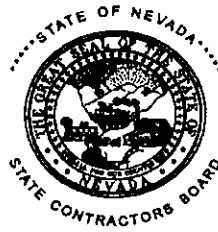


STEVE SISOLAK
Governor

MEMBERS
Kent Lay, Chair
Margaret Cavin
Joe Hernandez
Jan B. Leggett
Melissa Maguire
Steve Menzies
Guy M. Wells

STATE OF NEVADA



STATE CONTRACTORS BOARD

Minutes of the Meeting
May 27, 2020

REPLY TO:

Northern Nevada
5390 Kietzke Lane
Suite 102
Reno, Nevada 89511
(775) 688-1141
Fax (775) 688-1271
Investigations (775) 688-1150

www.nscb.nv.gov

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

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, **May 27, 2020**, State Contractors Board Henderson and Reno, Nevada.

ADMINISTRATIVE LAW JUDGE:

Tele-meeting via Zoom

Mr. Noah Allison, Esq.

STAFF MEMBERS PRESENT:

Tele-meeting via Zoom

Ms. Margi A. Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations
Mr. Tim Geswein, General Counsel
Mr. Julio Sabates, Investigations Supervisor - Henderson

LEGAL COUNSEL PRESENT:

Tele-meeting via Zoom

Mr. Jack Juan, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law and Declaration of Emergency Directive 006 on the Board's Internet Website, the Nevada Public Notice Website, and e-mailed electronically to persons who have expressed interest in being kept informed of the Board's meetings.

ADMINISTRATIVE LAW JUDGE: Noah Allison, ESQ.

1. DISCIPLINARY HEARING:

PANDA REFRIGERATION, License No. 26472

Licensee was not present but was represented by counsel Mr. Stephens, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Board's Hearing File.

ALJ Allison found good cause to accept the parties' stipulated resolution. Pursuant to the stipulation, ALJ Allison agreed to the resolution as follows: Panda Refrigeration is guilty of violating NRS 624.3015(1), acting beyond the scope of the license; NRS 624.3015(2) bidding to contract or contracting for a sum for one construction project in excess of the limit placed on the license by the Board; and, 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 his license and any monetary limit placed upon his license. The Fourth and Fifth alleged violations are dismissed. Respondent shall pay a fine of \$3,000 for the First alleged violation, a fine of \$3,000 for the Second alleged violation, and a fine of \$1,000 for the Third alleged violation, for a total fine of \$7,000 and assessed investigative costs of \$2,494. Fines and costs are to be paid within forty-five (45) days.

2. DISCIPLINARY HEARING:

ATLANTIS POOL & SPA LLC, License No. 70842

Licensee was present and represented by counsel Scott Knight, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Board’s Hearing File.

ALJ Allison found the Respondent guilty of violating NRS 624.301(2) Abandonment percentage of project completed less than percentage of the total price; NRS 624.3013(5) pursuant to NRS 624.750(4)(b) diversion of funds; NRS 624.301(4) failure to prosecute a project with reasonable diligence; NRS 624.3013(5) per NAC 624.700(3) failure to comply with a notice to correct; NRS 624.302(7) failure or refusal to comply with an order of the Board; NRS 624.301(2) abandonment percentage of project completed less than percentage of the total price; NRS 624.3013(5) pursuant to NRS 624.750(4)(b) diversion of funds; NRS 624.301(4) failure to prosecute a project with reasonable diligence; NRS 624.302(5) failure or refusal to respond to request to cooperate in investigation of complaint; NRS 624.3013(5) by failing to hold an active business license in Clark County as required by NRS 624.165(3)(e)(2); NRS 624.3013(3) failure to establish financial responsibility; NRS 624.3016(5) pursuant to NRS 624.935(5) failure to provide statement in any residential pool contract explaining the rights of the customer; and, NRS 624.3016(5) pursuant to NRS 624.940(2)(d) failure to provide residential pool or spa estimated date of completion. The First Cause of Action is dismissed, respondent shall pay a fine of \$1,000 for the Second Cause of Action, \$1,000 fine for the Third Cause of Action, \$2,500 for the Fourth Cause of Action, \$50 for the Fifth Cause of Action, the Sixth and Seventh Causes of Action are stayed pending respondent providing documentation, \$250 for the Eighth Cause of Action, dismissal on the Ninth Cause of Action, \$1,000 for the Tenth Cause of Action, \$1,000 for the Eleventh Cause of Action; \$2,500 for the Twelfth Cause of Action, dismissal on the Thirteenth and Fourteenth Causes of Action, \$250 for the Fifteenth Cause of Action, \$50 for the Sixteenth Cause of Action, guilt with no fine and a lowered monetary bid limit to \$1.325 million for the Seventeenth Cause of Action, \$500 for the Eighteenth Cause of Action, dismissal of the Nineteenth, Twentieth, Twenty-First and Twenty-Second Causes of Action, and \$500 for the Twenty-Third Cause of Action, for a total fine of \$10,600 and assessed investigative costs of \$3320. Fines and costs to be paid in 60 days. Full value of fine assessment stayed pending completion of corrective work. Action on remaining matters continued until July 22, 2020.

