

JOE LOMBARDO  
Governor

STATE OF NEVADA

Northern Nevada  
5390 Kietzke Lane, Suite 102  
Reno, NV 89511  
(775) 688-1141  
Fax (775) 688-1271  
Investigations: (775) 688-1150

[www.nscb.nv.gov](http://www.nscb.nv.gov)

Southern Nevada  
8400 West Sunset Road, Suite 150  
Las Vegas, NV 89113  
(702) 486-1100  
Fax (702) 486-1190  
Investigations: (702) 486-1160

MEMBERS  
Boyd Martin, Chairman  
Margaret Cavin  
Bryan Cowart  
Walter Flores-Aguirre  
Kent Lay  
Jan B. Leggett  
Louis Polish Jr.



STATE CONTRACTORS BOARD

MINUTES OF THE HEARING  
February 5, 2025

**ADMINISTRATIVE LAW JUDGES**

Richard Scotti, Esq.  
Louis Ling, Esq.

**STAFF MEMBERS PRESENT**

David Behar, Executive Officer  
Terry Roberts, Interim Director of Investigations  
Damien Bilyeu, Compliance Supervisor

Carl Hilbish, Compliance Investigator  
Josue Barrera, 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**

Richard Scotti, Esq.

1. **DISCIPLINARY HEARING: (Status Check Hearing)**  
**\*Progressive Construction, Inc. dba Growth Construction – License No.: 78005**  
Case Nos.: 30064670, 30061000  
Philippe Khalil Ziade – President, CMS and Trade

Homeowners, Tyler and Samantha Fair appear through Richard Peel, Esq.; Respondent appears through his attorney, David Lee, Esq. who joins via Zoom; Prosecutor Jack Juan, Esq.; **ALL parties agree that April 4, 2025 is the deadline for Production of Documents, with any supplements thereto; that April 14, 2025 is the deadline for Production of Documents; April 28, 2025 is the deadline for rebuttals with Reply Briefs being due May 5, 2025. If the parties deem it necessary, a Meet and Confer will be scheduled at a date to be determined.**

///

///

///

2. **DISCIPLINARY HEARING:**  
**\*F S H P Builders, LLC – License No.: 56759**  
Case No.: 30065698  
Gary Mark Frey – Manager, CMS and Trade3

**Admit Exhibits 1 through 1,509 –**

Homeowner, Ram Singh, appears through consultant representative, Greg Blackburn; Respondent, Gary Frey, appears in person and through his attorney, Brian K Berman, Esq; Brendan Hancock appears as Superintendent / Project Manager for FSHP Builders; Prosecutor Jack Juan, Esq.; and Carl Hilbish, Compliance Investigator. Sworn testimony cross-examination and re-direct of testimony regarding the contract for a garage, pool and residence is disputed as to whether the Respondent's invoices billed beyond the monetary limit during this job. Sworn testimony is heard by Carl Hilbish, Compliance Investigator; Brian Berman, Esq.; Brendan Hancock, and Greg Blackburn. **Thereafter, the Administrative Law Judge (ALJ) takes the matter under advisement and will issue a Decision and Order within thirty (30) days.**

**ADJOURNMENT**

*The first part of the disciplinary hearing was adjourned by Administrative Law Judge Richard Scotti, Esq. at 11:24 a.m.*

**ADMINISTRATIVE LAW JUDGE**

Louis Ling, Esq.

3. **DISCIPLINARY HEARING:**  
**Advanced Tri-Star Development, LLC – License No. 87025**  
Case No.: 30064079  
Brian Christopher Nagle – Owner, CMS and Trade

**Admit ALL Exhibits (adding Exhibits NSCB000233-234; and Advanced 000116-119)**

Homeowner, Kiyomi Yamamoto, appears in person; Respondent Brian Nagle, appears in person and through his attorney, John Wright, Esq.; Prosecutor Jack Juan, Esq.; and Josue Barrera; Compliance Investigator; After sworn testimony, cross-examination and re-direct of the witnesses, the Board asks the Administrative Law Judge (ALJ) to reaffirm the previous ruling in the September 26, 2024, Decision and Order that found Respondent in violation of Allegation #1 with a fine of \$2,500 and in violation of Allegation #2 with a fine of \$5,000 for a fine total of \$7,500. **THEREAFTER, the Administrative Law Judge (ALJ) ORDERS that the email sent by Respondent directly to his honor via email is deemed improper ex parte communication and will not be made a part of the hearing exhibits and/or record; that the re-hearing matter is taken under advisement; that the Exhibits added during today's hearing, be sent to him as soon as possible; and that a Decision and Order will be issued within thirty (30) days.**

///

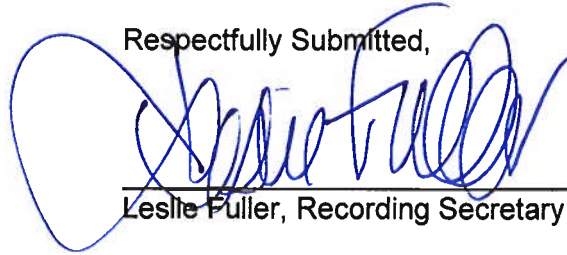
///

///

**ADJOURNMENT**

*The second part of the disciplinary hearing was adjourned by Administrative Law Judge Louis Ling, Esq. at 2:51 p.m.*

Respectfully Submitted,



---

Leslie Fuller, Recording Secretary

APPROVED



---

David Behar, Executive Officer