

BRIAN SANDOVAL  
Governor

## STATE OF NEVADA



### REPLY TO:

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

[www.nscb.state.nv.us](http://www.nscb.state.nv.us)

**Northern Nevada**  
9670 Gateway Drive, Suite 100  
Reno, Nevada 89521  
(775) 688-1141  
Fax (775) 688-1271  
Investigations (775) 688-1150

**MEMBERS**  
Kevin E. Burke, Chairman  
Thomas "Jim" Alexander  
Donald L. Drake  
Nathaniel W. Hodgson, III  
William "Bruce" King  
Stephen P. Quinn  
Guy M. Wells

## STATE CONTRACTORS BOARD

### MINUTES OF THE MEETING August 17, 2011

#### **CALL TO ORDER:**

Hearing Officer Hodgson called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, August 17, 2011, 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. Nathaniel Hodgson, Hearing Officer  
Mr. Donald Drake, Board Member  
Mr. Stephen Quinn, Board Member

#### **STAFF MEMBERS PRESENT:**

Ms. Margi Grein, Executive Officer  
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 August 9, 2011, 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: NATHANIEL HODGSON**

##### **1. FINANCIAL REVIEW HEARING:** (Continued from June 2, 2011)

**PEDRO J. LOYOLA, dba LOYOLA DRYWALL AND PLASTERING,** License No. 70138

Licensee is present.

Hearing officer Hodgson ordered the monetary license limit to remain at \$25,000.00 and the bond to remain at \$5,000.00.

#### **ADJUDICATING BOARD MEMBER: STEVE QUINN**

##### **2. DISCIPLINARY HEARING:**

**SEMCO ULTIMATE SURFACE,** License No. 72081

Licensee was present.

Two witnesses testified for the Board.

The following Agency Exhibits were entered:

Exhibit 1 – Board’s Hearing File.

Exhibit 2 – A fax from Nicole Verhagen with two (2) bids.

The following Respondent’s Exhibits were entered:

Exhibit A – Respondent’s letter to the Board dated July 19, 2011.

Exhibit B – Respondent’s letter to the Board dated July 26, 2011.

Exhibit C – A Maintenance Procedure Sign Off form dated March 10, 2011, a Final Project Acceptance form dated March 5, 2011 and a note from Respondent’s employee regarding protective coat touch up at the Verhagen residence dated April 5, 2011.

**Hearing Officer Quinn found Respondent guilty of one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board’s Notice to Correct; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner. Respondent was assessed a fine of \$100.00 for the Third Cause of Action and investigative costs of \$1,340.00. Restitution in the amount of \$4,000.00 is to be paid to Nicole Verhagen. Fines and costs are due within ninety (90) days of the August 17, 2011 hearing or license number 72081, Semco Ultimate Surface shall be suspended.**

**3. DISCIPLINARY HEARING:**

**RICHARD REJAN NIETO, Owner, dba GENUINE QUALITY COATINGS,** License No. 71872

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board’s Hearing File.

The following Respondent’s Exhibits were entered:

Exhibit A – Respondent’s e-mail to the Board dated June 1, 2011.

**Hearing Officer Quinn found Respondent guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$500.00 and investigative costs of \$1,439.00. License number 71872, Richard Rejan Nieto, Owner, dba Genuine Quality Coatings was revoked. Respondent is required 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.**

**4. DISCIPLINARY HEARING:** (Continued from April 20, 2011 and July 20, 2011)

**MICHAEL LEE SPECTER, OWNER, dba SUNDANCE POOLS AND SPAS,** License No. 31156

Licensee was not present but was represented by counsel, Barney Ales, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board's Hearing File.

Exhibit 2 – A fax from Respondent's counsel, Barney C. Ales, Esq. dated August 16, 2011.

Exhibit 3 – An e-mail from Tan Nguyen regarding the Benbassat complaint.

**The Complaint was dismissed and the Board accepted the voluntary surrender of the license.**

**5. DISCIPLINARY HEARING:** (Continued from July 20, 2011)

**CITYWIDE ELECTRIC, INC., dba CITYWIDE HEATING, AIR AND ELECTRICAL,** License No. 56714

Licensee was present.

One witness testified for the Board.

The following Agency Exhibits were entered:

Exhibit 1 – Board's Hearing File.

The following Respondent's Exhibits were entered:

Exhibit A – A letter from Respondent to the Board dated June 28, 2010.

**Hearing Officer Quinn continued this matter for forty five (45) days to allow Respondent to provide the requested documents.**

**6. DISCIPLINARY HEARING:** (Continued from July 20, 2011)

**DANIEL SCOTT LARSON, OWNER, dba SOUTHWESTERN CONSTRUCTION,** License Nos. 74852, 69555

Licensee was present.

Two witnesses testified for the Board.

The following Agency Exhibits were entered:

Exhibit 1 – Board's Hearing File.

The following Respondent's Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated July 19, 2011.

Exhibit B – Respondent's fax to the Board dated August 10, 2011.

