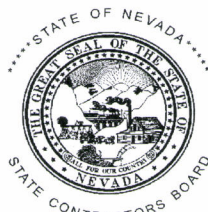


MEMBERS

Margaret Cavin, Chair
Kevin Burke
Melissa Caron
Joe Hernandez
Kent Lay
Jan B. Leggett
Guy M. Wells



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

www.nscb.nv.gov

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

STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
July 18, 2018**

CALL TO ORDER:

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

Ms. Margi Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations

LEGAL COUNSEL PRESENT:

Mr. Jack Juan, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law on July 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:

RICHARD WILLIAM TURK, OWNER, dba RICHARD WILLIAM TURK, License No. 82267

Licensee was not present but was represented by John Wright, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board's File.

ALJ Allison found Respondent guilty of 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 624.3014(1)(a) acting in the capacity of a contractor under a name not approved by the Board; and 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. The First and Second Causes of Action were dismissed. Respondent was assessed a fine of \$100.00 for each of the Third and Fifth Causes of Action and a fine of \$500.00 for the Fourth Cause of Action and investigative costs of \$2,000.00. Respondent shall make restitution to Tammie Roitman in the amount of \$4,622.00. Fines and investigative costs are to be paid within ninety (90) days of the July 18, 2018 hearing or license number 82267, Richard William Turk, Owner, dba Richard William Turk shall be suspended.

2. BOND REQUIREMENT HEARING:

FAITH VISION, INC., dba VISION BUILDERS, License No. 74754

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

ALJ Allison reactivated license, number 74754, Faith Vision, Inc., dba Vision Builders. Respondent's remaining fine amount of \$4,811.00 was waived. Respondent's license bond amount shall remain at \$15,000.00. Respondent shall provide a current compliant financial statement with bank verification form for all cash accounts that supports the license limit within thirty (30) days of the July 18, 2018 hearing or license number 74754, Faith Vision, Inc., dba Vision Builders shall be suspended. Respondent shall take the CMS exam within sixty (60) days of the July 18, 2018 hearing or license number 74754, Faith Vision, Inc., dba Vision Builders shall be suspended. Respondent shall submit to a Business Review within one (1) year from July 18, 2018. Failure to submit to the Business Review or to timely reimburse the Board for the cost of the Business Review will result in the suspension of license number 74754, Faith Vision, Inc., dba Vision Builders.

3. DISCIPLINARY HEARING:

ATLAS MARBLE & GRANITE, INC., License No. 50663

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

ALJ Allison dismissed the First Cause of Action.

4. DISCIPLINARY HEARING:

STEVEN CHARLES MCBRIDE, OWNER, dba S. C. MCBRIDE GENERAL BUILDER,
License No. 41385

S & A MCBRIDE, LLC, dba MCBRIDE LAWN CARE & LANDSCAPING, License No. 52508

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Allison found Respondent guilty 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 624.3013(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 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of the State; and one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. The Fifth Cause of Action was dismissed. Respondent was assessed a fine of \$500.00 for each of the First and Second Causes of Action; a fine of \$1,000.00 for each of the Third and Fourth Causes of Action for total fines of \$3,000.00 and investigative costs of \$2,083.00. Fines and investigative costs are due within ninety (90) days of the July 18, 2018 hearing or license number 41385, Steven Charles McBride, Owner, dba S. C. McBride General Builder and license number 52508, S & A McBride, LLC, dba McBride Lawn Care & Landscaping shall be suspended.

5. DISCIPLINARY HEARING: (Continued from June 6, 2018)

EXCAL CONSTRUCTION, INC., License No. 40957A

Licensee was present and represented by John Wright, 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.

Exhibit B – Respondent's 2016 financial statement (Confidential).

ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3013(5)(9), specifically NRS 624.256. The Second Cause of Action was dismissed. Respondent was assessed a fine of \$250.00 for the First Cause of Action and investigative costs of \$2,691.00. Respondent's monetary license limit was reduced to \$45,000.00. Respondent may continue ongoing work under its \$245,000.00 limit but can only take on new work under the \$45,000.00 monetary limit. Fines and investigative costs are due within ninety (90) days of the July 18, 2018 hearing. This matter was continued to September 19, 2018.

