

JIM GIBBONS
Governor

STATE OF NEVADA



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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING

January 10, 2007

REPLY TO:

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Henderson, Nevada 89074
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RENO
9670 Gateway Drive, Suite 100
Reno, Nevada 89521
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Investigations (775) 688-1150

CALL TO ORDER:

Hearing Officer Margaret Cavin called the meeting of the State Contractors Board to order at 9:30 a.m., Wednesday January 10, 2007, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Ms. Margaret Cavin
Mr. Jerry Higgins

STAFF MEMBERS PRESENT:

Mr. George J. Lyford, Director of Investigations
Mr. Gary Hoid, Deputy Director of Investigations

LEGAL COUNSEL PRESENT:

Mr. Bruce Robb, Esq., Legal Counsel
Ms. Laura Browning, Esq., Legal Counsel

The agenda was posted in compliance with the open meeting law on January 2, 2007 at Reno City Hall, Washoe County Court House and Washoe County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board Internet Website.

ADJUDICATING BOARD MEMBER: MARGARET CAVIN

1. DISCIPLINARY HEARING:

I C C I IDEAL CONCRETE CONSTRUCTION INC., LICENSE NO. 50468

Licensee was present with David Hamilton, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File
Exhibit 2 – Series of photos of concrete

Hearing Officer Cavin found Respondent Lesley Edward Albright, President of I C C I Ideal Concrete Construction, Inc., license number 50468 guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NAC 624.640(5) each licensee shall include in all bids he submits or contracts he enters into for construction work within this State, the number of his license and any monetary limit placed upon his license; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner. Mr. Albright was ordered to furnish a personal financial statement to the Board within 60 days of January 10, 2007 and reimburse Terry Petersen in the amount of \$1,500.00. A Letter of Reprimand will be placed in the license file.

2. DISCIPLINARY HEARING:

WAHL TO WAHL CONSTRUCTION, LICENSE NO. 30510

Licensee was present with Steve Handelin, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Hand drawn layout of plans

Exhibit 3 – Packet of documents which include 2 appraisals and 1 estimate

The following Respondent Exhibit was entered:

Exhibit A – Packet of documents numbered 1 – 66 which includes a financial statement and a copy of the plans

Hearing Officer Cavin found Respondent John Kellogg Wahl Owner, dba Wahl to Wahl Construction license number 30510 guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NAC 624.640(5) each licensee shall include in all bids he submits or contracts he enters into for construction work within this State, the number of his license and any monetary limit placed upon his license; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner. Mr. Wahl was ordered to pay a fine of \$500.00 for the First Cause of Action, \$250.00 each for the Third and Fourth Causes of Action for a total fine of \$1,000.00; licensee was ordered to furnish a current financial statement to the Board within 30 days of January 10, 2007; pay investigative costs of \$1,925.00 within 60 days of January 10, 2007 or license number 30510 will automatically be suspended. The Second and Fifth Causes of Action were dismissed.

3. DISCIPLINARY HEARING – DEFAULT ORDER:

BEHL HOME CONSTRUCTION, LLC. dba BEHL CUSTOM HOMES, LICENSE NO. 52113

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Cavin found Respondent Mark Robert Behl, Member of Behl Home Construction, LLC dba Behl Custom Homes, license number 52113 in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Licensee was found guilty of five (5) violations of NRS 624.3012(2) failure to pay for materials and services; NRS 624.3013(3) failure to establish financial responsibility. License number 52113 was revoked. Respondent shall pay full restitution to the damaged parties and reimburse the Board for investigative costs of \$2,562.00 and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Cavin at 12:22 p.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Margaret Cavin, Chair