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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 September 4, 2024

ADMINISTRATIVE LAW JUDGE Richard Scotti, Esq.

STAFF MEMBERS PRESENT

David Behar, Executive Officer
Terry Wike, Director of Investigations
Damien Bilyeu, Compliance Inv. Supervisor
Terry Roberts, Criminal Inv. Supervisor
Luis Rico, Criminal Investigator
Orlando Avecilla, Criminal Investigator

Josue Barrera, Compliance Investigator
Carl Hilbish, 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.

1. **DISCIPLINARY HEARING – (Contested Admin Citation)**
***Chaney Gierhart aka/dba Spectrum Handyman Services, Unlicensed Person**
Case No.: 30065381
Chaney Gierhart – Owner

Admit ALL Exhibits –

Respondent, Chaney Gierhart appears in person; Prosecutor Jack Juan, Esq.; and Terry Roberts, Criminal Supervisor. After sworn testimony from Terry Roberts and the Respondent, the Board recommends that the citation be affirmed with fines, fees and costs. Thereafter the Administrative Law Judge (ALJ), affirms the citation, and ORDERS that Respondent is to pay \$1,750 in fines with \$250 due within seven (7) days, the remaining \$1,500 is to be paid every thirty (30) days up to and no more than 120 days out.

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2. **DISCIPLINARY HEARING – (Contested Admin Citation)**

***Fortress Development, Unlicensed Person**

Case No.: 30064787

David Yien Lieu – Owner

Maggie Thai – Owner

Maggie Lihn Ngoc Thai – Owner

This matter was removed from the day's agenda and not heard.

3. **DISCIPLINARY HEARING – (Contested Admin Citation)**

***Hubert Earl dba King Better Homes, Unlicensed Person**

Case No.: 30065042

Hubert King – Owner

Murray Johnson – Owner

Admit ALL Exhibits –

Respondent Hubert Earl King appears in person; Prosecutor Jack Juan, Esq.; and Luis Rico, Criminal Investigator. Respondent is sworn in and testified regarding the installation of the doors and weather stripping. The Board recommends that the citation be affirmed due to Respondent accepting payment above what a handyman is allowed to charge for a service. The Administrative Law Judge (ALJ) ORDERS that the Administrative Citation is affirmed and Respondent is ORDERED to pay fines in the original amount of \$2,900, plus the Board's fees and costs. Further the Administrative Law Judge (ALJ) ORDERS that the fine in the amount of \$2,900, plus the Board's fees and costs (which are to be determined), are to be paid within 60 days.

4. **DISCIPLINARY HEARING – (Contested Admin Citation)**

***TOVE CONSTRUCTION, LLC , License No. 89462**

Case No.: 30064953

Young Min Yoo, Managing Member

Admit ALL Exhibits –

Respondent appears in person through Young Min Yoo; Prosecutor Jack Juan, Esq.; and Orlando AVECILLA, Criminal Investigator. After sworn testimony and cross-examination of the Respondent, and good cause appearing, the Administrative Law Judge (ALJ) ORDERS that license #89462 is immediately suspended. That until compliant financials are submitted to the Board, license shall remain suspended; that Allegation #1 is dismissed; that Respondent is found to be in violation of Allegation #2 and Allegation #3, both are affirmed with fines totaling \$2,900, along with the Board's fees/costs to be paid within 30 days.

5. **DISCIPLINARY HEARING –**

***Anthony's Glass, Inc., License No. 51535**

Case No.: 30060439, 30063576

Victor Antonio Salinas – President, CMS and Trade

Admit ALL Exhibits –

Respondent, Victor Salinas appears in person; Prosecutor Jack Juan, Esq.; Carl Hilbish, Compliance Investigator and Mark Shryock, Compliance Investigator. Sworn testimony by

Investigators Hilbish and Shryock with additional testimony and cross-examination of Respondent, Victor Salinas. The Board recommends that the Administrative Citation be affirmed with appropriate fines on Allegations #1 through #7. The Administrative Law Judge (ALJ) takes the matter under advisement and will issue a Decision and Order in about fifteen (15) days.

**6. DISCIPLINARY HEARING –
*Acero Masonry, LLC, License No. 80958
Case No.: 30063888, 30063538
Ricardo Acero, Jr. – Managing Member, CMS and Trade**

Admit ALL Exhibits –

Respondent appears in person and through Donald “Butch” Williams, Esq.; Prosecutor Jack Juan, Esq.; and Carl Hilbish, Compliance Investigator. After testimony by the Respondent, the Board recommends finding Respondent in violation of #1 through #10 of the Allegations with appropriate fines and revocation of license due to having a previous fine balance. The Administrative Law Judge (ALJ) finds Respondent in violation of Allegation #1 with a fine of \$500; in violation of Allegation #2 with a fine of \$250; in violation of Allegation #3 with a fine of \$250; in violation of Allegation #4 with a fine of \$1,000; in violation of Allegation #5 with a fine of \$250; in violation of Allegation #6 with a fine of \$1,000; in violation of Allegation #7 with a fine of \$1,000; in violation of Allegation #8 with a fine of \$500; and in violation of Allegation #9 with a fine of \$50 for a total of \$4,800. **The ALJ further finds that he will take the revocation of license under advisement** and will issue a Decision and Order in about fifteen (15) days.

