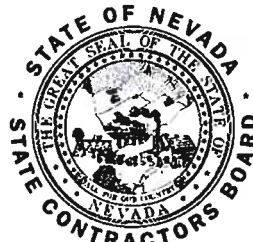


MEMBERS
Boyd Martin, Chairman
Margaret Cavin
Bryan Cowart
Joe Hernandez
Kent Lay
Jan B. Leggett
Louis Polish Jr.



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
August 7, 2024

ADMINISTRATIVE LAW JUDGE Richard Scotti, Esq.

STAFF MEMBERS PRESENT

David Behar, Executive Officer
Damien Bilyeu, Compliance Supervisor
Eric Spratley, Investigations Supervisor

Jason Johnston, Compliance Investigator
Mark Shryock, Compliance Investigator

LEGAL COUNSEL PRESENT Jack Juan, Esq.

Executive Officer, David Behar, 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. DISCIPLINARY HEARING – (Summary Suspension)

*Encor Solar, LLC, License No. 86705

Case No.: 30062875, 30064237, 30064262, 30064851, 30065015

Daniel Taylor Larkin, Manager
Brian Douglas Rollins, CMS

Admit ALL Exhibits –

Respondent does not appear in person or through counsel; Appearances made by homeowners Aldean Lauer, Jr; and Paul Remmenga (for Susanne Remmenga); Prosecutor Jack Juan, Esq.; Damien Bilyeu, Compliance Supervisor; and Jason Johnston, Compliance Investigator. On the record, the Prosecutor adds the additional cases to the matter: **30063076, 30063259, 30063385, 30063453, 30065114, 30065238, and 30065435**. Further, the Prosecutor states that a default status is in order due to Respondent's lack of filing an Answer or any type of communication such as requesting a continuance or additional time to file an Answer. The Default is proved up by testimony offered by Jason Johnston. After testimony of Jason Johnston, the Administrative Law Judge (ALJ) asks if there are any homeowners in attendance that would like to be sworn in to testify. Homeowner Aldean Lauer, Jr. (a senior) testifies about his bad experience of paying for solar panels, but them not working. Thereafter, Paul Remmenga is sworn in and testifies about their experience with the Respondent. The Board recommends dismissing allegations #23, #24, #30 and #34. Thereafter, the ALJ finds good cause appearing and **revokes license number 86705, effective immediately**. Further, that Respondent is liable for ALL allegations with a maximum fine of \$10,000 for Allegation #1, Allegation #2, Allegation #3, Allegation #4, Allegation

#5, Allegation #6, Allegation #7, Allegation #8, Allegation #9, Allegation #10, Allegation #11, Allegation #12, Allegation #13, Allegation #14, Allegation #15, Allegation #16, Allegation #17, Allegation #18, Allegation #19, Allegation #20, Allegation #21, Allegation #22, Allegation #25, Allegation #26, Allegation #27, Allegation #28, Allegation #29, Allegation #31; Allegation #32, Allegation #33, Allegation #35, Allegation #36, Allegation #37, Allegation #38, and Allegation #39 **for a total of \$350,000.** That there is to be joint responsibility for the costs, fees and fines; **that Respondents are banned as serving as an officer, director, partner, manager or associate in any present and future ventures.** That there is a joint responsibility for the reimbursement of any future Recovery Fund fees. That a Decision and Order will be forthcoming in the next few weeks.

