

MEMBERS
Boyd Martin, Chairman
Margaret Cavin
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Kent Lay
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Louis Polish Jr.



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING
September 18, 2024

ADMINISTRATIVE LAW JUDGE Noah Allison, Esq. and Louis Ling, Esq.

STAFF MEMBERS PRESENT

David Behar, Executive Officer
Terry Wike,
Damien Bilyeu, Compliance Inv. Supervisor
Josue Barrera, Compliance Investigator

Patrick Peterson, Compliance Investigator
Mark Shryock, Compliance Investigator
Jason Johnston, Compliance Investigator
Jason Moore, 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.

ADMINISTRATIVE LAW JUDGE: Noah Allison, Esq.

First matter is taken out of sequence per the Respondent and Prosecutor agreement.

1. **DISCIPLINARY HEARING –**
***Sunset Oasis Landscaping, LLC, License Nos. 80570, 80646, 81714**
Case Nos.: 30060785
Brandon Carl Collins – Managing Member, CMS and Trade

Admit ALL Exhibits –

Respondent's Resident Agent, Kimberlee Collins, appears in person; Prosecutor Jack Juan, Esq.; and Damien Bilyeu, Compliance Supervisor. After sworn testimony from Damien Bilyeu and Kimberlee Collins disputing receipt of the Notice of Hearing and Complaint, the Board recommends that the hearing be continued to October 16, 2024. Thereafter the Administrative Law Judge (ALJ), **ORDERS that the hearing is continued to October 16, 2024 with the Board to send out a Notice of Continuance.**

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ADMINISTRATIVE LAW JUDGE: Louis Ling, Esq.

2. DISCIPLINARY HEARING –

***Advanced Tri Star Development, LLC, License No.: 87025**

Case No.: 30064079

Brian Christopher Nagle – Owner, CMS and Trade

Admit ALL Exhibits –

In person appearance by Kiyomi Yamamoto, Complainant/Homeowner; Respondent appears in person through Brian Nagle; Prosecutor Jack Juan, Esq.; and Josue Barrera, Compliance Investigator. The Respondent is sworn in for testimony. His request for a continuance to provide other information is denied. After Respondent's testimony, Homeowner testimony and cross-examination of both parties, the Board recommends fines of \$5,000 for each allegation. The Administrative Law Judge (ALJ) finds and **ORDERS** that based upon a preponderance of evidence that Respondent is in violation of Allegation #1 with a fine in the amount of \$2,500; and in violation of Allegation #2 with a fine of \$5,000 **for fines totaling \$7,500**; the Board's fees and costs and if the Complainant should make a claim against the Residential Recovery Fund and if granted any amount of money, that Respondent will be liable for reimbursement of that amount. That Respondent is to pay fines, fees and costs within sixty (60) days of the date of the Decision and Order, which should be completed in approximately two (2) weeks.

3. DISCIPLINARY HEARING –

***Specialized Construction, dba RAO Construction and Development, LLC**

License No.: 45813

Case No.: 30063253, 30064041, 30064042, 30064043, 30064044, 30064045

Rick Anthony Offley – Manager, CMS

Jay Don Weber – Trade

Admit ALL Exhibits –

Respondent appears in person through Rick Offley and attorney Jonathan Fountain, Esq; Prosecutor Jack Juan, Esq.; Patrick Peterson, Compliance Investigator; and Mark Shryock, Compliance Investigator. Respondent's attorney is sworn in and testified regarding the misunderstanding of what is proof of payment to lower-tiered subcontractors. The Administrative Law Judge (ALJ) finds that the proof furnished by Respondent attorney does not comply with NRS 624.624(3), and that Respondent is found to be in violation of Allegation #'s 1, 3, 6, 8, 10 and 12 with a fine of \$1,000 for each. The Administrative Law Judge (ALJ) further **ORDERS** that Allegation #'s 2,5,7, 9 and 11 will be dismissed if compliant financials are provided within thirty (30) days from the date of the Decision and Order; and that Allegation #13 will remain open with a fine of \$500, but will dismiss upon receipt of compliant financials within thirty (30) days of the Decision and Order, **for a total in fines of \$6,500**. Allegation #4 is dismissed with prejudice. **It is further ORDERED that if compliant financials are not received with the 30 day time frame, the license will be suspended immediately**, and that fines, costs and fees are to be paid within thirty (30) days of the Decision and Order.

ADMINISTRATIVE LAW JUDGE: Noah Allison, Esq.

