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State Of Nevada



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Margaret Cavin
David W. Clark
Jerry Higgins
Dennis K. Johnson
Randy Schaefer

STATE CONTRACTORS' BOARD

MINUTES OF THE RECOVERY FUND SUBCOMMITTEE MEETING October 21, 2002

Mr. Schaefer called the meeting to order at 10:11 a.m. on Monday, October 21, 2002 at the offices of the State Contractors Board, 2310 Corporate Circle, Suite 200, Henderson, Nevada 89074.

COMMITTEE MEMBERS PRESENT:

Mr. Jerry Higgins, Board Member
Mr. Randy Schaefer, Board Member
Mr. Dennis Johnson, Board Member

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. George Lyford, Director of Investigations
Mr. Chris Denning, Deputy Director of Investigations

LEGAL COUNSEL PRESENT:

Laura Browning, Esq. (Haney, Woloson & Mullins)

Ms. Grein stated that Jerry McGuill had posted the agenda in compliance with the open meeting law on October 16, 2002, at the Sawyer State Building, Clark County Library, and Las Vegas City Hall. The agenda was also posted in both offices of the Board, Henderson and Reno, and the Board's Internet web site.

1. TWINS CONSTRUCTION, LICENSE #44854

Leslie Lacasse, Owner of Twins Construction
Stella Detrick, Homeowner
L-0208-065-RF

No one from Twins Construction was present. Sheila Detrick was not present.

Investigator Bob Macke stated that Sheila Detrick entered into a contract with Twins Construction on June 28, 2001, for a total contract price of \$3,145.00. The project was 100% completed. The claimant has received \$3,000.00 from Respondent's surety bond. The claimant paid an additional \$236.50 to the Respondent for a verbal change order.

MR. JOHNSON RECOMMENDED TO AWARD THE CLAIMANT \$381.50

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

2. AQUA POOLS & SPAS, LICENSE #32428

Frank and Margaret Salazar, Owners of Aqua Pools & Spas
Chris Tormoen, Homeowner
L-0202-241-RF

No one from Aqua Pools & Spas was present. Chris Tormoen, Homeowner was present.

Investigator Jim Ables stated that Chris Tormoen entered into contract with Aqua Pools & Spas on February 6, 2001, in the amount of \$55,000.00, of which \$52,250.00 was paid. When Respondent left the project, approximately 50% to 60% of the work was complete.

MR. JOHNSON RECOMMENDED TO AWARD THE CLAIMANT \$12,800.00.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

3. AQUA POOLS & SPAS, LICENSE # 32428

Frank and Margaret Salazar, Owners of Aqua Pools & Spas
Cheryl Panasiuk, Homeowner
L-0110-298-RF

No one from Aqua Pools & Spas was present. Cheryl Panasiuk, Homeowner was present.

Investigator Bob Macke stated that Cheryl Panasiuk entered into a contract with Aqua Pools & Spas on June 14, 1999, in the amount of \$23,750.00, of which \$23,750.00 was paid. The project was 100% complete on October 15, 1999. On April 3, 2001, the Respondent signed a statement stating they would replaster the pool, which deteriorated from the original construction, but failed to comply. Claimant paid another pool company \$3,550.00 to replaster her pool.

MR. JOHNSON RECOMMENDED TO AWARD THE CLAIMANT \$3,550.00

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

4. AQUA POOLS & SPAS, LICENSE #32428

Frank and Margaret Salazar, Owners of Aqua Pools & Spas
Armando and Christine Flores, Homeowner
L-0110-293-RF

No one from Aqua Pools & Spas was present. Christine Flores, Homeowner was present.

Investigator Bob Macke stated that Armando and Christine Flores entered into a contract with Aqua Pools & Spas on March 13, 2001, in the amount of \$30,829.00, of which claimant has paid \$30,829.00. When Respondent left the project, approximately 70% of the work was complete.

MR. JOHNSON RECOMMENDED TO AWARD THE CLAIMANT \$9,026.00.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

5. AQUA BLUE POOLS, LICENSE #32761

Walter and Katherine Welty, Partners of Aqua Blue Pools
Lori Davila, Homeowner
L-0208-130-RF

No one from Aqua Blue Pools & Spas was present. Lori Davila, Homeowner was present.

On July 4, 2000, the claimant entered into a contract with Aqua Blue Pools in the amount of \$16,375.00, of which \$16,375.00 was paid. The pool was 100% completed.

Investigator Bob Macke stated that Lori Davila filed a claim against the Recovery Fund to recover the loss of \$1,622.00 due to Aqua Blue Pools failing to pay B & D Plastering. Ms. Davila paid \$1,622.00 for the removal of the mechanics lien.

MR. JOHNSON RECOMMENDED TO AWARD THE CLAIMANT \$1,622.00.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

6. CHRISTIANSEN POOLS, LICENSE #10682

Ralph Christiansen, Owner of Christiansen Pools
Vickie and Rodney McColl, Homeowner
L-0110-299-RF

No one from Christiansen Pools was present. Rodney and Vickie McColl, Homeowners were present.

Investigator Bob Macke stated that Vickie and Rodney McColl entered into a contract with Christiansen Pools on March 7, 2001, in the amount of \$20,466.80, of which \$18,420.12 was paid. When Respondent left the project, approximately 70% of the work was completed.

MR. JOHNSON RECOMMENDED TO AWARD THE CLAIMANT \$6,141.00.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

7. DEZMAN CONTRACTORS INCORPORATED, LICENSE #26413

Jose Hernandez, President of Deznan Contractors Incorporated
Howard Ross, Homeowner
L-0208-026-RF

Jose Hernandez, President of Deznan Contractors Incorporated was present. Howard Ross, Homeowner was present.

Mr. Hernandez stated his objection to the judgement granted by the Henderson Justice Court. Mr. Hernandez appealed the judgement in justice court and lost his appeal. Certified copies of the court documents were obtained from the court granting the judgement to Mr. Ross.

Investigator Bob Macke stated that Howard Ross had received a judgement from Henderson Justice Court against Respondent for \$5,095.00.

MR. JOHNSON RECOMMENDED TO AWARD THE CLAIMANT \$5,095.00.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

8. BETTER BUILT HOME IMPROVEMENT, LICENSE #43699
Morris Elvin Sanford, Jr., Owner of Better Built Home Improvement
Michael Logan, Homeowner
L-0203-029-RF

No one from Better Built Home Improvement was present. Michael Logan, Homeowner was present.

Investigator Troy Beaver stated that Mr. Michael Logan entered into a contract with Better Built Home Improvement on December 30, 2000, in the amount of \$37,000.00, of which \$24,000.00 was paid. The project was 20% complete when Respondent abandoned the project.

MR. JOHNSON RECOMMENDED TO AWARD THE CLAIMANT \$19,200.00.

MR. HIGGINS SECONDED THE MOTION.

THE MOTION CARRIED.

The meeting adjourned at 11:00 a.m.

Respectfully submitted,

Olga Valenzuela, Recording Secretary

Approved :

Margi Grein, Executive Officer

Randy Schaefer, Committee Chairman

