

BRIAN SANDOVAL
Governor

MEMBERS
Guy M. Wells, Chairman
Thomas "Jim" Alexander
Kevin E. Burke
Margaret Cavin
Joe Hernandez
Jan B. Leggett
Stephen P. Quinn

STATE OF NEVADA



STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
JULY 10, 2013**

REPLY TO:

Northern Nevada
9670 Gateway Drive, Suite
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Reno, Nevada 89521
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Southern Nevada
2310 Corporate Circle
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Henderson, Nevada 89074
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Fax (702) 486-1190
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CALL TO ORDER:

Jonathan Andrews Esq, called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, **JULY 10, 2013**, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Ms. Margaret Cavin
Mr. Jan B. Leggett

STAFF MEMBERS PRESENT:

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

LEGAL COUNSEL PRESENT:

Louis Ling, Esq., Legal Counsel

The agenda was posted in compliance with the open meeting law **JULY 3, 2013** 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: MARGARET CAVIN

1. DISCIPLINARY HEARING
M & M ROOFING INC, LICENSE NO. 44544B

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

The following Respondent Exhibit was entered:

Exhibit A – Respondents Answer

Hearing Officer Cavin accepted the voluntarily surrender of M & M Roofing Inc, license number 44544B.

2. DISCIPLINARY HEARING

PATRICK ISHMAEL GORMAN DBA, ABC ROAD BUILDERS, LICENSE NO. 75110

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

The following Respondent Exhibits were entered:

Exhibit A – Respondents Answer

Exhibit B – Series of documents from Respondent

Hearing Officer Cavin found the Respondent Patrick Ishmael Gorman dba, ABC Road Builders, license number 75110 guilty of twice (2) violating NRS 624.3015 (2) which states: “Bidding to contract or contracting for a sum for one construction contract or project in excess of the limit placed on the license by the Board; three times (3) violating NRS 624.520 (1) which states: “A residential contractor shall notify an owner with whom he or she contracts of the rights of the owner pursuant to NRS 624.400 to 624.560, inclusive, including, without limitation, providing a written statement explaining those rights in any agreement or contract for qualified services; twice (2) violated NRS 624.720 (3) which states: “All advertising by a licensed contractor must include the name of the contractor’s company and the number of the contractor’s license; twice (2) violating NRS 624.3013 (5) and NAC 624.640 (5) which states: “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; twice (2) violating NRS 624.3014 (a) which states: “Aiding or abetting an unlicensed person to evade the provision of this chapter; twice (2) violating NRS 624.302 (5) which states: “Failure or refusal to respond to a written request from the Board or its designee to cooperate in the investigation of a complaint; NRS 624.301(1) by abandoning without legal excuse of any construction project or operation engaged in or undertaken by the licensee as a contractor; NRS 624.3013(5) by failing to comply with the Board’s Notices to Correct pursuant to NAC 624.700(3)(a); NRS 624.302(5) by failing or refusing to respond to a written request from the Board or its designee to cooperate in the investigation of a complaint; NRS 624.302(6) by failing or refusing to comply with a written request by the Board for records, or obstructing or delaying and providing information; NRS 624.3013(3) by failing to establish financial responsibility pursuant to NRS 624.220 and 624.260 to 624.265, inclusive, at the time of renewal of the license or at any other time when required by the Board. License 75110 shall remain suspended for a period of six (6) months. Mr. Gorman shall pay an administrative fine of \$500.00 for the First Cause of Action, \$750.00 for the Second Cause of Action, \$1,000.00 for the Third Cause of Action; \$250.00 for the Fourth Cause of Action; \$1,000.00 for the Fifth Cause of Action; \$250.00 for the Sixth Cause of Action; \$1,000.00 for the Seventh Cause of Action; \$500.00 for the Eighth Cause of Action; \$250.00 for the Ninth Cause of Action; \$250.00 for the Tenth Cause of Action and \$500.00 for the Eleventh Cause of Action for a total fine of \$6,250.00; reimburse the Board for investigative fees of \$3,118.00; reimburse Ms. Wells \$6,000.00 and provide a current financial statement to the Board within forty-five (45) days of July 10, 2013 or license number 75110 will automatically be revoked.