Agenda No. 4 (Kline Brothers Pools, LLC) and Agenda No. 5 (J T B Property Beautification Landscape Design dba J T B Landscapers), were removed from the day's agenda and not heard.

6. **DISCIPLINARY HEARING –**

***Above the Ceiling, LLC , License No. 82752, 76893, 79246, 82396**

Case No.: 30065303

Pamela Sue Campbell – Manager, Managing Member

Daniel Edwin Campbell – Managing Member, CMS and Trade

Admit ALL Exhibits –

Respondent appears in person through Daniel Campbell and his counsel, Christopher Reade, Esq.; Prosecutor Jack Juan, Esq.; and Damien Bilyeu, Compliance Supervisor. Good cause appearing, the Administrative Law Judge (ALJ) **ORDERS that Respondent is found to be in violation of Allegation #2 and fined \$500; that Allegations #1 and #3 are dismissed; and that Allegation #4 is not applicable to this matter and will not be heard.** The ALJ further ordered that the fines, fees and costs are to be paid within thirty (30) days of the date of the Decision and Order.

7. **DISCIPLINARY HEARING –**

***Decorative Design Patio Covers, LLC, License No. 88894**

Case Nos.: 30062541, 30062846, 30064269, 30065127

Jacob Paul Hoffman – Managing Member, CMS and Trade

Jamie Nikole Woods – Managing Member

Admit ALL Exhibits –

Respondent does not appear in person; Prosecutor Jack Juan, Esq.; Jason Moore, Compliance Investigator. The Prosecutor states that there has been a Notice of Default filed and would like to proceed with a prove-up. Sworn testimony is given by Investigator Moore. The Administrative Law Judge (ALJ) finds that based on Respondent not making an appearance or filing an Answer, the Notice of Default, good cause and valid and factual information, **ORDERS immediate revocation of license number 88894.** The ALJ further **ORDERS** that if any of the Complainants make a claim against the Residential Recovery Fund and if granted any amount of money, that Respondent will be liable for reimbursement of that amount. Further, the ALJ **ORDERED** that Respondent is liable for ALL fines, fees and costs along **with double minimal enhancement fines**, which the ALJ will place those fine totals into the Decision and Order; and that Jacob Paul Hoffman and Jamie Nikole Woods are permanently banned and prohibited from conducting business, serving as an officer, director or partner for any licensed company in the State of Nevada.

8. **DISCIPLINARY HEARING –**

***JC Anderson Construction, LLC, License No. 89235**

Case No.: 30064878, 30064935

John Coray Anderson – President, Treasurer, CMS and Trade

Evelyn Dianne Anderson – Secretary, Director

John Clayton Anderson – Vice President, Director

Admit ALL Exhibits –

Respondent does not appear; Prosecutor Jack Juan, Esq.; and Jason Johnston, Compliance Investigator. After Default prove-up examination testimony by Investigator Johnston, the Board recommends dismissing Allegations #3 and #10, and finding Respondent in violation of

Allegations #1, #2, #4, #5, #6, #7, #8, #9, #11 and #12 with fines of \$500 per each allegation. The Administrative Law Judge (ALJ) therefore finds Respondent in violation of Allegation #1 with a fine of \$500; in violation of Allegation #2 with a fine of \$500; Dismisses Allegation #3; in violation of Allegation #4 with a fine of \$500; in violation of Allegation #5 with a fine of \$500; in violation of Allegation #6 with a fine of \$500; in violation of Allegation #7 with a fine of \$500; in violation of Allegation #8 with a fine of \$500; in violation of Allegation #9 with a fine of \$500; Dismisses Allegation #10; in violation of Allegation #11 with a fine of \$500; in violation of Allegation #12 with a fine of \$500, **for a total of fees in the amount of \$5,000. The ALJ further finds that there is an immediate revocation of license number 89235**, and that all fines, fees and costs are to be paid within thirty (30) days of the date of the Decision and Order.

Agenda #9 (Vegas Site Utilities) was removed from the day's agenda and not heard.

ADJOURNMENT

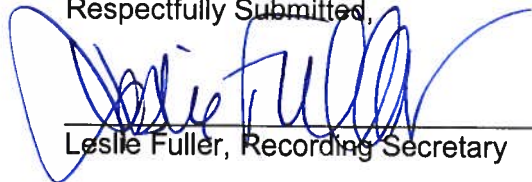
The disciplinary hearing was adjourned by Administrative Law Judge Noah Allison, at 10:48 a.m.

APPROVED



David Behar, Executive Officer

Respectfully Submitted,



Leslie Fuller, Recording Secretary