

KENNY C. GUINN  
Governor

STATE OF NEVADA



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING  
July 6, 2005

REPLY TO:

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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 Margaret Cavin called the meeting of the State Contractors Board to order at 9:05 a.m., Wednesday, July 6, 2005, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

**BOARD MEMBERS PRESENT:**

Ms. Margaret Cavin  
Mr. Jerry Higgins

**STAFF MEMBERS PRESENT:**

Mr. George J. Lyford, Director of Investigations  
Ms. Nancy Mathias, Licensing Administrator  
Mr. Gary Hoid, Deputy Director of Investigations

**LEGAL COUNSEL PRESENT:**

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

The agenda was posted in compliance with the open meeting law on June 29, 2005 at Reno City Hall, Washoe County Court House and Washoe County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board Internet Website.

**ADJUDICATING BOARD MEMBER: MARGARET CAVIN**

**1. DISCIPLINARY HEARING:**

**C P S CONCRETE & LANDSCAPING, LICENSE NOS. 42563 AND 43793**

Licensee was present with Philip Kreitlein, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File  
Exhibit 2 – Letter dated May 6, 2005 from Tom Martes to C P S  
Exhibit 3 – Invoice from Legacy Concrete with copies of checks

Hearing Officer Cavin found Respondent Folau Manu, dba C P S Concrete & Landscaping, license numbers 42563 and 43793 guilty of Two (2) violations of NRS 624.3017(1) substandard workmanship; Two (2) violations of 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; NRS 624.302(5) failure or refusal 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

624.301(5) failure or refusal to comply with the terms of a construction contract; NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; 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. License numbers 42563 and 43793 were placed on probation. Mr. Manu was assessed a fine of \$1,000.00. Investigative costs were assessed in the amount of \$2,462.00. Fines and costs are to be paid within 180 days from July 6, 2005 or license numbers 42563 and 43793 will automatically be Suspended. Mr. Manu is required to pay restitution to Mr. Martes in the amount of \$12,500.00 and Mr. Langford in the amount of \$15,000.00. These amounts are to be paid within 60 days from July 6, 2005 or license numbers 42563 and 43793 will automatically be Suspended. If payment is not made within 90 days, license numbers 42563 and 43793 will automatically be Revoked. After the 90 day period, Respondent is ordered to submit to a Business Review. The result of the Business Review will be presented to the Executive Officer. The Respondent will be provided 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 for the cost of the Business Review will result in the Suspension of the license.

## **2. DISCIPLINARY HEARING:**

### **NEVADA HEATING, AIR CONDITIONING AND PLUMBING, LICENSE NO. 34910A**

Licensee was present with Counsel, Jerome Wright, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

The following Respondent Exhibits were entered:

Exhibit A –Internet Information

Exhibit B –Home Page from Internet

Exhibit C –SBC Correction

Exhibit D –Letter dated June 19, 2005 from NSCB

Hearing Officer Cavin found Respondent Lonnie Reid Robnett, President, Nevada Heating Air Conditioning and Plumbing, Inc., license number 34910A guilty of Two (2) violations of NRS 624.3015(5) as set forth in NRS 624.720(2) advertising by a licensed contractor must include the name of his company and the number of his license. Mr. Robnett was assessed a fine of \$500.00. Fine to be paid within 60 days from July 6, 2005 or license number 34910A will automatically be Suspended. The Respondent is ordered to submit to a Business Review within 60 days from July 6, 2005. If the Respondent is in substantial compliance with the Business Review, no fee is assessed. If the Respondent is not in substantial compliance with the Business Review, the fee will then be assessed. The result of the Business Review will be presented to the Executive Officer. The Respondent will be provided billing and will reimburse the Board for the cost of the Business Review within 10 days of receipt of the billing, if appropriate. Failure to submit to the Business Review or reimburse the Board for the cost of the Business Review will result in the Suspension of the license.

## **3. DISCIPLINARY HEARING:**

### **SUMMIT HOMES, LTD., LICENSE NO. 47992**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

The following Respondent Exhibits were entered:

Exhibit A – 3 letters, one dated June 21, 2005 and two dated June 22, 2005

Hearing Officer Cavin found Respondent Summit Homes, Ltd, Harold Porter, President, license number 47992 guilty of Two (2) violations of NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3016(6) failure to comply with NRS 624.600 which requires disclosures by general building contractors. Mr. Porter was assessed a fine of \$500.00 for the First, Second, Fourth and Fifth Causes of Action for a total fine of \$2,000.00. The Third and Sixth Causes of Action were dismissed. Investigative costs were assessed in the amount of \$1,696.00. Fines and costs are to be paid within 45 days from July 6, 2005 or license number 47992 will automatically be Suspended. Respondent is ordered to complete the repairs to Ms. Tilden’s bathtub and to complete the clean up of Mr. Sumimoto’s yard by July 15, 2005. If the installed drainage ditch at the Sumimoto residence does not resolve the problem of the water under the house, Respondent is ordered to engage the services of an engineer to resolve the matter or license number 47992 will automatically be Suspended.

**4. DISCIPLINARY HEARING:**

**DESERT DESIGN, LICENSE NO. 45597**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

The following Respondent Exhibits were entered:

Exhibit A – Letter dated April 18, 2005

**Hearing Officer Cavin dismissed the First, Second and Third Causes of Action on Demetria Dawn Gordon, Owner, dba Desert Design, license number 45597.**

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Cavin at 12:30 p.m.

Respectfully Submitted,

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Sandy Diederich, Recording Secretary

APPROVED:

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Margi A. Grein, Executive Officer

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Margaret Cavin, Hearing Officer