BRIAN SANDOVAL Governor

MEMBERS

Jan B. Leggett, Chairman Thomas "Jim" Alexander Kevin E. Burke Margaret Cavin Joe Hernandez Kent Lay Guy M. Wells

STATE OF NEVADA



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING May 18, 2016

REPLY TO:

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

www.nscb.nv.gov

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

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, May 18, 2016, State Contractors Board, Henderson and Reno, Nevada. <u>Exhibit A</u> is the Meeting Agenda and Exhibit B is the Sign in Log.

ADMINISTRATIVE LAW JUDGE:

Mr. Noah Allison, Esq.

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer

Mr. Paul Rozario, Director of Investigations

Mr. George Lyford, Associate Director

Mr. Daniel Hammack, Chief of Enforcement

LEGAL COUNSEL PRESENT:

Mr. David Brown, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law on April 14, 2016, at Paseo Verde Library, Sawyer State Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board's Internet Website.

ADMINISTRATIVE LAW JUDGE: NOAH ALLISON, ESQ.

1. DISCIPLINARY HEARING: (Continued from March 16, 2016)

ADDISON LANDSCAPING, INC., License No. 46744A

Licensee was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 2 – An e-mail from Antonia Fletcher dated March 29, 2016 with attached Clark County Building Department Notices of Violation.

Exhibit 3 – Documentation from Mr. and Mrs. Fletcher dated April 14, 2016.

Exhibit 4 – A summary of actions taken from Mr. and Mrs. Fletcher dated May 15, 2016.

The following Licensee Exhibits were entered:

Exhibit B – Clark County Building Permit No. 15-34010.

Exhibit C – Southern Nevada Amendments to the 2012 International Swimming Pool and Spa Code.

ALJ Allison continued this matter to June 22, 2016.

2. DISCIPLINARY HEARING: (Continued from April 20, 2016)

D&T DESIGN CONTRACTORS, LLC, License No. 79935

Licensee was present and represented by M. Joseph Miller, II, EA at the hearing.

The following Agency Exhibits were entered:

Exhibit 2 - A fax from Janet Wells with attachments.

ALJ Allison dismissed the First and Second Causes of Action. Investigative costs of \$2,769.00 are due within ninety (90) days of the May 18, 2016 hearing. Restitution to Janet and Howdy Wells in the amount of \$12,014.00 is to be paid within sixty (60) days of the May 18, 2016 hearing. Failure to comply with the Board's Decision and Order shall result in the suspension of license number 79935, D & T Design Contractors, LLC.

3. DISCIPLINARY HEARING: (Continued from April 20, 2016)

M. J. CONSTRUCTION CO., License No. 49337

Licensee was present and represented by Bradley Hofland, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3014(2)(a) aiding or abetting an unlicensed person to evade the provisions of this chapter and one (1) violation of NRS 624.3013(5), as set forth in 624.640(5) failure to include its license number and monetary license limit on its contracts. The Second and Fourth Causes of Action were dismissed. Respondent was assessed a fine of \$2,000.00 for the First Cause of Action and a fine of \$50.00 for the Third Cause of Action for total fines of \$2,050.00 and investigative costs of \$1,986.00. Respondent's license, number 49337 shall be reactivated. Respondent's license limit shall be lowered to \$2,300,000.00. Fines and investigative costs are due within sixty (60) days of the May 18, 2016 hearing or license number 49337, M. J. Construction Co. shall be suspended.

<u>ADJOURNMENT</u>

There being no further business to come before the Board, the meeting was adjourned by ALJ Allison at 10:48 a.m.

Respectfully Submitted,

Melinda Mertz, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Noah Allison, Esq., Administrative Law Judge