

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



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**STATE CONTRACTORS BOARD**

**MINUTES OF THE MEETING  
September 24, 2008**

**CALL TO ORDER:**

Hearing Officer Filios called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, September 24, 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. Spiridon Filios  
Mr. Jerry Higgins

**STAFF MEMBERS PRESENT:**

Ms. Margi Grein, Executive Officer  
Mr. George Lyford, Director of Investigations  
Mr. Chris Denning, Deputy Director of Investigations

**LEGAL COUNSEL PRESENT:**

Mr. Bruce Robb, Esq., Legal Counsel  
Mr. David Brown, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on September 18, 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: SPIRIDON FILIOS**

**1. DISCIPLINARY HEARING:**

**AMERICAN FIRE AND ELECTRIC**, LICENSE NOS. 36762 and 36942

**SUN SPOTS, LLC, dba THE FREE ENERGY STORE**, LICENSE NO. 56042

Licensee was present with counsel, David Stephens, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The Following Respondent Exhibits were entered:

Exhibit A - Check from the Respondent to "Got Your Labor".

Exhibit B – State Fire Marshal Certificate of Registration Applications for the years 2004, 2005 and 2006.

Hearing Officer Filios found Respondent guilty of one (1) violation of 624.302(6) failure to comply with a written request by the Board; one (1) violation of NRS 624.3013(5) constitutes a cause for disciplinary action pursuant to NRS 624.300(5) failure in any material respect to comply with the provisions of this chapter or the regulations of the Board. Respondent was assessed an administrative fine of \$250.00 for the Second Cause of Action, the Fourth Cause of Action was found guilty, however, no fine was assessed, the First and Third Causes of Action were dismissed; the investigative costs in the amount of \$2,656.00, fines and costs to be paid within thirty (30) days of the September 24, 2008 Board Hearing or license number 36762, American Fire and Electric, will be suspended.

2. DISCIPLINARY HEARING:

RALPH BURCHFIELD, dba EMPIRE REFRIGERATION, LICENSE NO. 35773

CONCORD MECHANICAL, INC. LICENSE NO. 44973

Licensee was present with counsel, Charles Wright, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Respondent Exhibit's were entered:

Exhibit A – Correspondence from attorney John A. Piet, Esq. dated September 18, 2008.

Hearing Officer Filios found Respondent guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. Respondent was found in violation of the First Cause of Action, a fine and Board's investigative costs were not assessed, the Second Cause of Action was dismissed. Ralph Burchfield may remain as the Qualified Individual for Concord Mechanical, Inc., license number 44973 and a Business Review is to be conducted within six (6) months of the September 24, 2008 Board Hearing. License number 35773, Ralph Burchfield, dba Empire Refrigeration was revoked.

3. DISCIPLINARY HEARING: (Continued from July 23, 2008)

INVESTMENT EQUITY DEVELOPMENT, LLC, LICENSE NO. 56304

INVESTMENT EQUITY BUILDERS, LLC, LICENSE NO. 47257

Licensee was present with counsels, Chris Kaempfer, Esq and Christopher Reade, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – Copies of checks to various subcontractors provided by Mr. Kanian.

Hearing Officer Filios continued the matter to the December 17, 2008 Board Hearing. Respondent may complete the two (2) remaining projects at Cheyenne Fairways and Copper Point. This matter was continued to the December 17, 2008 Board Hearing.

**4. DISCIPLINARY HEARING:**

**CASTELLO EXCAVATION & GRADING, INC.,** LICENSE NO. 41988

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

**This matter was pending resolution of the District Court case.**

**5. DISCIPLINARY HEARING:**

**MICHAEL GREY ALEXANDER, dba BRONCO CONSTRUCTION COMPANY,** LICENSE NO. 21018

**BRONCO CONSTRUCTION, INC.,** LICENSE NO. 24583

**TRUSTEE DEVELOPMENT, INC.,** LICENSE NO. 37894

**UNIVERSAL DOOR & TRIM, INC.,** LICENSE NO. 63768

**UNIVERSAL SAFETY RAIL, LLC,** LICENSE NO. 63768

Licensee was present with counsel, Eric Dobberstein, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

**The Hearing Officer will issue a written decision within thirty (30) days.**

**6. DISCIPLINARY HEARING – STIPULATED REVOCATIONS:**

**HARRY F. HAYNES, dba HAYNES PAVING & EXCAVATING,** LICENSE NO. 40070

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit # 1 – Board Hearing File.

**Hearing Officer Filios found Respondent guilty of one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a total fine of \$1,750.00 for the First and Second Causes of Action; and investigative costs were in the amount of \$1,618.00. License number 40070, Harry F. Haynes, dba Haynes Paving and Excavating, was revoked. Respondent was ordered to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus fines and investigative costs prior to consideration of future licensure.**

**THE STRATTON GROUP, dba TODD STRATTON HOMES,** LICENSE NO. 59890

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit # 1 – Board Hearing File.