2. DISCIPLINARY HEARING – (Summary Suspension)

***Las Vegas Kitchen and Bath Remodeling, LLC, License No. 82864**

Case No.: 30064442, 330065757, 30065760 30065761 30065766

Dennis Lawrence Caruso, Manager

Paul Orkin, Manager

Wes Clark, Manager

Tom Perks, Manager

Admit ALL Exhibits –

Respondent does not appear in person or through counsel; Appearances made by homeowners Kim Connolly, Anna Cooper, Leopold Green, Shaun Hall and Melba Rivera. Prosecutor Jack Juan, Esq.; Damien Bilyeu, Compliance Supervisor; and Mark Shryock, Compliance Investigator. The Prosecutor states that a default status is in order due to Respondent's lack of filing an Answer or any type of communication such as requesting a continuance or additional time to file an Answer. The Default is proved up by testimony offered by Mark Shryock. The Administrative Law Judge (ALJ) asks if there are any homeowners in attendance that would like to testify. First up to testify is Kim Connolly who testifies that Respondent would only take the down payment by check and it was for way more than the allowed ten percent (10%). All Respondent ever did was take measurements and then never came back, nor would they reply to texts, emails or phone calls. Second to testify is Anna Cooper. She was also asked to pay with a check and all Respondent did was take measurements and never came back. Ms. Cooper is identified as a senior. Third to testify is Leopold Green. Mr. Green testifies that they paid \$47k and aren't even able to live in their home due to exposed wires, exposed insulation and their kitchen is demolished. They have been living outside of their home for months. Mr. Green is identified as a senior. Fourth to testify is Shaun Hall. Mrs. Hall recently retired and took \$32,000 of her retirement money to remodel the master bathroom. The Respondent demolished the bathroom, then never came back. There wasn't any more communication from Respondent. Mrs. Hall's husband is identified as a senior. Fifth and final homeowner to testify is Melba Rivera. She said they took her money and never came back. The difference in her situation is the loan company used was Upgrade Loan Company. She has all the unanswered text messages. Mrs. Rivera is identified as a senior. As Mrs. Rivera's case was not in the original Complaint, Prosecutor Juan states that her case number 30065778, and is made a part of the record, hereto. After testimony from the homeowners, the Board recommends that Dennis Caruso, Paul Orkin, Wes Clark and Tom Perks be banned forever from serving as an officer, director, partner, manager or associate of any entity licensed in the State of Nevada; pay maximum fines; have license revoked and joint responsibility invoked for all fees, costs, fines; reimburse the Residential Recovery Fund; and criminal charges be filed with the Nevada Attorney General. The Administrative Law Judge (ALJ) states that due to numerous claims, a history of repeated violations, senior harm, monetary and mental anguish, life safety issues and health risk to the general public, **ORDERS** that the Respondents are jointly and

severally in Default and liable for every allegation, numbers 1-37 with maximum fines of \$10,000 for each allegation, for a total of \$370,000. That Dennis Caruso, Paul Orkin, Wes Clark and Tom Perks are found to be jointly liable and are **hereby permanently banned from serving as an officer, director, partner, manager or associate** of any entity licensed in the State of Nevada; **that License No.: 82864 is immediately revoked**; That Respondents will jointly pay all the Board's fees and costs. That Respondents are jointly liable to repay any future claims of the Residential Recovery Fund; That criminal charges be sent to the District Attorney's office with probable cause for theft, fraud and elder abuse. That a Decision and Order will be forthcoming in the next few weeks.

3. DISCIPLINARY HEARING –

***Merwin Project Management, LLC, License No. 86069**

Case No.: 30064630, 30064631, 30064634, 30064635, 30064638 30064640 30064641, 30064642, 30064643

