

KENNY C. GUINN  
Governor

STATE OF NEVADA

REPLY TO:

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**STATE CONTRACTORS BOARD**

**MINUTES OF THE MEETING  
September 28, 2005**

**MEMBERS**  
RANDALL SCHAEFER  
*Chairman*  
MARGARET CAVIN  
Vice Chair  
DAVID W. CLARK  
SPIRIDON FILIOS  
JERRY HIGGINS  
J. BRIAN SCROGGINS  
MICHAEL ZECH

**CALL TO ORDER:**

Hearing Officer Spiridon Filios called the meeting of the State Contractors Board to order at 9:00 a.m., Wednesday, September 28, 2005, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

**BOARD MEMBERS PRESENT:**

Mr. Spiridon Filios  
Mr. Jerry Higgins

**STAFF MEMBERS PRESENT:**

Ms. Margi Grein, Executive Officer  
Mr. George Lyford, Director of Investigations  
Mr. Chris Denning, Deputy Director of Investigations  
Mr. Daniel Hammack, Chief of Enforcement  
Ms. Nancy Mathias, Licensing Administrator

**LEGAL COUNSEL PRESENT:**

Mr. Bruce Robb, Esq., Legal Counsel  
Ms. Laura Browning, Esq., Legal Counsel

**ADJUDICATING BOARD MEMBER: SPIRIDON FILIOS**

**1. DISCIPLINARY HEARING:**

**BULLDOG CONSTRUCTION, LC, LICENSE NO. 48193A**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Filios found Respondent Bulldog Construction, LC, Richard F. Walker, Manager, license number 48193A guilty of violation of Four (4) violations of NRS 624.3014(2)(a)(b) aiding or abetting an unlicensed person to evade the provisions of this chapter; combining or conspiring with an unlicensed person to perform an unauthorized act; Two (2) violations of NRS 624.302(6) failure to comply with a written request from the Board for information or records. Mr. Walker was assessed a fine of \$100.00 for the Second, Third, Fourth, Fifth, Sixth and Eighth Causes of Action for a total fine of \$600.00. The Seventh Cause of Action was dismissed. Investigative costs were assessed in the amount of \$2,279.00. Fines and costs are to be paid within 60 days from September 28, 2005 or license number 48193A, Bulldog Construction, LC will automatically be Suspended. The Respondent is ordered to submit to a Business Review within 60 days from September 28, 2005. The result of the

Business Review will be presented to the Executive Officer. The Respondent will be provided a billing and will reimburse the Board for the cost of the Business Review within 10 days of receipt of the billing. Failure to submit to the Business Review or reimburse the Board the investigative cost will result in the Suspension of the license. The First Cause of Action was held in abeyance pending the outcome of the Business Review.

## **2. DISCIPLINARY HEARING:**

### **SOUTHERN ELECTRIC, INC.,** LICENSE NO. 16032

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Filios found Respondent Southern Electric, Inc., Gary Hosey, President, license number 16032 guilty of violation of NRS 624.3013(3) financial responsibility; NRS 624.302(6) failure to comply with a written request from the Board for information or records; NRS 624.302(5) failure to cooperate in an investigation. Investigative costs were assessed in the amount of \$1,355.00. Hearing Officer Filios accepted the Voluntary Surrender of license number 16032, Southern Electric, Inc. If the investigative costs of \$1,355.00 are not paid by December 29, 2005, license number 16032, Southern Electric, Inc. will automatically be Revoked.

## **3. DISCIPLINARY HEARING:**

### **RAWHIDE CONSTRUCTION,** LICENSE NO. 42672

Licensee was represented by Counsel Joshua Landish, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – Packet of documents reflecting money paid by Strip Husky Automotive.

List of expenses.

Copies of twelve checks.

Receipt from Development Services Center Building & Safety.

Purchase order.

Invoice from Wolfe Drop Box Services, LTD.

Invoice from HammerMark Construction.

Receipt from Hertz Equipment Rental.

Two invoices from Las Vegas Operations H & E Equipment Services, LLC.

Invoice of survey work dated September 8, 2004.

Invoices from BAE Structural Engineering & Computer Repair.

Invoice from Expertise Concrete, Inc.

Receipt from Regal Ready Mix.

Receipts from Service Rock Products Corp.

Invoices from American Steel.

Invoice from Orco Construction Supply.

