

BRIAN SANDOVAL
Governor

STATE OF NEVADA

REPLY TO:

MEMBERS

Jan B. Leggett, Chairman
Thomas "Jim" Alexander
Kevin E. Burke
Margaret Cavin
Joe Hernandez
Kent Lay
Guy M. Wells



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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING

April 20, 2016

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, April 20, 2016, 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. George Lyford, Associate Director
Mr. Daniel Hammack, Chief of Enforcement

LEGAL COUNSEL PRESENT:

Mr. Jack Juan, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law on April 14, 2016, 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: (Continued from March 16, 2016)

BRADLEY CONSTRUCTION, INC., dba NEW IMAGE CONTRACTING, License No. 55152

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

The following Agency Exhibits were entered:

Exhibit 2 – An e-mail dated April 14, 2016 from Mr. and Mrs. Hamilton with attachments.

The following Licensee Exhibits were entered:

Exhibit B – Respondent's e-mail dated April 14, 2016 with an attachment.

ALJ Allison dismissed the First and Second Causes of Action. Investigative costs were assessed in the amount of \$1,500.00. Fines of \$100.00 from the March 16, 2016 hearing and investigative costs are to be paid within ninety (90) days of the April 20, 2016 hearing. Respondent shall make restitution to Rick Hamilton in the amount of \$13,382.00 to be paid within 45 days of the April 20, 2016 hearing. Failure to comply shall result in the suspension of license number 55152, Bradley Construction, Inc., dba New Image Contracting.

2. DISCIPLINARY HEARING:

D & T DESIGN CONTRACTORS, LLC, License No. 79935

Licensee was present and represented by M. Joseph Miller, II, EA 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 11, 2016.

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(2)(a) aiding or abetting an unlicensed person to evade the provisions of this chapter; one (1) violation of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; and one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of the State. The Seventh Cause of Action was dismissed. Respondent was assessed a fine of \$50.00 for the Third Cause of Action; a fine \$1,000.00 each for the Fourth and Sixth Causes of Action; a fine \$500.00 for the Fifth Cause of Action for total fines of \$2,550.00. The First and Second Causes of Action were continued to May 18, 2016. License number 79935, D & T Design Contractors, LLC was suspended.

3. DISCIPLINARY HEARING:

K-1 CONSTRUCTION, INC., License No. 66560

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 K-1 Construction, Inc., license number 66560 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) contracting for one construction project in excess of the limit placed on the license by the Board; one (1) violation of NRS 624.3013(5), as set forth in 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)(1) violation of the building laws of the State; one (1) violation NRS 624.3011(1)(b)(4) violation of the laws of this State regarding industrial insurance; 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 \$200.00 for the Second Cause of Action; a fine of \$2,000.00 for the Third Cause of Action; a fine of \$1,500.00 each for the Fourth and Fifth Causes of Action for total fines of \$6,200.00 and investigative costs of \$1,760.00. License number 66560, K-1 Construction, 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.

4. DISCIPLINARY HEARING: DEFAULT ORDERS**a. WESTWOOD GROUP, INC.,** License No. 72093

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 Westwood Group, Inc., license number 72093 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 624.302(1)(b) contracting as a contractor if the contractor's license is inactive; one (1) violation of NRS 624.3013(5), as set forth in 624.640(5) failure to include its license number and monetary license limit on its contracts; one (1) violation of NRS 624.3013(2) misrepresentation of a material fact by an applicant in connection with information furnished to the Board in connection with official matters of the Board; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$2,000.00 for the First Cause of Action; a fine of \$1,500.00 each for the Second, Third and Fourth Causes of Action for total fines of \$6,500.00 and investigative costs of \$1,746.00. License number 72093, Westwood Group, 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.

b. M. J. CONSTRUCTION CO., License No. 49337

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

ALJ Allison continued this matter to May 18, 2016.

c. RE-NEW TECH, INC., dba EFFICIENT AIR CONDITIONING, License No. 69445**RE-NEW TECH, INC., dba ROOF REPAIR EXPERTS,** License No. 70495

Licensees were not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Allison found Respondent Re-New Tech, Inc., dba Efficient Air Conditioning, license number 69445 and Respondent Re-New Tech, Inc., dba Roof Repair Experts, license number 70495, in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. Respondents were 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(6) failure to comply with a written request by the Board; 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 \$2,000.00 for the First Cause of Action; a fine of \$1,500.00 each for the Second and Third Causes of Action for total fines of \$5,000.00 and investigative costs of \$1,745.00. License number 69445, Re-New Tech, Inc., dba Efficient Air Conditioning and license number 70495, Re-New Tech, Inc., dba Roof Repair Experts were revoked. Respondents are 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

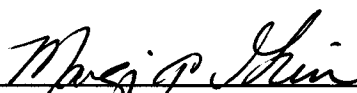
There being no further business to come before the Board, the meeting was adjourned by ALJ Allison at 9:10 a.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Gréin, Executive Officer



Noah Allison, Esq., Administrative Law Judge