3. DISCIPLINARY HEARING**SUN KIST AWNINGS DBA, SUN KIST HOME IMPROVEMENTS, LICENSE NO. 23042**

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Answer

Hearing Officer Cavin found the Respondent Sun-Kist Awnings dba, Sun-Kist Home Improvements, license number 23042 guilty of violating NRS 624.301(1) and (5) by abandoning without legal excuse the Welsh’s project undertaken by the licensee as a contractor and by willfully failing or refusing

without legal excuse to comply with the terms of a construction contract, thereby causing material injury to another, namely the Welshes; NRS 624.3016(1) by committing a fraudulent or deceitful act in the capacity of a contractor, including, without limitation, misrepresentation or the omission of a material fact, by accepting a deposit of \$2,937.00 from the Welshes and providing them nothing in return for their money; NRS 624.302(5) by failing or refusing to respond to a written request from the Board or its designee to cooperate in the investigation of a complaint; 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(5), the Respondent failed to include the monetary limit placed upon its license on its contract with the Welshes as required by NAC 624.640(5); NRS 624.3013(3) by failing to establish financial responsibility pursuant to [NRS 624.220](#) and [624.260](#) to [624.265](#), inclusive, at the time of renewal of the license or at any other time when required by the board. License number 23042 is revoked.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Margaret Cavin, Hearing Officer

ADJUDICATING BOARD MEMBER: JAN B. LEGGETT

4. FINANCIAL RESPONSIBILITY HEARING:
JOSE LUIS ROBLES-IBANEZ DBA HIS PLUMBING, LICENSE NO. 76681

Licensee was present.

Hearing Officer Leggett approved the license to be reinstated after the costs of \$931.31 have been paid.

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

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Jan B. Leggett, Hearing Officer

ADJUDICATING BOARD MEMBER: MARGARET CAVIN

**5. FINANCIAL RESPONSIBILITY HEARING:
DOUGLAS JAMES COOK DBA DOUGLAS COOK PAINTING, LICENSE NO. 58908A**

Licensee was present.

Hearing Officer Cavin approved the license to be reinstated and the probationary status lifted with a financial review in one (1) year.

**6. FINANCIAL RESPONSIBILITY HEARING:
NEVADA HOME ELEVATOR DBA ABBEY HOME ELEVATOR, LICENSE NO. 76715**

Licensee was not present.

Hearing Officer Cavin revoked license number 76715 with investigative costs of \$474.66 to be paid prior to relicensure.

**7. FINANCIAL RESPONSIBILITY HEARING:
J L S ENVIRONMENTAL SERVICES INC, LICENSE NO. 75698**

Licensee was present.

Hearing Officer Cavin approved the renewal of the license with a financial review at the next renewal date.

**8. FINANCIAL RESPONSIBILITY HEARING:
A C GUYS LLC (THE), LICENSE NO. 75730**

Licensee was present.

Hearing Officer Cavin approved the renewal of the license and directed Respondent to submit credit counselor information and provide personal credit history update in one (1) year.

**9. FINANCIAL RESPONSIBILITY HEARING:
PARAGON PAINT & FINISH WORK LLC, LICENSE NO. 73951**

Licensee was present.

Hearing Officer Cavin ordered license shall remain suspended and cannot be reactivated. Costs of \$492.16 to be paid within sixty (60) days or license will be revoked.

**10. FINANCIAL RESPONSIBILITY HEARING:
QUALITY RENOVATIONS INC, LICENSE NO. 74380**

Licensee was present.

Hearing Officer Cavin continued this matter for sixty (60) days to allow licensee to provide a CPA prepared financial statement.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Cavin at 12:36p.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Margaret Cavin, Hearing Officer