3. DISCIPLINARY HEARING:

THE A/C GUYS LLC, License No. 75730

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board’s Hearing File.

ALJ Allison found the Respondent guilty of violating NRS 624.3017(1) workmanship which is not commensurate with standards of the trade in general; NRS 624.3013(5) pursuant to NAC 624.700(3)(a) failure to comply with the Board’s Notice to Correct; and, NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records. Respondent shall pay a fine of \$5,000 for the First Cause of Action, \$50 for the Second Cause of Action, dismissal for the Third Cause of Action, a fine of \$250 for the Fourth Cause of Action, and dismissal of the Fifth Cause of Action; for a total fine of \$5,300 and assessed investigative costs of \$2,384. Full value of fine assessment stayed pending completion of corrective work in 60 days; continued to July 22, 2020.

4. DISCIPLINARY HEARING:

LEGEND CONSTRUCTION & DEVELOPMENT INC., License No. 81750

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board’s Hearing File.

ALJ Allison reduced the monetary license limit to \$350,000 and dismissed the Board’s complaint against the Respondent.

5. DISCIPLINARY HEARING:

YAN HONG LIU dba C & L ENTERPRISE, License No. 60690

LIU’S GROUP LLC dba FLOOR COVERINGS INTERNATIONAL OF LAS VEGAS, License No’s. 80127, 80128, 80129

Licensee was present and represented by counsel Mr. Wiley, Esq.

The following Agency Exhibit was entered:

Exhibit 1 – Board’s Hearing File.

ALJ Allison found the Respondent guilty of violating NRS 624.3016(1) fraudulent or deceitful act committed in the capacity of a contractor, including, without limitation, misrepresentation or the omission of a material fact; NRS 624.3014(1)(a) acting in the capacity of a contractor under any license issued hereunder except in the name of the licensee as set forth upon the license; NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; NRS 624.3011(1)(b)(1) willful or deliberate disregard and violation of the building laws of the State or of any political subdivision thereof; NRS 624.302(7) failure or refusal to comply with an order of the Board; NRS 624.3013(3) failure to establish financial responsibility; and, NRS 624.3018(2) act cause for discipline against licensee who is member, officer, director, associate. Respondent shall pay a fine on \$5,000 for the First alleged violation, a fine of \$1,000 for the Second alleged violation, a fine of \$1,000 for the Third alleged violation, a fine of \$4,000 for the Fourth alleged violation, a fine of \$1,000 for the Fifth alleged violation, a fine of \$500 for the Sixth alleged violation, for a total fine in the amount of \$12,500, and assessed investigative costs of \$3,133. Fines and costs shall be paid within ninety (90) days. Respondent shall retest for the law exam within ninety (90) days. The license shall be placed on active probation for 3 years. Respondent’s monetary license limits are reduced to \$25,000 each for license numbers 80127, 80128 and 80129.

6. DISCIPLINARY HEARING:

GLOBAL DESIGN & CONSTRUCTION INC., License No. 81070

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board’s Hearing File.

ALJ Allison dismissed the Board’s complaint against the Respondent.

ADJOURNMENT

The meeting was adjourned by ALJ Allison at 1:00p.m. on May 27, 2020.

Respectfully Submitted,


Sandra Diederich, Recording Secretary

APPROVED:


Margi A. Grein, NSCB Executive Officer