Hearing Officer Filios found Respondent guilty of one (1) violation of 624.3013(3) failure to establish financial responsibility; the investigative costs were in the amount of \$2,892.00. License number 59890, The Stratton Group, dba Todd Stratton Homes, was revoked. Respondent was ordered to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus fines and investigative costs prior to consideration of future licensure.

**C & M ELECTRIC SERVICES, INC., LICENSE NO. 49820**

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit # 1 – Board Hearing File.

Hearing Officer Filios found Respondent guilty of one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a total fine of \$500.00 for the First and Second Causes of Action; and investigative costs in the amount of \$2,149.00. License number 49820, C & M Electric Services, Inc., was revoked. Respondent was ordered to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus fines and investigative costs prior to consideration of future licensure.

**7. DISCIPLINARY HEARING – DEFAULT ORDERS:**

**a. THREE DIAMOND, INC., dba CURB RITE, LICENSE NO. 47135A**

**DANIEL ALAN HORD, dba A.C.Q. LANDSCAPE DESIGN & CONSTRUCTION, LICENSE NO. 57113**

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Filios found Respondent Three Diamond, Inc., dba Curb Rite, Daniel Alan Hord, President, license number 47135A and Daniel Alan Hord, dba A.C.Q. Landscape Design & Construction, license number 57113 in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Mr. Hord was found guilty of violation of one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. Respondent was assessed an administrative fine of \$750.00 and investigative costs were assessed in the amount of \$1,414.00. License number 47135A, Three Diamond, Inc., dba Curb Rite and license number 57113, Daniel Alan Hord, dba A.C.Q. Landscape Design & Construction, were revoked. Respondent was ordered to pay full restitution to the damaged parties and reimburse the Board for any monies paid out of the Residential Recovery fund plus fines and investigative costs prior to consideration of future licensure.

**b. TERRA COTTA CONSTRUCTION SERVICES**, LICENSE NO. 61047

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Filios found Respondent Terra Cotta Construction Services, Alexander Joske Gardnerjordan, President, license number 61047 in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Mr. Gardnerjordan was found guilty of violation of one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed an administrative fine of \$750.00 and investigative costs were assessed in the amount of \$1,396.00. License number 61047, Terra Cotta Construction Services, Alexander Joske Gardnerjordan, President, was revoked. Respondent was ordered to pay full restitution to the damaged parties and reimburse the Board for any monies paid out of the Residential Recovery fund plus fines and investigative costs prior to consideration of future licensure.

**c. E AND F CANNON, INC., dba LAS VEGAS MASONRY**, LICENSE NO. 52316

**E AND F CANNON, INC., dba LAS VEGAS POOLS AND SPAS**, LICENSE NO. 52318

Licensees were not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Filios found Respondent E and F Cannon, Inc., dba Las Vegas Masonry, Foster Augustine Cannon, President, license number 52316 and E and F Cannon, Inc., dba Las Vegas Pools and Spas, Foster Augustine Cannon, President, license number 52318 in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Mr. Cannon was found guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility, two (2) violations of NRS 624.3012(3) failure to obtain the discharge or release of any lien recorded against the property; one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. Respondent was assessed an administrative fine of \$2,500.00 and investigative costs were assessed in the amount of \$2,329.00. License number 52316, E and F Cannon, Inc., dba Las Vegas Masonry, Foster Augustine Cannon, President and E and F Cannon, Inc., dba Las Vegas Pools and Spas, Foster Augustine Cannon, President were revoked. Respondent was ordered to pay full restitution to the damaged parties and reimburse the Board for any monies paid out of the Residential Recovery fund plus fines and investigative costs prior to consideration of future licensure.

**d. AMLAND DEVELOPMENT, INC.**, LICENSE NO. 33499

Licensee was not present, but was represented by Suvinder Ahluwalia

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

**This matter was continued to the November 19, 2008 Board Hearing.**

**e. CABO ENTERPRISES, LLC, dba CABO POOLS & SPAS., LICENSE NO. 58881**

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Filios found Respondent Cabo Enterprises, LLC, dba Cabo Pools & Spas, Kevin Michael Blank, Manager, license number 58881 in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Mr. Blank was found guilty of two (2) violations of NRS 624.301(5) failure to comply with the terms of the construction contract, thereby causing material injury to another; two (2) violations of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board's Notice to Correct; two (2) violations of NRS 624.301(1) abandonment of construction project; four (4) violations of NRS 624.302(5) failure to comply with a written request by the Board; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed an administrative fine of \$5,500.00 and investigative costs were assessed in the amount of \$3,521.00. License number 58881, Cabo Enterprises, LLC, dba Cabo Pools & Spas, Kevin Michael Blank, Manager, was revoked. Respondent was ordered to pay full restitution to the damaged parties and reimburse the Board for any monies paid out of the Residential Recovery fund plus fines and investigative costs prior to consideration of future licensure.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Filios at 4:15 p.m.

Respectfully Submitted,

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Janet Brinkley, Recording Secretary

APPROVED:

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Margi Grein, Executive Officer

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Spiridon Filios, Hearing Officer