



MEMBERS
Kevin E. Burke, Chairman
Donald L. Drake
Michael Efstratis
John C. Ellison
Nathaniel W. Hodgson, III
William "Bruce" King
Stephen P. Quinn

STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
January 13, 2010**

www.nscb.state.nv.us

RENO
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Reno, Nevada 89521
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CALL TO ORDER:

Hearing Officer Michael Efstratis called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday January 13, 2010, 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. Donald Drake

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 January 6, 2010 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. DISCIPLINARY HEARING-Continued from December 2, 2009

ADEPT LANDSCAPING, LICENSE NO. 57198

ADEPT CONCRETE and PAVERS, LICENSE NO. 60896

ADEPT PAINTING, LICENSE NO. 52161

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 2 – Series of Bids

Hearing Officer Efstratis found the Respondent Khanh Duy Nguyen dba Adept Landscaping, license number 57198, Adept Concrete and Pavers, license number 60896 and Adept Painting, license number 52161 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 NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner and NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Efstratis ordered Respondent's monetary license limits for license numbers 57198 and 60896 be lowered to \$50,000.00. Respondent was ordered to pay a fine of \$100.00 each for the First, Second, Third and Fifth Causes of Action for a total

fine of \$400.00 and reimburse the Board for investigative costs in the amount of \$1,500.00 within six months from January 13, 2010. The Fourth Cause of Action was dismissed. Respondent shall comply with the settlement agreement as set forth in their testimony and shall provide a financial review every two months during the six- month period of making payments to the homeowner and to the Board. If Respondent fails to comply, Respondent's license numbers 57198, 60896 and 52161 will automatically be suspended.

ADJOURNMENT

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

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Michael Efstratis, Hearing Officer

ADJUDICATING BOARD MEMBER: JOHN ELLISON**2. DISCIPLINARY HEARING:****J K B PARAMOUNT HOMES NEVADA LLC, LICENSE NO. 59317****J K B NEVADA, INC, LICENSE NO. 59316**

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Ellison found the Respondents J K B Paramount Homes Nevada LLC, license number 59317 and J K B Nevada Inc, license number 59316 guilty of violating NRS 624.301(5) by willfully failing or refusing without legal excuse on the part of a licensee to comply with the terms of a construction contract or written warranty, thereby causing material injury to another; 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) by failing to notify the owner of their rights related to the recovery fund pursuant to NRS 624.520(1); NRS 624.3013(4) by failing to keep in force the bond or cash deposit pursuant to NRS 624.270 for the full period required by the Board; NRS 624.3018(2), which states in pertinent part that the performance by any partnership, corporation, firm or association of any act or omission and NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Ellison ordered the revocation of license numbers 59317 and 59316; ordered licensee to pay a fine of \$500.00 each for the First and Second Causes of Action, \$100.00 for the Third Cause of Action and \$500.00 for the Fifth Cause of Action for a total fine of \$1,600.00; assessed investigative costs of \$3,132.50 and ordered payment to the Murray's in the amount of \$6,000.00 within thirty (30) days of January 13, 2010. In addition, Hearing Officer Ellison ordered that if the licensee pays investigative costs and provides proof the Murray's have been paid, the \$1,600.00 fine will be waived. The Fourth Cause of Action was dismissed.

3. DISCIPLINARY HEARING:**SHANE E. BRYANT CONSTRUCTION, LICENSE NO. 58616**

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Ellison found the Respondent Shane Everett Bryant, dba Shane E. Bryant Construction, license number 58616 guilty of violating NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Ellison assessed investigative costs in the amount of \$1,000.00 to be paid within sixty (60) days of January 13, 2010 or license number 58616 will be revoked.

4. DISCIPLINARY HEARING – STIPULATED REVOCATION:**NEVADA GRANITE INDUSTRIES INC, dba GRANITE TRANSFORMATIONS OF RENO, LICENSE NO. 59698****NEVADA GRANITE INDUSTRIES INC, dba GRANITE TRANSFORMATIONS OF RENO, LICENSE NO. 72047**

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Stipulated Revocation letter dated December 18, 2009

Hearing Officer Ellison found the Respondent Granite Transformations of Reno, license numbers 59698 and 72047 guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.301(1)

abandoning without legal excuse of any construction project or operation engaged in or undertaken by the licensee as a contractor; 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) failing to notify the Board if any change occurs in a licensee's address or personnel which affects the accuracy of the statements in the application upon which his license is based, shall report the change in writing to the Board within 30 days after the change occurs as required by NAC 624.640(3); NRS 624.3013(4) failing to keep in force the bond or cash deposit pursuant to NRS 624.270 for the full period required by the Board; NRS 624.3018(2) association of any act or omission constituting a cause for disciplinary action and NRS 624.3013(3) failing to establish financial responsibility. Hearing Officer Ellison ordered the revocation of license numbers 59698 and 72047. Respondent was ordered to pay a fine in the amount of \$3,250.00; reimburse the Board for investigative costs of \$2,050.00 and pay full restitution to damaged parties and any claims and associated expenses that may be paid out of the Residential Recovery Fund. The Fourth Cause of Action was dismissed.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Ellison at 10:30 a.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

John Ellison, Hearing Officer