6. DISCIPLINARY HEARING:

FLOORING USA, LLC, License No. 82309

Licensee was present but not 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 received June 1, 2018 with attachments.

ALJ Allison found Respondent guilty one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board; one (1) violation of NRS 624.302(7) failure to comply with and order of the Board; and fifteen (15) violations of NRS 624.3014(2)(a) aiding or abetting an unlicensed person to evade the provision of this chapter. The Third and Fifth Causes of Action were dismissed. Respondent was assessed a fine of \$1,000.00 for the First Cause of Action; a fine of \$2,000.00 for the Fourth Cause of Action for total fines of \$3,000.00 and investigative costs of \$2,058.00. The Respondent was found in violation of the Second Cause of Action; however a fine was not assessed. Fines and investigative costs are due within sixty (60) days of the July 18, 2018 hearing or license number 82309, Flooring USA, LLC shall be suspended.

7. DISCIPLINARY HEARING: (Continued from May 23, 2018)

BROOKLYNN STONE, LLC, License Nos. 72035, 80306

This matter was continued to August 22, 2018.

8. DISCIPLINARY HEARING: (Continued from May 23, 2018)

NOW SERVICES OF NEVADA, LLC, dba COOL AIR NOW, License No. 79017

NOW SERVICES OF NEVADA, LLC, dba PLUMBING REPAIR NOW, License No. 79139

J & F BUILDING CO., License Nos. 76264, 81489

Licensee was present and represented by Cory Hilton, Esq. at the hearing.

ALJ Allison ordered Respondent to make restitution to Stuart Miller in the amount of \$20,000.00. \$10,000.00 to be paid within thirty (30) days of the July 18, 2018 hearing and the remaining \$10,000.00 to be paid within sixty (60) days of the July 18, 2018 hearing. Failure to comply shall result in the suspension of license number 79017, Now Services of Nevada, LLC, dba Cool Air Now, license number 79139, Now Services of Nevada, LLC, dba Plumbing Repair Now, and license numbers 76264 and 81489, J & F Building Co. Respondent shall receive the air conditioning equipment removed from the Miller's residence.

9. DISCIPLINARY HEARING: DEFAULT ORDERS

a. DREAM DESIGN, LLC, License Nos. 79799, 79786, 79996, 79800

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

This matter was continued to August 22, 2018. License numbers 79799, 79786, 79996 and 79800, Dream Design, LLC were suspended.

b. A C E SERVICES, INC., License No. 76785

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 A C E Services, Inc., license number 76785 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 by the Board; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(3) failure to notify the Board of a change of address within 30 days; 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, Second, Third, Fourth and Fifth Causes of Action for total fines of \$5,000.00 and investigative costs of \$1,763.00. License number 76785, A C E Services, Inc. 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.

c. PRIDE INVESTMENT GROUP, INC., dba WITH PRIDE CONSTRUCTION CO., License No. 67706

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 Pride Investment Group, Inc., dba With Pride Construction Co., license number 67706 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 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; 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. Respondent was assessed a fine of \$1,000.00 for each of the First, Second and Third Causes of Action for total fines of \$3,000.00 and investigative costs of \$1,566.00. License number 67706, Pride Investment Group, Inc., dba With Pride Construction Co. 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.

d. CARPETS BY J, LLC, dba NEVADA RUG COMPANY, License No. 75665

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

The following Agency Exhibits were entered:

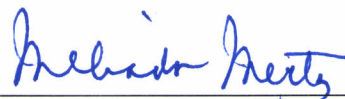
Exhibit 1 – Board Hearing File.

ALJ Allison found Respondent Carpets By J, LLC, dba Nevada Rug Company, license number 75665 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. Respondent was found guilty 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 624.3013(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(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 by the Board; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.165(3)(e)(2) failure to hold the appropriate business license; 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(5), as set forth in NAC 624.640(3) failure to notify the Board of a change of address within 30 days; 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, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth Causes of Action for total fines of \$10,000.00 and investigative costs of \$1,771.00. License number 75665, Carpets By J, LLC, dba Nevada Rug Company 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

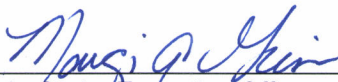
There being no further business to come before the Board, the meeting was adjourned by ALJ Allison at 11:36 a.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer