

BRIAN SANDOVAL
Governor

STATE OF NEVADA



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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING

April 19, 2017

CALL TO ORDER:

Jack Juan, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, April 19, 2017, 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. Ron Lynn, Director of Operations

LEGAL COUNSEL PRESENT:

Mr. Louis Ling, Esq.
Mr. Jack Juan, Esq.

Ms. Grein stated the agenda was posted at the following locations on April 13, 2017: Paseo Verde Library, Sawyer State Building, Clark County Library; Reno City Hall; Washoe County Court House; South Valleys Library; both offices of the Nevada State Contractors Board; the Nevada State Contractors Board's website; and the Nevada Public Notice website.

ADMINISTRATIVE LAW JUDGE: JACK JUAN, ESQ.

1. DISCIPLINARY HEARING: (Continued from December 14, 2017 and February 15, 2017)

T. L. TOWNSEND BUILDERS, LLC, dba TOWNCO CONSTRUCTION GROUP, License No. 79651

Licensee was present and represented by Georlen Spangler, Esq. at the hearing.

ALJ Juan dismissed the Seventh Cause of Action of the Board's Complaint. Respondent's license, number 79651 was reactivated. Respondent's license limit was lowered to \$1,000,000.00. Respondent shall provide accounts receivable updates monthly or at any time the Board requests this information along with a current bank verification form plus any other documents requested by staff.

ADMINISTRATIVE LAW JUDGE: NOAH ALLISON, ESQ.**2. DISCIPLINARY HEARING:****HERNANDEZ LAWN CARE & LANDSCAPING, LLC**, License No. 71149A

Licensee was present and represented by Steven Bus, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – An estimate from Old Stone House Landscaping.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Motion to File a Late Answer and Respondent's Answer.

Exhibit B – An estimate from Old Stone House Landscaping.

ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3017(1) workmanship which is not commensurate with the standards of the trade in general; 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 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; 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 624.302(6) failure to comply with a written request from the Board; and 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. Respondent was assessed a fine of \$1,000.00 for the First Cause of Action; a fine of \$250.00 for each of the Second, Fourth and Sixth Causes of Action; a fine of \$100.00 for each of the Fifth and Seventh Causes of Action for total fines of \$1,950.00 and investigative costs of \$2,164.00. The Third Cause of Action was dismissed. Fines and investigative costs shall be paid within ninety (90) days of the April 19, 2017 hearing. Respondent shall pay \$8,987.00 to Old Stone House Landscaping within fourteen (14) days of the April 19, 2017 hearing per the bid that was given to Ms. Gammon. Ms. Gammon shall contact Old Stone House Landscaping with a begin date. Failure to timely pay fines, investigative costs and Old Stone House Landscaping shall result in the suspension of license number 71149A, Hernandez Lawn Care & Landscaping, LLC.

3. DISCIPLINARY HEARING:**FIRST NATION CONCRETE CONSTRUCTION, LLC**, License No. 65492

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated March 30, 2017.

ALJ Allison found Respondent 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 624.3015(2) contracting for a sum for one construction project in excess of the limit placed on the license by the Board; one (1) violation of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; and 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. Respondent was assessed a fine of \$250.00 for each of the First and Fourth Causes of Action; a fine of \$1,000.00 for the Second Cause of Action; a fine of \$1,500.00 for the Third Cause of Action for total fines of \$3,000.00 and investigative costs of \$2,126.00. Fines and investigative costs shall be paid within sixty (60) days of the April 19, 2017 hearing or license number 65492, First Nation Concrete Construction, LLC shall be revoked.

4. DISCIPLINARY HEARING: (Continued from March 22, 2017)

HARTCO DESIGN BUILDERS, dba HARTCO, License No. 36126

HARTCO ELECTRIC, INC., License No. 55137B

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – Two (2) photos taken by Steven Wentworth.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated February 14, 2017.

ALJ Allison continued this matter to May 24, 2017.

5. DISCIPLINARY HEARING: (Continued from March 22, 2017)

PARAMOUNT MANAGEMENT ENTERPRISES, LTD., dba PARAMOUNT CONSTRUCTION,

License Nos. 70072, 72362

PARAMOUNT CUSTOM SOLUTIONS, LTD., License Nos. 77512, 77513

Licensee was present and represented by Rusty Graf, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Allison found Respondent Paramount Construction guilty of three (3) violations of NRS 624.302(5) failure to respond to a written request from the Board; three (3) violations of NRS 624.302(6) failure to comply with a written request from the Board; two (2) violations of NRS 624.3012(2) failure to pay any money when due; two (2) violations 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(3) failure to establish financial responsibility; and two (2) violations of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. Respondent Paramount Construction was assessed a fine of \$100.00 for each of the First, Second, Fourth, Fifth, Seventh and Eighth Causes of Action; a fine of \$500.00 for each of the Ninth, Tenth and Eleventh Causes of Action for total fines of \$2,100.00 and investigative costs of \$3,000.00. Fines and investigative costs shall be paid within sixty (60) days of the April 19, 2017 hearing or license numbers 70072 and 72362, Paramount Management Enterprises, LTD., dba Paramount Construction and license numbers 77512 and 77513, Paramount Custom Solutions, LTD. shall be revoked. The Board shall accept the voluntary surrender of license numbers 70072 and 72362, Paramount Management Enterprises, LTD., dba Paramount Construction and license numbers 77512 and 77513, Paramount Custom Solutions, LTD. upon timely payment of the fines and investigative costs.

6. DISCIPLINARY HEARINGS: DEFAULT ORDERS**a. INDEPENDENT POWER CORPORATION**, License Nos. 59203, 51945

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

ALJ Allison continued this matter to May 24, 2017. An Answer to the Board's Complaint is due within ten (10) days of the April 19, 2017 hearing.

b. ALLSERV ELECTRIC, LLC, DBA V I P ELECTRIC, License No. 68681**GREEN SOLAR TECHNOLOGIES NEVADA, INC.**, License No. 80633

Licensee V I P Electric 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 Allserv Electric, LLC, dba V I P Electric, license number 68681 and Green Solar Technologies Nevada, Inc., license number 80633 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. Respondent Allserv Electric, LLC, dba V I P Electric was found guilty of two (2) violations of NRS 624.3012(2) failure to pay any money when due; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board; 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(3) failure to establish financial responsibility; and one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. Respondent V I P Electric was assessed a fine of \$1,000.00 for each of the First and Second Causes 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 \$3,250.00 and investigative costs of \$2,255.00. License number 68681, Allserv Electric, LLC, dba V I P Electric and license number 80633, Green Solar Technologies Nevada, Inc. were revoked. Respondent V I P Electric 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. DESERT ROOFING, LLC, License No. 76069

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

ALJ Allison continued this matter to May 24, 2017. An Answer to the Board's Complaint is due within ten (10) days of the April 19, 2017 hearing.

d. NEVADA COMMERCIAL FLOORING, LLC, License Nos. 71237, 81437

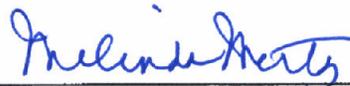
Licensee was present but not represented by counsel at the hearing.

ALJ Allison continued this matter to May 24, 2017. An Answer to the Board's Complaint is due within ten (10) days of the April 19, 2017 hearing.

ADJOURNMENT

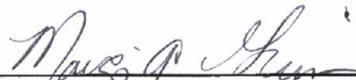
There being no further business to come before the Board, the meeting was adjourned by ALJ Allison at 12:37 p.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer



Noah Allison, Esq., Administrative Law Judge