Kristin Jay Merwin, Managing Member, CMS and Trade

Thomas Lyle Merwin, Managing Member, CMS and Trade

Admit ALL Exhibits –

Respondent does not appear in person or through counsel; Complainant appears through Dina Badra, Office Manager and Essa Khair, Operations Manager;; Prosecutor Jack Juan, Esq.; Eric Spratley, Investigations Supervisor. Prosecutor Juan tells the Administrative Law Judge (ALJ) that the Respondent did file an email Answer on July 29, 2024, indicating they had filed for bankruptcy. However, it is not clear whether that was individual or company bankruptcy as they provided no proof of the bankruptcy filing. The ALJ asks if there is anyone in attendance regarding this matter, and representatives of S & N Granite LLC dba Great Basin Granite, Dina Badra, Office Manager and Essa Khair testify that there are invoices totaling well over \$206,576.48 remain unpaid. That they have had contact with Respondent with promises to pay, and those promises have been broken. After Complainant's testimony, Prosecutor Juan states that Respondent is no longer in business, has filed bankruptcy and will probably not be able to pay fines, costs, fees in this matter. That the Board is dismissing allegations #3, #8, #11, #14, #17, #20 and #23; and that the Board recommends minimal to medium fines due to the bankruptcy status. Thereafter the Administrative Law Judge finds that **license number 86069 is revoked immediately**. That Respondent is jointly and severally liable for each allegation not previously dismissed; That Respondent is to jointly and severally reimburse the Board for any future Residential Recovery Fund payments; That Respondent owes the amounts stated in the Complaint #30064630 in the amount of \$34,514.09; #300064631 in the amount of \$22,773.86; #30064634 in the amount of \$26,373.71; 30064635 in the amount of \$21,536.31; #30064638 in the amount of \$21,889.42; #30064640 in the amount of \$24,328.19; #30064641 in the amount of \$32,513.55; #30064642 in the amount of \$187.43; #30064643 in the amount of \$23,747.87 for a total of \$207,864.43. Further it is ORDERED that a fine of \$3,000 each for allegations #1, #2, #4, #5, #6, #7, #9, #10, #12, #13, #15, #16, #18, #19, #21, #22, #24 and #25 for a total of \$54,000. That a Decision and Order will be forthcoming in the next few weeks.

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4. **DISCIPLINARY HEARING –**
***OG Solar, Inc., dba Reno Solar, License No. 90163**
Case No.: 30063004
Jory Daine Mack, President, Treasurer
Samantha Ann Mack, Secretary
Joseph Bryan Chevalier, Sr., CMS and Trade

Admit Board Exhibits 1-96 and Respondent's Answer

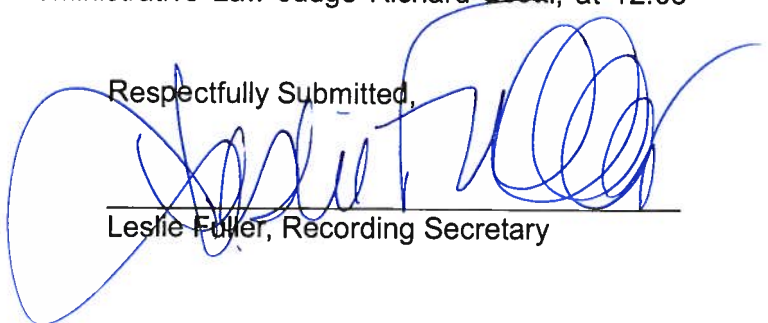
Respondent appears in person by and through Jory Mack as Owner, President, Treasurer; Prosecutor Jack Juan; Jason Johnston, Compliance Investigator. The Board states that the Respondent has filed an Answer. The Respondent is sworn in to testify and his testimony is reflective of his filed Answer. He also testifies that he did not realize that he was doing things incorrectly and has taken steps to ensure that it doesn't happen again in future jobs. After Respondent's testimony, the Board recommends minimal fines. Thereafter, the Administrative Law Judge (ALJ) states that the Respondent's testimony is credible and with his acceptance of the mistakes made, finds that Respondent is liable for Allegation #1 with a minimum fine of \$1,000. That Respondent is to pay the Board's fees and costs within 30 days of the date of the Decision and Order. That a Decision and Order will be forthcoming in the next few weeks.

ADJOURNMENT

The disciplinary hearing was adjourned by Administrative Law Judge Richard Scotti, at 12:05 p.m.

APPROVED


David Behar, Executive Officer

Respectfully Submitted,


Leslie Fuller, Recording Secretary