

JIM GIBBONS
Governor

STATE OF NEVADA

REPLY TO:

MEMBERS

MARGARET CAVIN
Chair
SPIRIDON FILIOS
Vice Chair
DAVID W. CLARK
JERRY HIGGINS
WILLIAM "BRUCE" KING
RANDY SCHAEFER
GUY M. WELLS



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STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
July 16, 2007**

CALL TO ORDER:

Hearing Officer Wells called the meeting of the State Contractors Board to order at 8:30 a.m., Monday, July 16, 2007, 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. Guy Wells
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

LEGAL COUNSEL PRESENT:

Mr. Bruce Robb, Esq., Legal Counsel
Mr. David Brown, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on July 9, 2007, at Las Vegas City Hall, 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 Internet Website.

ADJUDICATING BOARD MEMBER: GUY WELLS

1. DISCIPLINARY HEARING: (Continued from February 21, 2007)

ARTISTIC POOL/SPA, LICENSE NO. 24446

Licensee was present with counsel, Robert Nersesian, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Hearing Officer Filios found Respondent Artistic Pool/Spa, Inc., Ronald John Foglia, President, license number 24446, guilty of violation NRS 624.302(6) failure to reply with a written request from the Board. Mr. Foglia was assessed a fine of \$250.00 for the Ninth Cause of Action. The First, Second

and Third Causes of Action were withdrawn due a monetary settlement agreement between Respondent and Mr. Perkins. Mr. Foglia is required to reimburse the Board for Investigative costs of \$1,340.00. Fines and costs are to paid within 30 days from the July 16, 2007 hearing or license number 24446, Artistic Pool/Spa, Inc., will be suspended. Mr. Foglia shall pay restitution to Mr. Perkins in the amount of \$4,500.00 within 7 days of the hearing or license number 24446, Artistic Pool/Spa, Inc., will be suspended.

2. DISCIPLINARY HEARING: (Continued from March 28, 2007)

INVESTMENT EQUITY BUILDERS, LLC, LICENSE NO. 47257

Licensee was present with counsel, Christopher Reade, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Hearing Officer Wells found Respondent Investment Equity Builders, LLC, David Lynn Inman and Dale Dowers, Members, license number 47257, guilty of NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board's Notice to Correct; 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 the license and any monetary limit placed upon his license; and NRS 624.3018(2) certain persons prohibited from serving as officer, director, associate or partner of licensee. Respondent was assessed a fine of \$2,000.00 for the First Cause of Action, fines of \$1,000.00 for each of the Second, Third, and Fourth Causes of Action for total fines of \$5,000.00. The Fifth Cause of Action was dismissed. The investigative costs were assessed in the amount of \$3,853.00. Fines and costs are to be paid within 30 days of the July 16, 2007 Board Hearing or license numbers 47257, Investment Equity Builders, LLC, will be suspended. Respondents were placed on Probation for one year.

3. DISCIPLINARY HEARING: (Continued from March 28, 2007)

INVESTMENT EQUITY DEVELOPMENT, LLC, LICENSE NO. 56304

Licensee was present with counsel, Christopher Reade, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Hearing Officer Wells found Respondent Investment Equity Development, LLC, David Lynn Inman and Dale Dowers, Members, license number 56304, guilty of NRS 624.3012(2) willful failure to pay any money when due to materials or service and NRS 624.3018(2) certain persons prohibited from serving as officer, director, associate or partner of licensee. Respondent was assessed a fine of \$3,000.00 for the First Cause of Action. The investigative costs were assessed in the amount of \$1,527.00. Fines and costs are to be paid within 30 days of the July 16, 2007 Board Hearing or license numbers 56304, Investment Equity Development, LLC, will be suspended. Mr. Inman and Mr. Dowers are required to pay restitution to Hal Mechanical in the amount of \$31,150.00 within 30 days of July 16, 2007 hearing or license number 56304, Investment Equity Development, LLC, will be suspended.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Wells at 11:27 a.m.

Respectfully Submitted,

Janet Brinkley, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Guy Wells, Hearing Officer