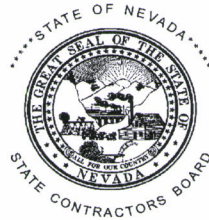


BRIAN SANDOVAL
Governor

STATE OF NEVADA



MEMBERS

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Melissa Caron
Mason Gorda
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Reno, Nevada 89511
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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
April 18, 2018

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, April 18, 2018, 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:

Mr. Paul Rozario, Director of Investigations
Mr. George Lyford, Associate Director
Mr. Ron Lynn, Director of Operations

LEGAL COUNSEL PRESENT:

Mr. Jack Juan, Esq.

Mr. Rozario stated the agenda was posted in compliance with the open meeting law on April 12, 2018, at Paseo Verde Library, Sawyer State Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board's Internet Website.

ADMINISTRATIVE LAW JUDGE: NOAH ALLISON, ESQ.

1. DISCIPLINARY HEARING:

KENNETH ALLEN WAGNER, JR., OWNER, dba WAGNER DEVELOPMENT, License No. 45289

Licensee was present and represented by Nik Skrinjaric, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A -

ALJ Allison found Respondent guilty of seventy (70) violations of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license. The Second, Third and Fourth Causes of Action were dismissed. Respondent was assessed a fine of \$2,500.00 for the First Cause of Action and investigative costs of \$1,930.00. Fines and investigative are to be paid within ninety (90) days of the April 18, 2018 hearing or license number 45289, Kenneth Allen Wagner, Jr., Owner, dba Wagner Development shall be suspended.

2. DISCIPLINARY HEARING:

WEST COAST BUILDING & DESIGN, LLC, dba W. C. B. & D. GENERAL CONTRACTOR,
License No. 81435

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 - A quote from FN Construction & Design dated January 13, 2018.

Exhibit 3 - 2014 Clark County Building Code 22.02.190 – Building Permit Exemptions.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint received March 2, 2018.

ALJ Allison continued this matter to May 23, 2018.

3. DISCIPLINARY HEARING:

ADELE HANCOCK, OWNER, dba SUNDANCE ENTERPRISE, License Nos. 69373, 60015

Licensee was present and represented by Steve Primak, Esq. 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 February 26, 2018.

ALJ Allison found Respondent guilty one (1) violation of NRS 624.3014(2)(c) allowing a license to be used by an unlicensed person; one (1) violation of NRS 624.3016(5), as set forth in NRS 624.600(1)(a)(b)(2)(3)(a)(b) failure to provide the required notices to the homeowner; 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 624.3011(1)(b)(1) violation of the building laws of this State; 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. The Fourth and Fifth Causes of Action were dismissed. Respondent was assessed a fine of \$5,000.00 for the First Cause of Action; a fine of \$500.00 for each of the Second and Sixth Causes of Action; a fine of \$50.00 for the Third Cause of Action for total fines of \$6,050.00 and investigative costs of \$1,807.00. Respondent was ordered to provide a current compliant financial statement with bank verification form for all cash accounts that supports the B-2 license limit of \$250,000.00 within ninety (90) days of the April 18, 2018 hearing. Fines and investigative costs are to be paid within ninety (90) days of the April 18, 2018 hearing or license numbers 69373 and 60015 shall be revoked. If Respondent submits an application to the Board to inactivate license numbers 69373 and 60015 within ninety (90) days of the April 18, 2018 hearing, the amount of the fines shall be reduced to \$3,025.00.

4. DISCIPLINARY HEARING:**NORTHSTAR CONSTRUCTION OF NEVADA, LLC, dba WILLIAMS BROTHERS CONSTRUCTION,**
License No. 81421

Licensee was not present nor 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 14, 2018.

ALJ Allison found Respondent guilty of 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 624.3013(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 624.302(6) failure to comply with a written request by 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; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,000.00 for each of the First and Fourth Causes of Action; a fine of \$250.00 for each of the Second and Third Causes of Action; a fine of \$500.00 for each of the Fifth and Sixth Causes of Action for total fines of \$3,500.00 and investigative costs of \$1,771.00. License number 81421, Northstar Construction of Nevada, LLC, dba Williams Brothers Construction was revoked. Respondent 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.

5. DISCIPLINARY HEARING:**VERNON HERBERT DIMICK, OWNER, dba DIMICK DRILLING,** License No. 10062

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Allison found Respondent guilty of one (1) violation of NRS 624.301(5) failure to comply with the terms of a construction contract; 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 624.3011(1)(b)(4) violation of the laws of this State regarding industrial insurance; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The Second Cause of Action was dismissed. Respondent was assessed a fine of \$2,500.00 for the First Cause of Action; a fine of \$100.00 for the Third Cause of Action; a fine of \$500.00 for the Fourth Cause of Action for total fines of \$3,100.00 and investigative costs of \$1,799.00. Respondent was found in violation of the Fifth Cause of Action; however a fine was not assessed. Respondent was ordered to return the \$18,782.37 deposit to Robert Klapperick within thirty (30) days of the April 18, 2018 hearing or license number 10062, Vernon Herbert Dimick, Owner, dba Dimick Drilling shall be revoked. Respondent was ordered to provide a current compliant financial statement with bank verification form for all cash accounts that supports the license limit within thirty (30) days or license number 10062, Vernon Herbert Dimick, Owner, dba Dimick Drilling shall be suspended. Fines and investigative costs are to be paid within ninety (90) days of the April 18, 2018 hearing or license number 10062, Vernon Herbert Dimick, Owner, dba Dimick Drilling shall be revoked.

6. DISCIPLINARY HEARING:

OVD, LLC, dba TFD CONSTRUCTION, License No. 76770

Licensee was present and represented by C. Brian Boggess, Esq. 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 21, 2018.

Exhibit 2 - Respondent's Exhibit Packet.

ALJ Allison continued this matter to May 21, 2018.

7. DISCIPLINARY HEARING:

JOHN JAMES SCANLON, OWNER, dba LET IT RAIN ROOFING, License No. 58426

Licensee was not present but was represented by Christopher Phillips, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Allison continued to May 23, 2018.

8. DISCIPLINARY HEARING: (Continued from March 21, 2018)

KOMAX DEVELOPMENT, LLC, License No. 67413

Licensee was present and represented by Tony May, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 3 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated February 1, 2018.

Exhibit B – A photo, receipts, proposals and invoices.

ALJ Allison continued this matter to May 21, 2018.

9. DISCIPLINARY HEARING: DEFAULT ORDERS

a. ROBERT WEINLOOD, LLC, dba HEATING AIR CONDITIONING AND APPLIANCE REPAIR,
License No. 78391

Licensee 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 Robert Weinlood, LLC, dba Heating Air Conditioning and Appliance Repair, license number 78391 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. Respondent was found guilty of one (1) violation of NRS 624.3017(1) workmanship 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 the Board's Notice to Correct; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of the State; 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(5), as set forth in NAC 624.640(5) failure to include its license number and monetary license limit on its contracts; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,000.00 for each of the First and Fourth Causes of Action; a fine of \$500.00 for each of the Second and Seventh Causes of Action; a fine of \$250.00 for each of the Third, Fifth and Sixth Causes of Action for total fines of \$3,750.00 and investigative costs of \$1,862.00. License number 78391, Robert Weinlood, LLC, dba Heating Air Conditioning and Appliance Repair was revoked. Respondent 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.

b. ARIA REMODELING, INC., License Nos. 79674, 78871, 79927

Licensee 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 Aria Remodeling, Inc., license numbers 79674, 78871 and 79927 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. Respondent was found guilty of one (1) violation of NRS 624.3017(1) workmanship 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 the Board's Notice to Correct; one (1) violation of NRS 624.3011(1)(b)(4) violation of the laws of this State regarding industrial insurance; 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 was assessed a fine of \$1,000.00 for each of the First and Third Causes of Action; a fine of \$500.00 for each of the Second and Fourth Causes of Action for total fines of \$3,000.00 and investigative costs of \$1,940.00. License numbers 79674, 78871 and 79927, Aria Remodeling, Inc. were revoked. Respondent 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. SOULITECTURE, LLC, License No. 81504

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

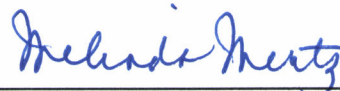
ALJ Allison found Respondent Soulitecture, LLC, license number 81504 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint.

Respondent was found guilty of one (1) violation 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; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. 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 and Third Causes of Action; a fine of \$500.00 for the Fourth Cause of Action for total fines of \$2,000.00 and investigative costs of \$1,801.00. License number 81504, Soulitecture, LLC was revoked. Respondent 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.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by ALJ Allison at 4:34 p.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer