

KENNY C. GUINN
Governor

STATE OF NEVADA



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WILLIAM "BRUCE" KING
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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING

October 4, 2006

CALL TO ORDER:

Hearing Officer Jerry Higgins called the meeting of the State Contractors Board to order at 9:35 a.m., Wednesday, October 4, 2006, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

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
Mr. David Brown, Esq., Legal Counsel

The agenda was posted in compliance with the open meeting law on September 27, 2006 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: JERRY HIGGINS

1. CONTINUED DISCIPLINARY HEARING: Continued from July 12, 2006

VILLAGE BUILDERS OF NEVADA, INC., LICENSE NO. 44163 AND LICENSE NO. 54524

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 5 – Letter dated September 9, 2006 from Debbie Currie

Hearing Officer Higgins found Respondent Paul Thomas Cox, President, Village Builders of Nevada, Inc., license numbers 44163 and 54524 guilty of violating NRS 624.3011(2) for failing to obtain necessary permits. The First, Second Third and Fifth Causes of Action were dismissed. Mr. Cox was ordered to pay a fine of \$500.00 for the Fourth Cause of Action and investigative costs in the amount of \$3,440.00 within 90 days of October 4, 2006 or license numbers 44163 and 54524 will be automatically suspended.

2. DISCIPLINARY HEARING:

GRANITE TILE & MARBLE, LICENSE NO. 48614A

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File
Exhibit 2 – Letter dated June 23, 2006
Exhibit 3 – Series of invoices from Renee Harris
Exhibit 4 - Proposal from MTS on installation of tile

The following Respondent Exhibit was entered:

Exhibit A – Series of documents and letters

Hearing Officer Higgins found Respondent Kenneth Richard Dargert, President of Granite Tile & Marble, license number 48614A guilty of violating NRS 624.3017(1) substandard workmanship; 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 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; NRS 624.3013(3) failure to establish financial responsibility. Licensee was ordered to pay a fine of \$500.00 each for the First, Second, and Fifth Causes of Action; \$100.00 for the Third Cause of Action and \$250.00 for the Fourth Cause of action for a total fine of \$1,850.00 and reimburse the Board's investigative fees and costs in the amount of \$1,614.00 within 90 days of October 4, 2006 or license number 48614A will be automatically suspended. Licensee was also ordered to furnish a business and personal financial statement to the Board within 90 days of October 4, 2006 or license number 48614A will be automatically suspended.

3. DISCIPLINARY HEARING:
NEUFFER HOMES AND DEVELOPMENT, INC., LICENSE NO. 29056

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Higgins found Respondent Paul Michael Neuffer, President of Neuffer Homes and Development, license number 29056 guilty of violating NRS 624.3017(1) substandard workmanship; 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 624.3016(6) failure to comply with NRS 624.600 which requires disclosures by general building contractors; NRS 624.3013(3) failure to establish financial responsibility. License number 29056 was Revoked. Licensee shall pay full restitution to the damaged parties and reimburse the Board for investigative costs of \$1,692.00 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 Higgins at 10:55 a.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Jerry Higgins, Hearing Officer