**Hearing Officer Quinn found Respondent guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.3013(4) failure to keep bond in force; 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 a fine of \$500.00 for the First Cause of Action; a fine of \$250.00 for the Second Cause of Action for total fines of \$750.00 and investigative costs of \$1,956.00. License numbers 74852 and 69555, Daniel Scott Larson, Owner, dba Southwestern Construction shall be suspended until a current financial statement is provided that supports the**

license limit and the fines and costs are paid.

**7. DISCIPLINARY HEARING:** (Continued from July 20, 2011) (Stipulated Revocation)

**SANDSTONE BUILDERS, LLC,** License No. 59166

**WILLIAMS CONSTRUCTION CORP.,** License No. 48434

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board's Hearing file.

Exhibit 2 – Respondent's letter to the Board dated July 27, 2011 stipulating to the revocation of both licenses.

Hearing Officer Quinn found Respondent 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; one (1) violation of NRS 624.3013(4) failure to keep bond in force; 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 a fine of \$500.00 for each of the First and Third Causes of Action; a fine of \$250.00 for the Second Cause of Action for total fines of \$1,250.00 and investigative costs of \$1,931.00. License number 59166, Sandstone Builders, LLC and license number 48434, Williams Construction Corp, John Robert Williams, Jr., Manager, Qualified Individual, and Secretary/Treasurer were revoked. Respondent is required 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.

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

**a. M. M. M., LLC,** License No. 70164

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Quinn found Respondent M. M. M., LLC, license number 70164 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.301(5) failure to comply with the terms of the construction contract, thereby causing material injury to another; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; one (1) violation of NRS 624.3016(5), as set forth in NRS 624.600(1)(a)(b) name, license number, business address and phone number of all subcontractors with whom he has contracted with and all persons who furnish materials of the value of \$500.00 or more; one (1) violation of 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 the license and any monetary limit placed upon his license; 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 fine of \$1,000.00 for the First Cause of Action; a fine of \$100.00 for the Second Cause of Action; a fine of \$250.00 for each of the Third, Fourth and Fifth Causes of Action; a fine of \$500.00 for the Sixth Cause of Action for total fines of \$2,350.00 and investigative costs in the amount of \$1,301.00. The Respondent stipulated to the First and Third Causes of Action. License number 70164,

**M. M. M., LLC was revoked. Respondent is required 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.**

**b. SOUTHWEST PUTTING GREENS NEVADA, dba SOUTHWEST GREENS, License No. 69098**

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

**Hearing Officer Quinn found Respondent Southwest Putting Greens Nevada, dba Southwest Greens, license number 69098 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board’s Notice to Correct; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$500.00 for each of the First, Second and Third Causes of Action for total fines of \$1,500.00 and investigative costs in the amount of \$1,787.00. License number 69098, Southwest Putting Greens Nevada, dba Southwest Greens was revoked. Respondent is required 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. JACINTO DIAZ JUAREZ, OWNER, dba ELWINN AND ASSOCIATES, License No. 71644**

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 - Correspondence to the Board from Respondent stipulating to the revocation of the license.

**Hearing Officer Quinn found Respondent Jacinto Diaz Juarez, Owner, dba Elwinn and Associates, license number 71644 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) NRS 624.302(2) failure to comply with a written citation from the Board. Respondent was assessed a fine of \$500.00 for the First Cause of Action and investigative costs in the amount of \$980.00. License number 71644, Jacinto Diaz Juarez, Owner, dba Elwinn and Associates was revoked. Respondent is required 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.**

**d. MITIGATION AND REPAIR SOLUTIONS, dba MARS RESTORATION, License No. 53173**

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

**Hearing Officer Quinn found Respondent Mitigation and Repair Solutions, license number 53173 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.3017(1) substandard**

workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board's Notice to Correct; one (1) violation of NRS 624.3013(4) failure to keep bond in force; one (1) violation of 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 the license and any monetary limit placed upon his license; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$500.00 for each of the First, Second, Third and Fifth Causes of Action; a fine of \$250.00 for the Fourth Cause of Action for total fines of \$2,250.00 and investigative costs in the amount of \$1,787.00. License number 53173, Mitigation and Repair Solutions, dba Mars Restoration was revoked. Respondent is required 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.

**e. CY CHAIM YEHROS, OWNER, dba C Y DEVELOPMENT AND CONSTRUCTION, License No. 16728**

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Hodgson found Respondent Cy Chaim Yehros, Owner, dba C Y Development and Construction, license number 16728 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent 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; one (1) violation of NRS 624.3013(5) failure in any material respect to comply with the provisions of this chapter or the regulations of the Board. Respondent was assessed a fine of \$500.00 for the First Cause of Action; a fine of \$250.00 each for the Second and Third Causes of Action for total fines of \$1,000.00 and investigative costs in the amount of \$1,180.00. License number 16728, CY Chaim Yehros, Owner, dba C Y Development and Construction was revoked. Respondent is ordered to pay full restitution to the damaged parties and reimburse the Board for any monies paid out of the Residential.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Quinn at 11:39 a.m.

Respectfully Submitted,

---

Janet Brinkley, Recording Secretary

APPROVED:

---

Margi A. Grein, Executive Officer

---

Nathaniel Hodgson, Hearing Officer

---

Stephen Quinn, Hearing Officer