

BRIAN SANDOVAL
Governor

STATE OF NEVADA



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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
June 24, 2015

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, June 24, 2015, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign in Log.

ADMINISTRATIVE LAW JUDGE:

Mr. Noah Allison, Esq.

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations
Mr. George Lyford, Associate Director
Mr. Daniel Hammack, Chief of Enforcement

LEGAL COUNSEL PRESENT:

Mr. Jack Juan, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law on June 18, 2015, at Paseo Verde Library, 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's Internet Website.

ADMINISTRATIVE LAW JUDGE: Noah Allison, Esq.

1. DISCIPLINARY HEARING: (Continued from June 22, 2011, July 20, 2011, November 16, 2011, March 21, 2012, September 19, 2012, December 19, 2012, March 20, 2013, September 18, 2013, March 19, 2014, June 18, 2014)

SOUTHWEST STONE AND TILE, INC., License Nos. 46544, 46545

Licensee was present and represented by Tennille Pereira, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit F – Respondent's December 31, 2014 financial statement, Schedule 1 – Probation Compliance Costs, and Summary of Creditor Payments Made

ALJ Allison dismissed all Causes of Action and removed the Respondent from Probation. If the Board receives any new money owing or workmanship complaints and are validated by a reasonable investigation, license numbers 46544 and 46545, Southwest Stone and Tile, Inc. shall be revoked.

2. DISCIPLINARY HEARING: (Continued from January 21, 2015 and March 18, 2015)

SEQUOIA ELECTRIC, LLC, License No. 54261

BLAKE JOHN BARSY, OWNER, dba SEQUOIA ELECTRIC COMPANY, License No. 52529

SEQUOIA ELECTRIC UNDERGROUND, LLC, License No. 72343

SEQUOIA CONSTRUCTION, INC., License No. 75629

Licensee was present and represented by John Henry Wright, Esq. at the hearing.

This matter was continued to July 22, 2015.

3. DISCIPLINARY HEARING: (Continued from April 22, 2015)

MAJESTIC FLOORING, INC., License Nos. 72238, 72239

Licensee was present and represented by Carrie E. Hurtik, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 5 – Two (2) photos taken by the Groovers on April 22, 2015 and May 16, 2015.

ALJ Allison dismissed the First and Second Causes of Action. The Groovers agreed to shall pay the Respondent \$8,000.00 to resolve all amounts due and owing and no further action shall be taken against the Respondent.

4. DISCIPLINARY HEARING:

ALTERNATIVE DRILLING COMPANY, LLC, License No. 73955

Licensee was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – A copy of check number 6855, payable to United Rental in the amount of \$5,000.00.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated May 15, 2015.

Upon the Stipulation of the parties, ALJ Allison 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 for the First Cause of Action and investigative costs of \$1,936.00. Fines and investigative costs are to be paid within thirty (30) days of the June 24, 2015 hearing or license number 73955, Alternative Drilling Company, LLC shall be suspended. Respondent's license, number 73955 shall be suspended until a current financial statement with bank verification form for all cash accounts that supports the license limit is provided to the Board.

5. DISCIPLINARY HEARINGS: DEFAULT ORDERS

a. ALPINE CONSTRUCTION & DEVELOPMENT, LLC, dba ENERGY EFFICIENT CONTRACTING,
License No. 77505

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Allison found Respondent Alpine Construction & Development, LLC, dba Energy Efficient Contracting, license number 77505 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(5), as set forth in NAC 624.640(5) failure to include its license number and monetary license limit on its contracts; one (1) violation of NRS 624.3013(4) failure to keep in force the bond for the full period required by the Board; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(3) failure to notify the Board of a change of address; and 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 and Third Causes of Action; a fine of \$1,000.00 for the Fourth Cause of Action for total fines of \$2,000.00 and investigative costs of \$1,725.00. Respondent was found in violation of the Second Cause of Action; however a fine was not assessed. License number 77505, Alpine Construction & Development, LLC, dba Energy Efficient Contracting 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 pay the fines and investigative costs prior to consideration of future licensure.

b. PROFESSIONAL HANDYMAN SERVICES, dba FLOORING AND CONSTRUCTION SERVICES,

License No. 74331

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Allison found Respondent Professional Handyman Services, dba Flooring and Construction Services, license number 74331 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 624.3014(3) any attempt by a licensee to assign, transfer or otherwise dispose of a license or permit the unauthorized use thereof; two (2) violations of NRS 624.301(5) failure or refusal to comply with the terms of a construction contract; 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 NAC 624.640(3) failure to notify the Board of a change of address; one (1) violation of NRS 624.3011(1)(b)(4) willful disregard and violation of the laws of this State regarding industrial insurance; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.165(3)(e)(2) failure to hold a business license; one (1) violation of NRS 624.3013(4) failure to keep in force the bond for the full period required by the Board; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$2,000.00 for each of the First, Second Third, Fourth, Sixth and Ninth Causes of Action; a fine of \$1,000.00 for each of the Fifth, Seventh and Eighth Causes of Action for total fines of \$15,000.00 and investigative costs of \$2,182.00. License number 74331, Professional Handyman Services, dba Flooring and Construction Services 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 pay the fines and investigative costs prior to consideration of future licensure.

c. DOUBLE A ELECTRIC, LLC, License No. 57578

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

c. DOUBLE A ELECTRIC, LLC, License No. 57578

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Allison found Respondent Double A Electric, LLC, license number 57578 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 or refusal to respond to a request to cooperate in the investigation of a complaint; and two (2) violations of NRS 624.302(6) failure or refusal to comply with a request for information or records. Respondent was assessed a fine of \$2,000.00 for each of the First, Second, Third and Fourth Causes of Action for total fines of \$8,000.00 and investigative costs of \$2,112.00. License number 57578, Double A Electric, 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 pay the 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 ALJ Allison at 9:35 a.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer



Noah Allison, Esq., Administrative Law Judge