

**JIM GIBBONS**  
Governor

STATE OF NEVADA

REPLY TO:

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**STATE CONTRACTORS BOARD**

**MINUTES OF THE MEETING  
July 8, 2009**

**MEMBERS**  
Guy M. Wells, Chairman  
Kevin E. Burke  
Michael Efstratis  
John C. Ellison  
Jerry Higgins  
Nathaniel W. Hodgson, III  
William "Bruce" King

**CALL TO ORDER:**

Hearing Officer John Ellison called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, July 8, 2009, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

**BOARD MEMBERS PRESENT:**

Mr. Michael Efstratis  
Mr. John Ellison  
Mr. Jerry Higgins

**STAFF MEMBERS PRESENT:**

Ms. Margi A. Grein, Executive Officer  
Mr. George J. Lyford, Director of Investigations  
Mr. Gary Hoid, Deputy Director of Investigations

**LEGAL COUNSEL PRESENT:**

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

The agenda was posted in compliance with the open meeting law July 1, 2009 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: MICHAEL EFSTRATIS**

**1. CONTINUED DISCIPLINARY HEARING-CONTINUED FROM JUNE 10, 2009:  
VENICE TILE & MARBLE, INC., LICENSE NOS. 64247 AND 64253**

Licensee was present.

Hearing Officer Efstratis found Respondent Venice Tile & Marble, license numbers 64247 and 64253 guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner and NRS 624.3018(2) association of any act or omission constituting a cause for disciplinary action. Hearing Officer Efstratis ordered the Respondent to pay a fine of \$100.00 each for the First and Third Causes of Action for a total fine of \$200.00 within thirty (30) days of July 8, 2009 or license numbers 64247 and 64253 will be suspended.

There was no further business to come before Hearing Officer Efstratis.

Respectfully Submitted,

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Sandy Diederich, Recording Secretary

APPROVED:

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Margi A. Grein, Executive Officer

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Michael Efstratis, Hearing Officer

**ADJUDICATING BOARD MEMBER: JOHN ELLISON****2. DISCIPLINARY HEARING:****CORNERSTONE CONSTRUCTION, LLC, DBA C C CORNERSTONE, LICENSE NO. 61148  
DONAL RICHARD KEITH, LICENSE NO. 48531**

Licensee was present and represented by Scott Heaton, Esq.

Hearing Officer Ellison found Respondent Cornerstone Construction, LLC, dba C C Cornerstone, license number 61148 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(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 624.3016(6) failure to comply with NRS 624.600 which requires disclosures by general building contractors. Hearing Officer Ellison ordered the Respondent to pay a fine of \$100.00 each for the Third and Fourth Causes of Action and \$250.00 for Fifth Cause of Action for a total fine of \$450.00; and reimburse the Board for investigative costs of \$2,283.00 within sixty (60) days of July 8, 2009 or license number 48531 will be automatically suspended. The First, Second, Sixth, Seventh, Eighth and Ninth Causes of Action are dismissed. Hearing Officer Ellison accepted the surrender of license number 61148.

**3. DISCIPLINARY HEARING:****MCGUINNESS CONSTRUCTION, LICENSE NOS. 19240 AND 41712**

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Testimony was taken by the complainants. This matter is continued to August 12, 2009.

**4. DISCIPLINARY HEARING:****GENE KOFFLER MASONRY, LICENSE NO. 16552**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Ellison found Respondent Eugene Arnold Koffler, dba Gene Koffler Masonry, license number 16552 guilty of violating NRS 624.3012(2) failure to pay for materials and services; NRS 624.3016(1) fraudulent or deceitful act; 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 624.3011(1)(b)(2) failure to comply with the safety laws or labor laws of the state; NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Ellison ordered the revocation of license number 16552. Respondent was ordered to pay a fine of \$5,000.00; reimburse the Board for investigative costs of \$2,693.72; pay restitution to the damaged parties and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

**5. DISCIPLINARY HEARING:**  
**GARRETT ELECTRICAL SERVICES, LICENSE NO. 43434**

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Ellison continued the matter to allow the licensee to provide a bond and current financial statement. The license remains suspended.

**6. DISCIPLINARY HEARING:**  
**BUILDINGS AND DWELLINGS HEATING AND AIR, INC., LICENSE NO. 50540A**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Hearing Officer Ellison found Respondent Buildings and Dwellings Heating and Air, Inc., license number 50540A guilty of violating NRS 624.3013(3) failure to establish financial responsibility; NRS 624.302(5) failure or refusal to cooperate in an investigation. Hearing Officer Ellison ordered the license to remain suspended until Respondent passes the law exam, submits a name change application and reimburses the Board the investigative fees in the amount of \$2,240.22 within (120) days of July 8, 2009 or license number 50540A will be revoked.

**7. DISCIPLINARY HEARING-STIPULATED REVOCATION:**  
**WELTY CONCRETE, LLC, LICENSE NO. 51410A**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Ellison found Respondent Daniel Dewitt Welty dba, Welty Concrete, LLC, license number 51410A guilty of violating NRS 624.3012(2) failure to pay for materials and services; NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Ellison ordered the revocation of license number 51410A.

**8. DISCIPLINARY HEARING-DEFAULT ORDER:**  
**BAREFOOT PLUMBING, INC., LICENSE NO. 60553**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Ellison found Respondent Barefoot Plumbing, Inc., license number 60553 in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Licensee was found guilty of violating NRS 624.3013(3) failure to establish financial responsibility; NRS 624.302(5) failure 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(4) failure to keep in full force the bond or cash deposit pursuant to NRS 624.270 for the full period required by the Board. Hearing Officer Ellison ordered the revocation of

license number 60553. Respondent was ordered to pay a fine of \$1,500.00; reimburse the Board for investigative costs of \$2,274.22; pay restitution to damaged parties and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

**DISCIPLINARY HEARING-DEFAULT ORDER**  
**D T E CUSTOM BUILDERS, INC., LICENSE NO. 54929**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Ellison found Respondent D T E Custom Builders, Inc, license number 54929 guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NRS 624.700(3)(a) failure to comply with the Board's Notice to Correct; 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 624.3013(4) failure to keep in full force the bond or cash deposit pursuant to NRS 624.270 for the full period required by the Board; NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Ellison ordered the revocation of license number 54929. Respondent was ordered to pay a fine of \$3,500.00; reimburse the Board for investigative costs of \$2,084.72; pay restitution to damaged parties 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 Ellison at 11:15 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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John Ellison, Hearing Officer