Receipts from Steel Engineers Inc.

Invoice from Garrett Materials, LLC.

Invoice from The Garage Door Center.

Receipts from Fastway Automotive.

Letter from Respondent to Strip Husky Automotive dated April 27, 2004.

Letter from Respondent to Strip Husky Automotive dated October 14, 2004.

Letter from Strip Husky Automotive to Respondent.

Letter from Richard Segerblom, Ltd. To Respondent dated October 20, 2004.

Letter from The Hartford to Richard Segerblom, Ltd dated March 28, 2005.

Exhibit 3 – Letter from Respondent to Strip Husky Automotive.

Hearing Officer Filios found Respondent Scott A. McGhie, dba, Rawhide Construction, license number 42672 guilty of violation of NRS 624.301(1) abandonment; NRS 624.301(4) willful failure as a contractor to prosecute a construction project or operation with reasonable diligence, thereby causing material injury to another; NRS 624.3013(3) failure to establish financial responsibility; NRS 624.302(6) failure to comply with a written request from the Board for information or records; NRS 624.3013(4) failure to keep in force the bond or cash deposit for the full period required by the Board; NRS 624.302(5) failure to cooperate in an investigation; 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. Mr. McGhie was assessed a fine of \$1,000.00 for the First, Second, Third, Fourth, Fifth, Sixth and Seventh Causes of Action for a total fine of \$7,000.00. Investigative costs were assessed in the amount of \$1,461.00. Mr. McGhie was ordered to pay restitution to the owners of Strip Husky Automotive in the amount of \$19,000.00. Fines, cost and restitution are to be paid within 60 days from September 28, 2005 or license number 42672, Scott A. McGhie, dba, Rawhide Construction will automatically be Revoked.

#### 4. DISCIPLINARY HEARING:

CAYMAN CONSTRUCTION, INC., LICENSE NO. 45061

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Filios found Respondent Cayman Construction, Inc., Robert L. Wilson, President, license number 45061 guilty of violation of NRS 624.3015(2) 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; NRS 624.3013(3) failure to establish financial responsibility; NRS 624.302(6) failure to comply with a written request from the Board for information or records; 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 monetary limit placed upon his license. Mr. Wilson was assessed a fine of \$50.00 for the First, Third, Fifth and Sixth Causes of Action for a total fine of \$200.00. The Second and Fourth Causes of Action were dismissed. Investigative costs were assessed in the amount of \$1,200.00. Fines and costs are to be paid within 30 days from September 28, 2005 or license number 45061, Cayman Construction, Inc. will automatically be Suspended. Mr. Wilson is to furnish a current financial statement prepared by a Certified Public Accountant within 30 days from September 28, 2005 or license number 45061, Cayman Construction, Inc. will automatically be Suspended.

#### 5. DISCIPLINARY HEARING:

A NEW BEGINNING FLOOR DESIGN CORPORATION, LICENSE NOS. 54565, 56340

Licensee was present with Counsel Donn Ianuzi, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – Photographs taken of the Turcaz residence on September 27, 2005.

The following Respondent Exhibits were entered:

Exhibit A – Letter from Respondent to Mr. Turcaz.

Exhibit B – Tile to be used in Turcaz residence.

**This matter was continued to the October 20, 2005 Board Meeting to allow the Respondent time to make repairs to the Turcaz residence and to provide a current financial statement.**

**6. DISCIPLINARY HEARING:**

**THOMAS BUILDERS, LICENSE NO. 51619**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Respondent Exhibits were entered:

Exhibit A – Copies of five permits.

**Hearing Officer Filios found Respondent Thomas Builders, Thomas A. Smallwood, President, license number 51619 guilty of violation of NRS 624.3014(2)(a)(b)(c)(d) aiding or abetting an unlicensed person to evade the provisions of this chapter; combining or conspiring with an unauthorized person to perform an unauthorized act; allowing a license to be used by an unlicensed person and acting as agent, partner or associate of an unlicensed person; NRS 624.3015(3) knowingly entering into a contract with a contractor while that contractor is not licensed or bidding to contract or entering into a contract with a contractor for work in excess of his limit or beyond the scope of the license; NRS 624.3013(5), as set forth in NAC 624.650(1) a licensee shall not permit his contracting business to be operated by an unlicensed or unqualified person, under the power of attorney or otherwise. Mr. Smallwood was assessed a fine of \$1,000.00 for the First Cause of Action, a fine of \$500 for the Second and Fourth Causes of Action for a total fine of \$2,000.00. The Third and Fifth Causes of Action were dismissed. Investigative costs were assessed in the amount of \$1,984.00. Fines and costs are to be paid within 60 days from September 28, 2005 or license number 51619, Thomas Builders will automatically be Revoked.**

