

KENNY C. GUINN  
Governor

STATE OF NEVADA



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING  
April 5, 2006

REPLY TO:

**LAS VEGAS**

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Henderson, Nevada  
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**RENO**

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**CALL TO ORDER:**

Hearing Officer Margaret Cavin called the meeting of the State Contractors Board to order at 9:46 a.m., Wednesday, April 5, 2006, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

**BOARD MEMBERS PRESENT:**

Ms. Margaret Cavin  
Mr. Jerry Higgins

**STAFF MEMBERS PRESENT:**

Mr. George J. Lyford, Director of Investigations  
Mr. Gary Hoid, Deputy Director of Investigations  
Ms. Kathy Stewart, Licensing Supervisor

**LEGAL COUNSEL PRESENT:**

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

The agenda was posted in compliance with the open meeting law on March 28, 2006 at Reno City Hall, Washoe County Court House and Washoe County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board Internet Website.

**ADJUDICATING BOARD MEMBER: MARGARET CAVIN**

**1. DISCIPLINARY HEARING:**

**EUREKA BUILDERS, LICENSE NO. 19657**

Licensee was present with Counsel, Timothy Rowe, Esq., and Michael Kimmel, Esq.

The following Agency Exhibits were entered:

- Exhibit 1 – Board Hearing File
- Exhibit 2 – Copy of the plans for residence
- Exhibit 3 – Renewal Return Slip
- Exhibit 4 – Secretary of State printout – Jackson-McCraw, LLC.
- Exhibit 5 – Secretary of State printout – Eureka Builders, Inc.
- Exhibit 6 – Letters dated March 6, 2006 from Old Republic Surety Company and February 21, 2006 from Eureka Builders, Inc.
- Exhibit 7 – Renewal Application dated April 3, 2006

The following Respondent Exhibit was entered:

Exhibit A - Supplementary Evidence containing 8 exhibits:

Exhibit A - Exhibit 1 January 9, 2006 Lyon County Structural Specs

Exhibit A - Exhibit 2 January 11, 2006 handwritten engineering report

Exhibit A - Exhibit 3 additional drawings

Exhibit A - Exhibit 4 Purchase agreement dated April 6, 2005

Exhibit A - Exhibit 5 Proposed Construction Contract to install roof at no charge

Exhibit A - Exhibit 6 Second Proposed Construction Contract

Exhibit A - Exhibit 7 March 28, 2006 fax from R. G. Leonard finalizing structural repairs

Exhibit A - Exhibit 8 Addendum to Proposed Construction Contract

**Hearing Officer Cavin found Respondent Jack Matthews, President of Eureka Builders, Inc., license number 19657 guilty of violating 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 which requires disclosures by general building contractors; NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license. The First, Second, Third, Eighth and Tenth Causes of Action were dismissed. The Ninth Cause of Action shall be held in abeyance for 60 days. The Respondent was ordered to submit to a Business Review within 30 days from April 5, 2006. The results of the Business Review will be presented to the Executive Officer. The Respondent shall reimburse the Board for the cost of the Business Review within 10 days of receipt of the billing. Failure to submit to the Business Review or reimburse the Board for the cost of the Business Review will result in appropriate administrative action by the Board. This matter will be brought back before Hearing Officer Cavin in 60 days.**

## **2. DISCIPLINARY HEARING:**

### **FOUR SEASONS MECHANICAL, LLC, LICENSE NO. 54522**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Letter dated March 24, 2006 from David Harger withdrawing complaint

Exhibit 3 – Letter dated April 3, 2006 from David Harger regarding the Residential Recovery Fund

The following Respondent Exhibit was entered:

Exhibit A – Packet containing 3 letters:

Exhibit A - Letter dated March 22, 2006 from Edwin Marlin

Exhibit A –Letter dated March 7, 2006 in response to the Notice of Hearing, Complaint, Requirement to Answer

Exhibit A – Letter dated March 22, 2006 regarding the recovery of money

**Hearing Officer Cavin found Respondent Edwin Langer Marlin, Owner dba Four Seasons Mechanical, LLC., license number 54522 guilty of violating 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 624.3011(1)(b)(1) willful or deliberate disregard and violation of the building laws of the state. No monetary fines were imposed. A Permanent Letter of Reprimand will be placed in the file of Four Seasons Mechanical, LLC, license number 54522. Hearing Officer Cavin accepted the voluntary surrender of Four Seasons Mechanical, LLC, license number 54522.**

**3. DISCIPLINARY HEARING:****NEUFFER HOMES & DEVELOPMENT, INC., LICENSE NO. 29056**

Licensee was not present but was represented by J. Elizabeth Chavez, Secretary/Treasurer and Jerry Snyder, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Letter dated March 14, 2006 from Jeff Logan

Exhibit 3 – Letter stamped March 31, 2006 from Jeff Logan

Hearing Officer Cavin found Respondent Paul Michael Neuffer, Owner dba Neuffer Homes and Development Inc., license number 29056 guilty of violating NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3013(3) failure to establish financial responsibility. The First, Second and Third Causes of Action were dismissed. Hearing Officer Cavin provided to the licensee to voluntarily surrender license number 29056. If Licensee does not voluntarily surrenders license number 29056 within 15 days from April 5, 2006, the license will be automatically revoked and fines in the amount of \$100.00 for the Fourth Cause of Action and \$500.00 for the Fifth Cause of Action together with the investigative costs of \$1,851.00, will be assessed.

**4. DISCIPLINARY HEARING – DEFAULT ORDER****NEVADA PUMP & DRILLING, LICENSE NO. 46357**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Cavin found Respondent Monty Roy Loper, Owner dba Nevada Pump & Drilling, license number 46357 guilty of violating NRS 624.3012(2) failure to pay for materials and services; NRS 624.302(5) failure or refusal to cooperate in an investigation; NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records; NRS 624.3013(3) failure to establish financial responsibility. License number 46357, Monty Roy Loper, Owner dba Nevada Pump & Drilling was Revoked. Mr. Loper is required to pay full restitution to the damaged parties and reimburse the Board for Investigative costs of \$1,676.00 and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Cavin at 11:20 a.m.

Respectfully Submitted,

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Sandy Diederich, Recording Secretary

APPROVED:

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Margi A. Grein, Executive Officer

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Margaret Cavin, Hearing Officer