**7. DISCIPLINARY HEARING –
*BB Redd LLC dba N Hance Of Southern Clark County, License No. 86190
Case No.: 30064909
Brigham Bennion Redd, II – Manager, CMS
Kevin Matthew Dunsmoor – Trade**

Admit ALL Exhibits –

Respondent does not appear; Prosecutor Jack Juan, Esq.; and Mark Shryock, Compliance Investigator. The Administrative Law Judge (ALJ) notes that a Default Notice has been filed due to no Answer being received. Thereafter a prove-up hearing is held and it is ORDERED that Respondent is found to be in violation of Allegation #1 with a fine of \$500; in violation of Allegation #2 with a fine of \$500; in violation of Allegation #3 with a fine of \$500; 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 for a total of \$4,000 in fines. **The ALJ further finds and ORDERS that license number 86190 is immediately revoked;** and that the Respondent has 30 days to pay the Board’s fees and costs associated with this matter.

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8. **DISCIPLINARY HEARING –**
***McMullen One, Inc., License No. 83213**
Case No.: 30065185
Patrick Michael McMullen – President, CMS and Trade
Patrick Joseph McMullen – Secretary, Treasurer
Justin Charles Fields – Trade

Admit ALL Exhibits –

Respondent Patrick McMullen appears; Witness for Respondent, Quenton Riccomini; Prosecutor Jack Juan, Esq.; and Jason Johnson, Compliance Investigator. Respondent and Respondent's witness are sworn in and testify to the facts in the instant case. After testimony and cross-examination, the Board recommends that due to the license already being in cancelled status and the Respondent not able to renew it, that Respondent is to be found in violation of Allegation #1, with a fine of \$500. Further, that if the Claimant 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. The Administrative Law Judge (ALJ) adopts the recommendations by the Board and **ORDERS** that Respondent is found to be in violation of Allegation #1 with a fine of \$500; and that any monies paid out in claims through the Residential Recovery Fund will be reimbursed by Respondent. That Respondent is to pay the Board's reasonable fees and costs. That a Decision and Order will be issued in about fifteen (15) days.

9. **DISCIPLINARY HEARING –**
***Neighborhood Plumber, LLC dba Build it Bros, License No. 90245**
Case No.: 30063432
Nicholas Ray Hammond – Managing Member
John Cheshire Daniel - Trade

Admit ALL Exhibits –

Respondent appears in person. Prosecutor Jack Juan, Esq.; and Jason Moore, Compliance Investigator. The Respondent is sworn in and thereafter, the Administrative Law Judge (ALJ) asks the Respondent why he didn't file a Reply or Answer to the Complaint and Respondent indicates he didn't know he was supposed to. The Respondent testifies and the Board's recommendation is that the license be revoked effective immediately; that unless and until financial documents are provided, the license will remain revoked. That Respondents shall be liable for reimbursement of any funds paid out in Residential Recovery Fund awards; and that a recommendation be made for a referral to the Attorney General's office for criminal prosecution in this matter. Thereafter, the **ALJ ORDERS that license number 90245 is immediately revoked.** That Respondent is found to be in violation of Allegation #1 with a fine of \$1,000; in violation of Allegation #2 with a fine of \$1,000; in violation of Allegation #3 and fined \$1,000; in violation of Allegation #4 and fined \$500; in violation of Allegation #5 with John Cheshire Daniel and found jointly and severally liable for ALL fines, fees and costs and that they are permanently banned and prohibited from serving as an officer, director or partner for any licensed company in the State of Nevada; Respondent Nicholas Hammond is to provide current information on John Cheshire Daniel; that a recommendation is hereby made for a referral for criminal action with the Attorney General's Office against John Cheshire Daniel and that Respondents shall be liable for reimbursement of any funds paid out in Residential Recovery Fund awards. That a Decision and Order will be issued in about fifteen (15) days.

10. **DISCIPLINARY HEARING –**
***Sen Water & Fire Restoration, Inc. dba ServPro of Henderson Boulder City,**
License Nos. 80602 and 80849
Case No.: 30065048
Kevin Ray Edgar – President, CMS and Trade

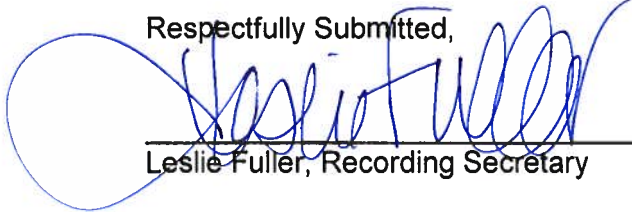
Admit ALL Exhibits –

Respondent does not appear as he passed away 12/19/23 per his wife, Tina Edgar, who appears in person along with her daughter (Respondent's step-daughter), Mercedes Wallace; Donald "Butch" Williams, appears for new franchise owner, Mr. Landers; Prosecutor Jack Juan, Esq.; and Josue Barrera, Compliance Investigator. Tina Edgar and Mercedes Wallace are sworn in to testify regarding their knowledge of ServPro. After testimony and examination by Respondent witnesses, the Board recommends that Respondent be found in violation of Allegations #1 through #5 with reasonable fines and costs. Therefore, the Administrative Law Judge (ALJ) adopts and ORDERS that Respondent is found in violation of Allegation #1 with a fine of \$1,000; in violation of Allegation #2 with a fine of \$1,000; in violation of Allegation #3 with a fine of \$1,000; in violation of Allegation #4 with a fine of \$1,000; in violation of Allegation #5 with a fine of \$1,000, for a total of \$5,000 to be paid within thirty (30) days. **That the license is currently cancelled not renewed status and shall remain as such.** That a Decision and Order will be issued in about fifteen (15) days.

ADJOURNMENT

The disciplinary hearing was adjourned by Administrative Law Judge Noah Allison, at 12:11 p.m.

Respectfully Submitted,



Leslie Fuller, Recording Secretary

APPROVED



David Behar, Executive Officer