFF MEMBERS PRESENT:**

Ms. Margi Grein, Executive Officer  
Ms. Nancy Mathias, Licensing Administrator  
Mr. George Lyford, Director of Investigations  
Mr. Gary Hoid, Deputy Director of Investigations

**LEGAL COUNSEL PRESENT:**

Mr. Bruce Robb, Esq., Legal Counsel  
Ms. Laura Browning, Esq., Legal Counsel

**ADJUDICATING BOARD MEMBER: DAVE CLARK**

**DISCIPLINARY HEARING**

**1. SUMMARY SUSPENSION:**

**R & R PARTNERSHIP, LLC DBA R & R CONSTRUCTION, LICENSE NO. 55930**

Licensee was not present.

Mr. Hoid provided a summary of the investigation against R & R Partnership, LLC, dba R & R Construction, license number 55930.

**It was moved and seconded to summarily suspend the license in the interest of public health and safety. MOTION CARRIED.**

**2. DISCIPLINARY HEARING:** Continued from September 8, 2004

**RAY LAVOIE CONSTRUCTION, LICENSE NO. 29057**

Licensee was present with Counsel, Mr. Newel Knight, Esq.

The following Agency Exhibits were entered:

Exhibit 3 – Respondents financial Statement dated September 22, 2004.

Exhibit 4 – Letter from Mr. Sorenson, building official dated November 1, 2004.

This matter was continued from the September 8, 2004 Board Meeting to allow the Respondent to furnish a financial statement and to submit a proposal for a suitable repair to the Alauria's roof.

Hearing Officer Clark found Respondent Raymond Lavoie, dba Ray Lavoie Construction, license number 29057 guilty of violation of NRS 624.3017(1) substandard workmanship. The Second, Third and Fourth Causes of Action were dismissed. Investigative costs were assessed in the amount of \$2,426.00. Investigative costs are to be paid within 90 days from November 2, 2004 or license number 29057, Raymond Lavoie, dba Ray Lavoie Construction will automatically be Suspended. Hearing Officer Clark issued a corrective order requiring Mr. Lavoie to make the repairs to the homeowner's roof in compliance with the applicable City of Fernley Building Code by April 15, 2005. The time period may be extended with the concurrence of Investigator Hoid due to weather conditions.

**ADJUDICATING BOARD MEMBER: JERRY HIGGINS**

**3. DISCIPLINARY HEARINGS – DEFAULT ORDERS:**

**a. MONSTER SIDING**, LICENSE NO. 31944

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Higgins found Respondent Monster Siding, Randy Vasquez, Qualified Officer, license number 31944, in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Mr. Vasquez was found guilty of violation of NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NAC 624.700(3) failure to comply with a Notice to Correct; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3013(5), as set forth in NAC 624.640(5) Each licensee shall include in all bids he submits or contracts he enters into for construction work within this State, the number of his license and any monetary limit placed upon his license; NRS 624.3013(3) failure to establish financial responsibility; NRS 624.3011(1)(a) willful and prejudicial departure from or disregard of plans or specifications. License number 31944, Monster Siding was Revoked. Mr. Vasquez is required to pay full restitution to the damaged parties and reimburse the Board for Investigative costs of \$1,974.00 and any expenses that may be paid out of the Residential Recovery Fund.

**b. VANCO**, LICENSE NO. 40422

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Higgins found Respondent Linda Louise Vany Wky, dba Vanco, license number 40422, in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Ms. Van Wky was found guilty of violation of NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NAC 624.700(3) failure to comply with a Notice to Correct; NRS 624.3013(3) failure to establish financial responsibility; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner. License number 40422, Linda Louise Van Wky, dba Vanco was Revoked. Ms. Van Wky is required to pay full restitution to the damaged parties and reimburse the Board for Investigative costs of \$1,372.00 and any expenses that may be paid out of the Residential Recovery Fund.

**c. C P HOMES**, LICENSE NO. 49405

Licensee was present and requested that the matter be set for hearing.

**Hearing Officer Higgins continued this matter to the December 2, 2004 Reno Board Meeting to allow Respondent time to complete the repairs at the Diets residence.**

**4. DISCIPLINARY HEARING****MICHAEL BELL, DBA GOLDEN BEAR CONSTRUCTION**, LICENSE NO. 37123

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – Notice of financial statement requirement dated September 14, 2004 and return receipt.