**7. DISCIPLINARY HEARING:**

**PRECISE STONE CREATIONS, LLC, LICENSE NO. 58008**

Licensee was present with Counsel Jan Lauver, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – Photographs of the Kopcho residence taken on September 27, 2005.

Exhibit 3 – Two estimates for repair of the Kopcho residence.

Exhibit 4 – Letter from Vegas Valley Stone Supply.

The following Respondent Exhibits were entered:

Exhibit A – Packet of documents provide by Counsel on behalf of Precise Stone Creations, LLC.  
Letter from the Board to the Respondent dated September 1, 2005.  
Five estimate from Respondent to Kopcho.  
Eleven invoices from Respondent to Kopcho.

Copies of checks from Kopcho to the Respondent.  
Worksheet for extras estimate.  
Copy of Check from Respondent to Kopcho.  
Handwritten proposal and worksheet.  
Receipts from Home Depot.  
Invoice from Hard Rock Tool.  
Certificate of Liability Insurance for the Respondent.  
Copies of receipts from the Contractors Board for Respondents renewal and Raise in Limit Application.  
Two Print-outs of Arizona Contractors license.  
Resumes for Krassimir Elenski, Vladi Markov and Martin Deliyski.  
Fax from Ceramic Tile Institute of America, Inc. dated July 7, 2005 and July 14, 2005.  
Copy of Floor Art Field Standards, Tile and Stone Standard.  
Copies of tile question and answers regarding Lippage and Warpage by Sharon Jones.  
Copies of Lippage question and answers – Tile 4 You, Inc.  
Nelson Architectural Engineers, Inc. regarding lippage.  
Fourteen photographs of Demonstrative Exhibits.

**Hearing Officer Filios found Respondent Precise Stone Creations, LLC, Vladi S. Markov, Manger and Krassimir I. Elenski, Member, license number 58008 guilty of violation of NRS 624.3015(2) bidding or contracting for a sum for one construction contract or project in excess of the limit placed on the license by the Board; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; 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 monetary limit placed upon his license; NRS 624.302(6) failure to comply with a written request from the Board for information or records. Mr. Markov and Mr. Elenski were assessed a fine of \$500.00 for the Third Cause of Action, a fine of \$100.00 for the Fourth Cause of Action, a fine of \$50.00 for the Fifth Cause of Action and a fine of \$250.00 for the Seventh Cause of Action for a total fine of \$900.00. The Sixth Cause of Action was dismissed. Investigative costs were assessed in the amount of \$2,424.00. The First and Second Causes of Action will be dismissed if Mr. Markov and Mr. Elenski pay restitution to Mr. Kopcho in the amount of \$29,500.00. Fines, cost and restitution are to be paid within 30 days from September 28, 2005 or license number 58008, Precise Stone Creations, LLC will automatically be Suspended.**

#### **8. DISCIPLINARY HEARING:**

##### **SPORTS INTERNATIONAL, INC., LICENSE NO. 53551**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

**Hearing Officer Filios found Respondent Sports International, Inc., Lawrence S. Zale, President, license number 53551 guilty of violation of NRS 624.302(2) failure to comply with a written citation issued pursuant to NRS 624.341 within the time permitted for compliance set forth in the citation, or if a hearing is held pursuant to NRS 624.291 within 15 days after the hearing. Mr. Zale was assessed a fine of \$250.00 for the First Cause of Action. Mr. Zale has 90 days to comply with the original Decision and Order which included restitution to Labor Express and investigative costs of \$1,599.00. Current investigative costs were assessed in the amount of \$1,041.00. Fines, costs and restitution are to be paid within 90 days from September 28, 2005 or license number 53551, Sports International, Inc. will automatically be Revoked.**

**9. DISCIPLINARY HEARING:** (Reconsideration)**DLACO RESURFACE, LICENSE NO. 54100**

Licensee was present Philip Kreitlein, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – Letter from Flory Rivera dated September 20, 2005, receipt of settlement check dated August 17, 2005 and letter from Philip Kreitlein dated August 17, 2005.

