

JIM GIBBONS
Governor

STATE OF NEVADA



STATE CONTRACTORS BOARD

MINUTES OF THE MEETING

June 2, 2010

REPLY TO:

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

www.nscb.state.nv.us

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

MEMBERS
Kevin E. Burke, Chairman
Donald L. Drake
Michael Efstratis
Nathaniel W. Hodgson, III
William "Bruce" King
Stephen P. Quinn
Guy M. Wells

CALL TO ORDER:

Hearing Officer Michael Efstratis called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday June 2, 2010, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

OTHER BOARD MEMBERS PRESENT:

None

STAFF MEMBERS PRESENT:

Ms. Margi A. Grein, Executive Officer
Mr. George J. Lyford, Director of Investigations
Mr. Gary Hoid, Deputy Director of Investigations

LEGAL COUNSEL PRESENT:

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

The agenda was posted in compliance with the open meeting law May 26, 2010 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:

REYENEN & BARDIS COMMUNITIES OF NEVADA, LICENSE NO. 61631

Licensee was present with Alex Flangas, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File
Exhibit 2 – May 26, 2010 letter from NSCB

The following Respondents Exhibits were entered:

Exhibit A – Series of documents
Exhibit B – Email dated January 6, 2010 from Van Every to Reyenen & Bardis

Hearing Officer Efstratis found the Respondent guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Efstratis ordered the license remain suspended. Respondent was ordered to pay a fine of \$100.00

each for the First and Third Causes of Action for a total fine of \$200.00; reimburse the Board for investigative costs in the amount of \$2,123.58 within sixty (60) days from June 2, 2010 or license number 61631 will automatically be revoked. No fine was imposed on the Fourth Cause of Action.

2. DISCIPLINARY HEARING:
NORTHRIDGE REMODELING, LICENSE NO. 73081

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Stipulated Revocation letter

Hearing Officer Efstratis found the Respondent guilty of violating 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 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Efstratis ordered the revocation of license number 73081. Respondent was ordered to pay a fine of \$2,000.00 for the First Cause of Action, \$500.00 each for the Second and Third Causes of Action for a total fine in the amount of \$3,000.00; reimburse the Board for investigative costs of \$1,750.00; pay full restitution to damaged parties and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

3. DISCIPLINARY HEARING:
POWERHOUSE LAWN & LANDSCAPING, LICENSE NOS. 33895 AND 68865

Licensee was present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Efstratis found the Respondent guilty of violating NRS 624.302(1)(a) contracting, offering to contract or submitting a bid as a contractor if the contractor's license: has been suspended or revoked pursuant to NRS 624.300; NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; NRS 624.3015(2) bidding to contract or contracting for a sum for one construction project in excess of the limit placed on the license by the Board; 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 624.3018(2) association of any act or omission constituting a cause for disciplinary action; NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Efstratis ordered the suspension of license number 68865. Respondent was ordered to pay a fine of \$100.00 each for the First, Second Third and Fourth Causes of Action for a total fine in the amount of \$400.00; reimburse the Board for investigative costs of \$1,982.08 within sixty (60) days from June 2, 2010 or license number 68865 will automatically be revoked. Respondent shall provide to the Board a current financial statement that supports the B-2 monetary license limit within sixty (60) days of June 2, 2010 or license number 68865 will automatically be revoked.

**4. DISCIPLINARY HEARING:
PINNACLE CONSTRUCTION & DEVELOPMENT INC, LICENSE NO. 56145**

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File
Exhibit 2 – May 13, 2010 letter

Hearing Officer Efstratis found the Respondent guilty of violating NRS 624.302(5) failure or refusal to cooperate in an investigation; NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Efstratis accepted the stipulated revocation of license number 56145. Respondent was ordered to pay a fine of \$250.00 each for the First and Second Causes of Action, \$500.00 for the Third Cause of Action for a total fine in the amount of \$1,000.00; reimburse the Board for investigative costs of \$1,708.00; pay full restitution to damaged parties and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

**5. DISCIPLINARY HEARING – DEFAULT ORDER:
TRIPLE CROWN CONSTRUCTION DEVELOPMENT INC, LICENSE NO. 45825**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Efstratis found the Respondent guilty of violating NRS 624.302(5) failure or refusal to cooperate in an investigation; NRS 624.302(6) failure or refusal to comply with a written request by the Board for information or records; NRS 624.3013(5) by failing to notify the Board of the Bankruptcy as required in NRS 624.263(3); NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Efstratis accepted the stipulated revocation of license number 45825. No fines or fees were imposed due to the Respondent's bankruptcy.

**DISCIPLINARY HEARING – STIPULATED REVOCATION:
B S A CONSTRUCTION, LICENSE NO. 66728**

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File
Exhibit 2 – Stipulated Revocation letter

Hearing Officer Efstratis found the Respondent guilty of violating NRS 624.3016(1) fraudulent or deceitful act; NRS 624.302(5) by failing or refusing to respond to a written request from the Board or its designee to cooperate in the investigation of a complaint; NRS 624.302(6) failing to provide records; NRS 624.3013(4) failing to maintain bond; NRS 624.3013(3) failure to establish financial responsibility. Hearing Officer Efstratis accepted the stipulated revocation of license number 66728. Respondent was ordered to pay a fine of \$1,000.00 for the First Cause of Action, \$250.00 each for the Second and Third Causes of Action, \$500.00 each for the Fourth and Fifth Causes of Action for a total fine in the amount of \$2,500.00; reimburse the Board for investigative costs of \$1,910.00; pay full restitution to damaged parties and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

2. DISCIPLINARY HEARING – STIPULATED REVOCATION
EAGLE MASONRY, LICENSE NOS. 70010, 70012

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Stipulated Revocation letter

Hearing Officer Efstratis found the Respondent guilty of violating NRS 624.302(5) by failing or refusing to respond to a written request from the Board or its designee to cooperate in the investigation of a complaint; NRS 624.3013(4) failing to maintain bond; 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 Officer Efstratis accepted the stipulated revocation of license numbers 70010 and 70012. Respondent was ordered to pay a fine of \$250.00 for the First Cause of Action, \$500.00 each for the Second and Fourth Causes of Action for a total fine in the amount of \$1,250.00; reimburse the Board for investigative costs of \$1079.32; pay full restitution to damaged parties and any claims and associated expenses that may be paid out of the Residential Recovery Fund. No fine was imposed for the Third Cause of Action.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Efstratis at 10:35 a.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Michael Efstratis, Hearing Officer