

JIM GIBBONS  
Governor

STATE OF NEVADA

REPLY TO:

MEMBERS

MARGARET CAVIN  
*Chair*  
SPIRIDON FILIOS  
*Vice Chair*  
MICHAEL EFSTRATIS  
JERRY HIGGINS  
WILLIAM "BRUCE" KING  
RANDY SCHAEFER  
GUY M. WELLS



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING  
March 26, 2008

**LAS VEGAS**  
2310 Corporate Circle  
Suite 200  
Henderson, Nevada 89074  
(702) 486-1100  
Fax (702) 486-1190  
Investigations (702) 486-1110

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Reno, Nevada 89521  
(775) 688-1141  
Fax (775) 688-1271  
Investigations (775) 688-1150

**CALL TO ORDER:**

Hearing Officer Wells called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, March 26, 2008, 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. Guy Wells

**STAFF MEMBERS PRESENT:**

Ms. Margi Grein, Executive Officer  
Ms. Nancy Mathias, Licensing Administrator  
Mr. George Lyford, Director of Investigations  
Mr. Daniel Hammack, Chief of Enforcement

**LEGAL COUNSEL PRESENT:**

Mr. Jonathan Andrews, Esq., Legal Counsel  
Mr. David Brown, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on March 20, 2008, at Las Vegas City Hall, Sawyer State Building and Clark 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: GUY WELLS**

**1. DISCIPLINARY HEARING:**

**DURANGO QUALITY HOMES, INC.,** License No. 58620

Licensee was present with counsel, Dan Winder, Esq.

The following Agency Exhibits were entered:

Exhibit # 1 – Board Hearing File

Exhibit # 2 – Correspondence from DIR dated March 19, 2008.

The following Respondent Exhibits were entered:

Exhibit A – Licensee's Answer to the Board's Complaint.

Hearing Officer Wells found Respondent, Durango Quality Homes, Inc., Victor M. Ramirez, President, license number 58620, guilty of One (1) violation of NRS 624.3011(1)(b)(4) willful or deliberate disregard and violation of the laws of this State regarding industrial insurance; One (1) violation of NRS 624.3013(3) failure to establish financial responsibility of the license or at any other time when required. License number 58620, Durango Quality Homes, Inc., was suspended until a current financial statement is provided that supports at least a license limit of \$50,000.00 and fines and costs are paid. Respondent was assessed an administrative fine of \$1,500.00. The investigative costs were assessed in the amount of \$1,182.00.

## **2. DISCIPLINARY HEARING:**

**DESERT GOLD MASONRY, LLC,** License No. 55851A

Licensee was not present but was represented by counsel, David Doxey, Esq.

The following Agency Exhibits were entered:

Exhibit # 1 – Board Hearing File

This matter was continued to April 23, 2008.

## **3. DISCIPLINARY HEARING:** (Continued from February 27, 2008)

**PACIFIC CONTRACTORS, LLC,** License No. 46626

Licensee was present and represented by counsel, John Naylor, Esq.

The following Agency Exhibits were entered:

Exhibit # 5 – Correspondence received from Respondent's counsel dated March 24, 2008 with attachments related to the payment of funds to the subcontractors and vendors.

Exhibit # 6 – Letters from Nevada Title Company received from Respondent's counsel dated March 25, 2008 with an attachment from Nevada Title Company regarding the escrow account.

Exhibit # 7 – Correspondence from Respondent's counsel dated March 20, 2008 with copies of signed settlement agreements.

Exhibit # 8 – Correspondence from Respondent's counsel dated March 12, 2008 regarding the foreclosure date of the Altessa condominium project had been moved to March 20, 2008.

Exhibit # 9 – Correspondence from Respondent's counsel dated March 20, 2008 regarding the foreclosure date had been moved to March 27, 2008

Exhibit # 10 – Correspondence from Board to Respondent's counsel dated March 10, 2008.

Exhibit # 11 – Correspondence received from Respondent's counsel dated March 10, 2008 with attachments to include indemnification paperwork and a financial statement PH Management, LLC.

The following Respondent Exhibits were entered:

Exhibit C – A Settlement Agreement between the Respondent and RW Stucco.