Hearing Officer Filios found Respondent Darrell L. Alston, Jr., dba, Dlaco Resurface, license number 54100 guilty of violation of NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with the Board's Notice to Correct; Two (2) violations of NRS 624.302(5) failure to cooperate in an investigation; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3013(3) failure to establish financial responsibility; NRS 624.302(6) failure to comply with a written request from the Board for information or records; 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 monetary limit placed upon his license. Hearing Officer Filios rescinded the revocation of license number 54100 Darrell L. Alston, Jr., dba, Dlaco Resurface. Mr. Alston has 60 days to comply with the original Decision and Order of August 17, 2005 which included investigative costs of \$1,509.00. Additional investigative costs were assessed in the amount of \$885.00. Total Investigative costs in the amount of \$2,394.00 are to be paid within 60 days from September 28, 2005. Hearing Officer Filios accepted the Voluntary Surrender of license number 54100, Darrell L. Alston, Jr., dba Dlaco Resurface. If the investigative costs are not paid by November 28, 2005 license number 54100, Darrell L. Alston, Jr., dba Dlaco Resurface will automatically be Revoked.

**DISCIPLINARY HEARING – DEFAULT ORDERS:****a. SILVER STATE CONSULTANTS INC., DBA SILVER STATE SIGNS, LICENSE NO. 54108**

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Filios found Respondent Silver State Consultants, Inc., Silver State Signs, Edward L. Mercer, President, license number 54108, in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Mr. Mercer was found guilty of violation of NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with the Board's Notice to Correct; NRS 624.301(2) abandonment of a construction project when the percentage of the project completed is less than the percentage of the total price of the contract paid to the contractor; 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 624.3013(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 monetary limit placed upon his license; NRS 624.302(5) failure to cooperate in an investigation; NRS 624.3013(4) failure to keep in force the bond or cash deposit for the full period required by the Board; NRS 624.3013(3) failure to establish financial responsibility; NRS 624.302(6) failure to comply with a written request from the Board for information or records.

License number 54108 Silver State Consultants, Inc., dba Silver State Signs was Revoked. Mr. Mercer is required to pay full restitution to the damaged parties and reimburse the Board for Investigative costs of \$1,871.00 and any expenses that may be paid out of the Residential Recovery Fund.

**b. SILVERADO CONSTRUCTION CORP., LICENSE NO. 20952**

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Filios found Respondent Silverado Construction Corp., Norman Baker Vice President, license number 20952, in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Mr. Baker was found guilty of violation of NRS 624.301(1) abandonment; NRS 624.3012(1) diversion of money or property; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; 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 monetary limit placed upon his license; NRS 624.3016(1) any fraudulent or deceitful act committed in the capacity of a contractor; NRS 624.3013(5), as set forth in NAC 624.665(1) a licensee shall submit an application to the Board for any change in its officer or directors, if the licensee is a corporation. License number 20952 Silverado Construction Corp. was Revoked. Mr. Baker is required to pay full restitution to the damaged parties and reimburse the Board for Investigative costs of \$2,528.00 and any expenses that may be paid out of the Residential Recovery Fund.

**c. R A S BUILDERS, INC., LICENSE NO. 26599**

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Filios found Respondent R A S Builders, Inc., Robert A. Shupe President, license number 26599, in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Mr. Shupe was found guilty of violation of NRS 624.3012(2) willful or deliberate failure by any licensee to pay money due for materials or services rendered in connection with his operations as contractor; NRS 624.3013(3) failure to establish financial responsibility; NRS 624.302(6) failure to comply with written request from the Board for information or records; NRS 624.302(5) failure to cooperate in an investigation; NRS 624.3013(4) failure to keep in force the bond or cash deposit for the full period required by the Board. License number 26599 R A S Builders, Inc. was Revoked. Mr. Shupe is required to pay full restitution to the damaged parties and reimburse the Board for Investigative costs of \$1,472.00 and any expenses that may be paid out of the Residential Recovery Fund.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Zech at 12:56 p.m.

Respectfully Submitted,

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Traci Greenlee, Recording Secretary

APPROVED:

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Margi Grein, Executive Officer

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Spiridon Filios, Hearing Officer