

MEMBERS
Boyd Martin, Chairman
Margaret Cavin
Bryan Cowart
Joe Hernandez
Kent Lay
Jan B. Leggett
Louis Polish Jr.



STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
August 16, 2023**

ADMINISTRATIVE LAW JUDGE Noah Allison, Esq.

STAFF MEMBERS PRESENT

Terry Wike, Compliance Supervisor
Damien Bilyeu, Compliance Investigator
Orlando AVECILLA, Criminal Investigator

LEGAL COUNSEL PRESENT Jack Juan, Esq.

Executive Officer, Margi Grein, stated that the agenda was posted in compliance with the open meeting law at both offices of the Board, 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.

1. **DISCIPLINARY HEARING** –
Jorge Melgoza, Unlicensed
Case Nos.: 30062861

Admitted Exhibits 1-10 and 1-42 – Board Hearing File;

Appearances made by Respondent Jorge Melgoza; Prosecutor Jack Juan, Esq.; Orlando AVECILLA, NSCB Criminal Investigator. Testimony is heard from both parties. The Administrative Law Judge finds that there is a preponderance of evidence that Respondent has taken initiative to have the advertising company that wrote the ads, clean up the website(s) to only advertise that Respondent is only sells the parts, he does not install them. A view of the website by Prosecutor Juan shows that Respondent is now compliant. The Administrative Law Judge affirms the citation and reduces the fine to \$1,000. The Board is allowed to bill for fees and costs in an amount to be determined. The Respondent is given 60 days to pay the total fine/fees.

2. **DISCIPLINARY HEARING – Continued from June 14, 2023;**
I L C LLC, Construction by Mirage, License No. 59782
Case No.: 30058374
Richard Craig Herrmann, Member
Gary Lee Sparks, CMS and Trade

Admitted ALL Exhibits Board Hearing File –

Appearances made by Respondent’s counsel, Butch Williams, Esq.; Prosecutor Jack Juan, Esq.; Terry Wike, NSCB Compliance Supervisor. The Administrative Law Judge grants the Respondent’s verbal request for continuance and continues the hearing to October 18, 2023. It is further ORDERED that compliant financials must be provided within thirty (30) days from today’s hearing or license will be suspended immediately on the 31st day.

3. **DISCIPLINARY HEARING – Continued from June 14, 2023;**
Carpenter Renovations LLC, dba G C Construction, License No. 86527
Case No.: 30061476; 30061478; 30061499; 30061840; 30061867; 30061912; 30061913;
30062165; 30062266; 30062367; 30062368; 30062506; 30062708; 30063009; 30063092.
Michael Howard Epstein, Manager, CMS and Trade

Admitted ALL Exhibits Board Hearing File – 1-719 and Supplemental Exhibits 1-45

Respondent does not appear; Appearance via Zoom by Homeowner Howard Akumiah; Appearing in person are Homeowners Gary Basson, Ellie Shefler and Miranda Vroman; Prosecutor Jack Juan, Esq.; Terry Wike, NSCB Compliance Supervisor. The Administrative Law Judge finds that due to a preponderance of evidence, each and every allegation is hereby admitted by Respondent due to his non-appearance. The Administrative Law Judge finds that the following discipline be invoked immediately. Immediate revocation of license number 86527; in violation of allegation #1 with a \$10,000 fine; in violation of allegation #2 with a \$10,000 fine; in violation of allegation #3 with a \$10,000 fine; in violation of allegation #4 with a \$10,000 fine; in violation of allegation #5 with a \$10,000 fine; in violation of allegation #6 with a \$10,000 fine; in violation of allegation #7 with a \$10,000 fine; in violation of allegation #8 with a \$10,000 fine; in violation of allegation #9 with a \$10,000 fine; in violation of allegation #10 with a \$10,000 fine; in violation of allegation #11 with a \$10,000 fine; and in violation of allegation #12 with immediate **revocation** of license number 86527, for a total of \$110,000 in fines with an additional amount of fees and costs (if the bankruptcy court will allow those to be paid) to be assessed by the Board. Prosecutor Juan informed the Administrative Law Judge pursuant to 11 USC §525(a)(7), fines may be imposed and are excepted from discharge in Respondent’s bankruptcy. In addition, repayment of the Residential Recovery Fund is permitted under Kelly v. Robinson 479. U.S 36 (1986); Brookman v. State Bar, 760 P.2d 1023 (1988); Albert-Sheridan 960 F.3d 1188 (9th Cir. 2020). The Board handed out brochures that provided information for the Residential Recovery Fund and Prosecutor Jack Juan advised the Homeowners to fill out the appropriate paperwork online and that if any amounts are awarded to the Homeowners through the Residential Recovery Fund those funds will be non-dischargeable in the bankruptcy filing per 11 USC §523(a)(7).

4. **DISCIPLINARY HEARING** –
T & M Controls, Inc., dba T M Electrical Solutions, License No. 89160
Case No.: 30061450
Blake Jason Ferry, President, Treasurer
Joseph Paul Amato, Jr., Secretary

Admitted Exhibits 1-182 Board Hearing File –

Respondent appears through counsel, Butch Williams, Esq.; Prosecutor Jack Juan, Esq.; Damien Bilyeu, NSCB Compliance Investigator. Discussion was held between Administrative Law Judge, Prosecutor Juan and Attorney for Respondent, Butch Williams. It appears Respondent has paid Complainant full amount. Once payment has been verified by the Board, the Complaint will be dismissed. If monies paid cannot be proven, license will be automatically suspended. The Administrative Law Judge ORDERS that allegation #1 will be dismissed when paid in full and satisfaction of the Complainant and the Board. Through attorney of record, Butch Williams, Respondent admits guilt of allegation #2 with a fine of \$250; Respondent admits guilt to allegation #3 with a fine of \$250. Guilty of allegation #5 with a fine of \$500. Respondent is ORDERED to have compliant financials to the Board within 30 days. If CPA certified financials are not received, Respondent's license will be automatically suspended. The Administrative Law Judge sets this for a status check on October 18, 2023.

ADJOURNMENT

The meeting was adjourned by the Administrative Law Judge at 9:36 a.m.

Respectfully Submitted,



Leslie Fuller, Recording Secretary

APPROVED



Margi A. Grein, Executive Officer