Hearing Officer Wells found Respondent, Pacific Contractors, LLC, Steven Dean Molasky, Member, license number 46626, guilty of One (1) violation of NRS 624.3013(3) failure to establish financial responsibility. License number 46626, Pacific Contractors, LLC, will be reinstated upon; 1) Successful completion of sale of Altessa property to Asset LA on March 27, 2008; 2) Within one week of the sale of the property to Asset LA, all monies shall be released from the escrow company for the subcontractor payments and from the construction control account for the vendors and suppliers; 3) The indemnification paperwork for PH Homestead, LLC to be completed to the satisfaction of staff and a current financial statement is received; 4) Fines and costs are paid. Respondent was assessed an administrative fine of \$5,000.00. The investigative costs were assessed in the amount of \$3,784.00

#### **4. DISCIPLINARY HEARING – DEFAULT ORDERS:**

##### **a. MCCRACKEN MASONRY, LLC,** License No. 60369

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit # 1 – Board Hearing File

Hearing Officer Wells found Respondent, McCracken Masonry, LLC, Jacqueline Marie McCracken, Member, license number 60369, in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Ms. McCracken was found guilty of One (1) violation of NRS 624.3013(3) failure to establish financial responsibility; One (1) violation of NRS 624.302(5) failure to respond to a written request from the Board to cooperate in the investigation of a complaint. License number 60369, McCracken Masonry, LLC, was revoked. Respondent was assessed an administrative fine of \$1,500.00. The investigative costs were assessed in the amount of \$1,282.00. Ms. McCracken is required to make full restitution to Silver State Materials Corporation in the amount of \$1,131.38, all damaged parties and reimburse the Board for any monies paid out of Residential Recovery fund plus fines and investigative costs prior to consideration of future licensure.

##### **b. TRAN ELECTRIC, LLC,** License No. 59304

Licensees were not present nor represented by counsel.

The following Agency Exhibits were entered:

Exhibit # 1 – Board Hearing File

Hearing Officer Wells found Respondent, Tran Electric, LLC, Dianna Lewis, Manager, license number 59304, in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Ms. Lewis was found guilty of One (1) violation of NRS 624.3013(3) failure to establish financial responsibility; One (1) violation of NRS 624.302(5) failure to respond to a written request from the Board to cooperate in the investigation of a complaint; One (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(3) failure to notify Board of change of address or personnel. License number 59304, Tran Electric, LLC, was revoked. Respondent was assessed an administrative fine of \$1,750.00. The investigative costs were assessed in the amount of \$2,696.00. Ms. Lewis is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of Residential Recovery fund plus fines and investigative costs prior to consideration of future licensure.

**c. KEITH BELDEN BUILDERS, LLC,** License No. 66841

Licensee was not present nor represented by counsel.

The following Agency Exhibits were entered:

Exhibit # 1 – Board Hearing File

Hearing Officer Wells found Respondent, Keith Belden Builders, LLC, Keith Francis Belden, Managing Member, license number 66841, in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Mr. Belden was found guilty of One (1) violation of NRS 624.3013(3) failure to establish financial responsibility; One (1) violation of NRS 624.302(5) failure to respond to a written request from the Board to cooperate in the investigation of a complaint; One (1) violation of NRS 624.3013(4) failure to keep in force the bond or cash deposit for the full period required by the Board. License number 66841, Keith Belden Builders, LLC, was revoked. Respondent was assessed an administrative fine of \$1,500.00. The investigative costs were assessed in the amount of \$1,347.00. Mr. Belden is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of Residential Recovery fund plus fines and investigative costs prior to consideration of future licensure.

**d. INTEGRATED, INC., dba 1 SOURCE LOW VOLTAGE,** License Nos. 59644 and 59645

Licensee was not present nor represented by counsel.

The following Agency Exhibits were entered:

Exhibit # 1 – Board Hearing File

Hearing Officer Wells found Respondent, Integrated, Inc., dba 1 Source Low Voltage, Michelle Schall Wright, President, license numbers 59644 and 59645, in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Ms. Wright was found guilty of One (1) violation of NRS 624.3013(3) failure to establish financial responsibility; One (1) violation of NRS 624.302(5) failure to respond to a written request from the Board to cooperate in the investigation of a complaint; One (1) violation of NRS 624.3015, as set forth in NAC 624.640(3) failure to notify Board of change of address or personnel; One (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. License numbers 59644 and 59645, Integrated, Inc., dba 1 Source Low Voltage were revoked. Respondent was assessed an administrative fine of \$1,250.00. The investigative costs were assessed in the amount of \$1,619.00. Ms. Wright is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of Residential Recovery fund plus fines and investigative costs prior to consideration of future licensure.

**e. T. G. R. MILLENIUM CONCRETE, LLC,** License No. 63363

Licensee was present and requested a hearing on this matter.

This matter was continued to April 23, 2008

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Wells at 11:04 a.m.

Respectfully Submitted,

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Tricia Buyson, Recording Secretary

APPROVED:

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Margi Grein, Executive Officer

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Guy Wells, Hearing Officer