

Jim Gibbons  
Governor

STATE OF NEVADA



MEMBERS

MARGARET CAVIN, CHAIR  
SPIRIDON FILIOS, VICE CHAIR  
MICHAEL EFSTRATIS  
JERRY HIGGINS  
WILLIAM "BRUCE" KING  
RANDY SCHAEFER  
GUY M. WELLS

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING  
October 8, 2008

**CALL TO ORDER:**

Hearing Officer Michael Efstratis called the meeting of the State Contractors Board to order at 8:29 a.m., Wednesday October 8, 2008, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

**BOARD MEMBERS PRESENT:**

Mr. Michael Efstratis  
Mr. Jerry Higgins

**STAFF MEMBERS PRESENT:**

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

**LEGAL COUNSEL PRESENT:**

Mr. David Brown, Esq., Legal Counsel  
Mr. Bruce Robb, Esq., Legal Counsel

The agenda was posted in compliance with the open meeting law October 2, 2008 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: MICHAEL EFSTRATIS**

**1. DISCIPLINARY HEARING:**

**VISIONS CONCRETE DESIGN, LICENSE NO. 54796A**

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

The following Respondent Exhibit was entered:

Exhibit A – Copy of a statement confirming a \$500.00 payment to White Cap Construction Supply

Hearing Officer Efstratis found Visions Concrete Design, license number 54796A guilty of violating NRS 624.3013(5), as set for in NRS 624.300, failure to comply with an order issued by the Board. License number 54796A is suspended. Respondent shall reimburse the board investigative costs of \$500.00, provide a current bond and provide a financial statement that supports the limit of the license. The suspension will be lifted upon receipt of the above ordered items.

REPLY TO:

**LAS VEGAS**  
2310 Corporate Circle  
Suite 200  
Henderson, Nevada  
89074  
(702) 486-1100  
Fax (702) 486-1190  
Investigations (702) 486-1110

[www.nscb.state.nv.us](http://www.nscb.state.nv.us)

**RENO**  
9670 Gateway Drive,  
Suite 100  
Reno, Nevada 89521  
(775) 688-1141  
Fax (775) 688-1271  
Investigations (775) 688-1150

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Efstratis at 8:35 a.m.

Respectfully Submitted,

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Sandy Diederich, Recording Secretary

APPROVED:

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Margi A. Grein, Executive Officer

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Michael Efstratis, Hearing Officer

**ADJUDICATING BOARD MEMBER: JERRY HIGGINS****2. DISCIPLINARY HEARING:****R & K HOMES, LLC, LICENSE NO. 55036****REYNEN & BARDIS COMMUNITIES NEVADA, INC., LICENSE NO. 61631**

Licensee was present and represented by Alex Flangas, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Letter dated October 2, 2008 from Dan Mills Construction

The following Respondent Exhibits were entered:

Exhibit A – Series of updates

Exhibit B – Letter dated October 7, 2008 from Q & D Construction

Exhibit C – Respondent's list of witnesses and documents to be used

Hearing Officer Higgins found Respondent R & K Homes, LLC, license number 55036 guilty of violating NRS 624.3012(2) failure to pay for materials and services; NRS 624.3012(1) diversion of money or property received for the completion of a specific construction project or operation or for a specified purpose in the completion of any construction project acting in the capacity of a contractor; NRS 624.3018(2) association of any act or omission constituting a cause for disciplinary action; NRS 624.3013(3) failure to establish financial responsibility. Hearing Office Higgins ordered license number 55036 be suspended and assessed investigative costs of \$2,888.33, in addition, Respondent was ordered to provide a compiled financial statement and pay Peninsula Floors \$95,000.00, Capital Drywall \$66,420.00 and H.M. Byars \$194,000.00 within six (6) months of October 8, 2008 or license number 55036 will automatically be revoked. Hearing Officer Higgins ordered the monetary limit placed on the license be reduced to \$750,000.00. No action was taken against Reynen & Bardis Communities Nevada, Inc., license number 61631.

**3. DISCIPLINARY HEARING:****CAPITOL OVERHEAD DOOR, INC., LICENSE NO. 22971B**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Answer from Respondent

Exhibit 3 – Bid from Valley Door Works

Hearing Officer Higgins found Respondent Capitol Overhead Door, Inc., license number 22971B guilty of violating NRS 624.3013(5), as set forth in NRS 624.700(3)(a) failure to comply with the Board's Notice to Correct; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; 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(3) failure to establish financial responsibility. No fine was assessed for the First Cause of Action. Mr. Dyer was ordered to pay a fine of \$50.00 each for the Second and Fourth Causes of Action; \$100.00 for the Third Cause of Action, and a 500.00 fine for the Fifth Cause of Action for a total fine of \$700.00; and assessed investigative costs in the amount of \$1,961.83 to be paid within 60 days of October 8, 2008 or license number 29955A will be automatically suspended. Respondent was ordered to provide a current financial statement within sixty (60) days or license number 22971B will automatically be suspended. Licensee shall reimburse Mr. Fatehyar \$1,192.16 within five (5) days and provide proof of payment to the Board. Confirmation of payment shall release the Respondent from further liabilities

on the Fatehyar project.

**4. DISCIPLINARY HEARING:  
ROD THE ROOFER, LICENSE NO. 44919**

Licensee was present and was represented by C. David Russell, Esq.

**This matter was continued to November 5, 2008.**

**5. DISCIPLINARY HEARING:  
BILLS PAVING DESIGNS, LICENSE NO. 39930**

Licensee was not present.

The following Agency Exhibits were entered:

- Exhibit 1 – Board Hearing File
- Exhibit 2 – Copies of receipts

Hearing Officer Higgins found Respondent Bills Paving Designs, license number 39930 guilty of violating NRS 624.3011(1)(b)(1) failure to comply with the building laws of the state; NRS 624.301(5) willful failure or refusal to comply with terms of a construction contract or written warranty thereby causing material injury to another; NRS 624.302(5) failure or refusal to cooperate in an investigation; 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 624.300 for failure to comply with any order directed by the Board; NRS 624.3012(3) failure to obtain the discharge of Lien; NRS 624.3013(3), failure to establish financial responsibility. License number 39930 is Revoked. Respondent was ordered to pay a fine of \$3,000.00; reimburse the Board for investigative costs of \$2,793.33. Prior to any consideration for relicensure, the Respondent shall make full restitution to all damaged parties and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

**6. DISCIPLINARY HEARING:  
AIR MAX dba SERVICE MAX COOLING HEATING & PLUMBING, LICENSE NO. 53647**

Licensee was not present.

The following Agency Exhibit was entered:

- Exhibit 1 – Board Hearing File

Hearing Officer Higgins found Respondent Air Max dba Service Max Cooling Heating & Plumbing, license number 53647 guilty of violating NRS 624.3012(2) failure to pay for materials and services; NRS 624.302(5) failure or refusal to cooperate in an investigation; NRS 624.3013(3), failure to establish financial responsibility. License number 53647 is Revoked. Respondent was ordered to pay a fine of \$2,000.00; reimburse the Board for investigative costs of \$1,489.83. Prior to any consideration for relicensure, the Respondent shall make full restitution to all damaged parties 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 Higgins at 11:48 a.m.

Respectfully Submitted,

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Sandy Diederich, Recording Secretary

APPROVED:

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Margi A. Grein, Executive Officer

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Jerry Higgins, Hearing Officer