**Hearing Officer Higgins found Respondent Michael D. Bell, dba Golden Bear Construction, license number 37123 guilty of violation of NRS 624.3015(2) bidding to contract or contracting for a sum for one construction contract or project in excess of the limit placed on the license by the Board; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3016(6) failure to comply with NRS 624.600 concerning required disclosures by general building contractors; NRS 624.3013(3) failure to establish financial responsibility. Mr. Bell was assessed a fine of \$100.00 for the Third, Fourth, Fifth and Sixth Causes of Action for a total fine of \$400.00. The First and Second Causes of Action were dismissed. Investigative costs were assessed in the amount of \$1,348.00. Mr. Bell was ordered to provide a current financial statement prepared by a Certified Public Accountant and will appear before the Board for a financial hearing within 120 days from November 2, 2004. Financial statement is to be provided and fines and costs are to be paid within 120 days from November 2, 2004 or license number 37123, Michael Bell, Golden Bear Construction will automatically be Suspended.**

**5. DISCIPLINARY HEARING:****GEO COX GENERAL CONTRACTOR**, LICENSE NO. 14221

Licensee was present with Counsel, James Leslie, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – Letter from Gary Hoid to George Cox dated October 27, 2004.

Exhibit 3 – Five pages containing fifteen photos of the Moore residence taken September 15, 2004.

The following Respondent Exhibits were entered:

Exhibit A – Packet of documents prepared by Respondents Counsel on behalf of GEO Cox General Contractor.

Letter from James Leslie, Esq. to Gary Hoid dated October 21, 2004.

Letter from Gary Hoid to William & Patricia Moore dated October 12, 2004.

Letter from James Leslie, Esq. to Gary Hoid dated October 19, 2004.

Letter from James Leslie, Esq. to Fred Schoenfeldt dated October 20, 2004.

Fax transmission from Fred Schoenfeldt to James Leslie, Esq. dated October 21, 2004.

Fax transmission from James Leslie, Esq. to Fred Schoenfeldt dated October 21, 2004.

Letter from James Leslie, Esq. to Fred Schoenfeldt dated October 20, 2004.

Copy of Subpoena from James Leslie, Esq. to Gary Hoid dated October 21, 2004.  
Fax transmission from James Leslie, Esq. to Margi Grein dated October 22, 2004.

Exhibit B – Financial Statement dated October 28, 2004.

Exhibit C – List of subcontractors for the Moore residence dated October 19, 2004.

Hearing Officer Higgins found Respondent George Cox, dba GEO Cox General Contractor, license number 14221 guilty of violation of NRS 624.3017(1) substandard workmanship; NRS 624.3015(2) bidding to contract or contracting for a sum for one construction contract or project in excess of the limit placed on the license by the Board; NRS 624.3013(5), as set forth in NAC 624.640(5) each licensee shall include in all bids he submits or contracts he enters into for construction work within this State, the number of his license and any monetary limit placed upon his license; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3016(6) failure to comply with NRS 624.600 concerning required disclosures by general building contractors; NRS 624.3014(2)(a)(b)(c)(d) aiding or abetting an unlicensed person to evade the provisions of this chapter; combining or conspiring with an unlicensed person to perform an unauthorized act; allowing a license to be used by an unlicensed person; acting as agent, partner or associate of an unlicensed person; NRS 624.3016(1) misrepresentation; NRS 624.3015(2) bidding to contract or contracting for a sum for one construction contract or project in excess of the limit placed on the license by the Board. Mr. Cox was assessed a fine of \$500.00 for the First Cause of Action, a fine of \$250.00 for the Third, Fourth, Seventh, Eighth, Ninth and Eleventh Causes of Action and a fine of \$100.00 for the Sixth Cause of Action for a total fine of \$2,100.00. The Second, fifth, Tenth and Twelfth Causes of Action were dismissed. Investigative costs were assessed in the amount of \$900.00. Fines and costs are to be paid within 90 days from November 2, 2004 or license number 14221, George Cox, dba GEO Cox General Contractor will automatically be Suspended. Hearing Officer Higgins issued a corrective order requiring Mr. Cox to complete the repairs provided on the “punch list” approved by Investigator Hoid. Mr. Cox has 30 days from receipt of the approved list to make the repairs or George Cox, dba GEO Cox General Contractor, license number 14221 will automatically be Suspended.

#### ADJOURNMENT

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

Respectfully Submitted,

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Traci Greenlee, Recording Secretary

APPROVED:

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Margi Grein, Executive Officer