JOE LOMBARDO Governor

### STATE OF NEVADA

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## STATE CONTRACTORS BOARD

Northern Nevada

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## May 15, 2024

#### **ADMINISTRATIVE LAW JUDGE**

Noah Allison, Esq.

MINUTES OF THE MEETING

#### STAFF MEMBERS PRESENT

Margi Grein, Executive Officer David Behar, Deputy Executive Director Terry Wike, Director of Investigations Damien Bilyeu, Compliance Supervisor Josue Barrera, Compliance Investigator Patrick Peterson, Compliance Investigator Raymond Zack, Compliance Investigator

### **LEGAL COUNSEL PRESENT** Jack Juan, Esq.

Executive Officer, Margi Grein, stated the agenda was posted in compliance with the open meeting law at both offices of the Board, on the Board's Internet Website, the Nevada Public Notice Website, and e-mailed electronically to persons who have expressed interest in being kept informed of the Board's meetings.

# 1. <u>DISCIPLINARY HEARING – Continued from January 24, 2024 (Status Check)</u> \*Titan Solar Power NV, Inc., License 84903

Case No.: 30062066, 30060869, 30060457, 30061234, 30061842, 30061866, 30061989, 30060526, 30061364, 30060515, 30061410 30061641, 30061824, 30062251, 30062285, 30062322, 30062325, 30062390 30062409, 30062424, 30062416 Kenneth Mark Williams – President, CMS and Trade Heather Baire Williamson – Treasurer; Secretary David Michael Williamson – Other

#### Admit ALL Exhibits -

Appearances are made in person by Respondent, Kenneth M. Williams, Donald "Butch" Williams, Esq., Aaron Tippett, Esq.; Prosecutor Jack Juan, Esq.; and Terry Wike, Director of Investigations. The Administrative Law Judge (ALJ) swears in the parties participating in testimony. The Board states that this hearing is for a status update to update the court on how many outstanding cases are still open and active. Respondent's counsel, Butch Williams, wants it to be on the record that "they are just now seeing the hard copy status update the Board is passing out now. The Respondent's counsel has given the Board ample time to review its' status updates in the past and this time around." The Board, through Terry Wike, testifies that there are still 27 active cases pending at this time. Northern Nevada has 13 cases out of the Reno area and Southern Nevada has 14 cases out of the Las Vegas area. The Board further states that due to Respondent's inability in reducing the amount of active complaints that Respondent should be required to work under a performance bond for future projects. Counsel for Respondent testifies that the Board is dragging its' feet and prolonging the case. That the Board should take the Respondent off probation and file the appropriate violations so disciplinary action can take place. That the disciplinary hearing that was to happen back in September 2023 has been postponed indefinitely and that process should take place immediately. That the Board should file a formal complaint with summary suspension before the statute of limitations runs or dismiss the entire matter altogether. The ALJ then asks if Respondent would like to add anything into the record and after being sworn in, Respondent Kenneth Williams testifies for several minutes about the alleged bias the media has caused. After Respondent's testimony, the Prosecutor reiterates that the Board strongly recommends that the Respondent be required to have a performance bond for future projects, because although the Respondent may have a signed settlement agreement from a Homeowner / Claimant, that does not necessarily excuse the alleged violation. The Prosecutor and Donald "Butch" Williams, counsel for Respondent, get into a heated discussion whereupon the ALJ asks both parties to calm down. The ALJ thereafter **ORDERS** that the Respondent's probation is extended another 60 days. The Board will Notice a new status check hearing for July 3, 2024.

## 2. <u>DISCIPLINARY HEARING – Continued from April 27, 2024 (Status Check)</u>

\*Build to Las Construction, License 86867

Case No.: 30061809

Svetlana Yurevna Nafissi - Manager, CMS

Roman Trey Daniels-Brown - Trade

#### Admit ALL Exhibits -

Appearances are made in person by Respondent, Mamad Nafissi, Prosecutor Jack Juan, Esq.; Terry Wike, Director of Investigations; and Josue Barrera Compliance Investigator. The Administrative Law Judge (ALJ) swears in Mr. Nafissi and offers him a chance to speak on the record regarding the past issue with the Homeowner. Respondent firstly indicates that they want to close the business – in fact, have closed Build to Last Construction and want to surrender their license. The Board is able to verify through the Homeowner that the Respondent has completed the required work to her satisfaction and has signed settlement documents indicating satisfaction with both the product and the workmanship. The ALJ states to the Respondent that unfortunately they cannot surrender a license that is currently under disciplinary action of any kind, unless the Board would like to stipulate for that to happen. The Board recommends dismissing Allegations #1, #4, and #5. Allegation #6 will be dismissed and the suspension lifted once the financials are received and the fines/fees and costs are paid within 60 days from the date of the Decision and Order. The ALJ ORDERS that License Nos. 86867 is temporarily suspended and that total fines are assessed in the amount of \$500 with compliant financials being due by May 29, 2024. That the Board agrees to accept the voluntary surrender of license once the fines, fees and costs, along with receipt of compliant financials within 60 days of the date of the Decision and Order.

# 3. <u>DISCIPLINARY HEARING – Continued from November 15, 2023 (Status Check)</u> \*DNA Air Conditioning & Heating, LLC, License Nos. 79500, 86105

Case No.: 30060562, 30062303

Andre Romaro Singleton - Managing Member, CMS and Trade

#### Admit ALL Exhibits -

Appearances are made in person by Respondent, Andre Singleton, Brandon Phillips, Esq., Nazario J. Jureidini, Esq.; Prosecutor Jack Juan, Esq.; Terry Wike, Director of Investigations; and Raymond Zack, Compliance Investigator. As this is a Status Check hearing, the Prosecutor updates with the status that the Respondent has satisfied the payment plan with both Respondents, Ahern Rentals and C-Los Industries, and has also resolved the issues with the Secretary of State. The Board recommends and the ALJ therefore **ORDERS** that Respondent is in violation of Allegation #1 with a fine of \$250; in violation of Allegation #2 with a fine of \$50; Allegation #3 is dismissed; Allegation #4 will be dismissed upon receipt of compliant financials by May 29, 2024; in violation of Allegation #8 will be dismissed upon receipt of compliant financials by May 29, 2024; Total fees of \$600 and are to be paid in full within 60 days. If compliant financials are not received by May 29, 2024, license will be immediately suspended.

### 4.

<u>Disciplinary Hearing:</u>
\*SKS Contracting, LLC, License Nos. 81085

Case No.: 30062679

Melanie Kristen Smith - Managing Member

Hearing Continued to June 26, 2024.

## **ADJOURNMENT**

The disciplinary hearing was adjourned by Administrative Law Judge Noah Allison, at 10:00 a.m.

Respectfully Submitted,

Leslie Fuller, Recording Secretary

**APPROVED**