

JIM GIBBONS
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State of Nevada



STATE CONTRACTORS BOARD

FINANCIAL RESPONSIBILITY HEARINGS April 28, 2010

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

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

1. CALL TO ORDER:

Hearing Officer Stephen Quinn called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, April 28, 2010, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign in Log.

BOARD MEMBERS PRESENT:

Mr. Stephen Quinn, Hearing Officer

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. George Lyford, Director of Investigations
Mr. Daniel Hammack, Chief of Enforcement
Ms. Nancy Mathias, Licensing Administrator

LEGAL COUNSEL PRESENT:

Mr. Jonathan Andrews, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on April 21, 2010, at Las Vegas City Hall, Sawyer State Building, Clark County Library and 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.

2. PUBLIC COMMENT

No one from the general public was present to offer comment.

3. FINANCIAL RESPONSIBILITY HEARING:

NU BATH, License No. 70368

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing file.

The following Respondents Exhibits were entered:

Exhibit A – Authorization letter from Tamara Moran dated April 26, 2010 requesting Charles Moran represent her at the Board Hearing.

Copy of Certificate of Death of daughter.

List of trade references of current accounts with Nu Bath.

Correspondence to Bank of America Home Loans dated April 17, 2010 proving effort to correct credit.

Proof of funds to reinstate bond upon approval of Board.

Hearing Officer Quinn ordered Respondent to pay investigative and staff costs of \$468.41. The monetary limit was reduced to \$20,000.00, a \$10,000.00 bond must be posted and a \$20,000.00 aggregate limit was established. New projects must be reported to the Board and supplies must be paid for in cash. Respondent must return to Board in six (6) months with proof that debt amount has been reduced significantly, if debt has not been reduced, license number 70368 will be revoked. Costs must be paid within sixty (60) days of the Board Hearing or license number 70368, Nu Bath, will be suspended.

4. FINANCIAL RESPONSIBILITY HEARING:

B K S PAINTING, License No. 72032

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing file.

Hearing Officer Quinn found Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility; one (1) violation of NRS 624.302(6) failing to comply with a written request by the Board. Respondent was assessed a fine of \$500.00 for the First Cause of Action and a fine of \$1,000.00 for the Second Cause of Action and investigative costs of \$461.28. License number 72032, B K S Painting was revoked.

5. FINANCIAL RESPONSIBILITY HEARING:

DREW HUBBELL CONSTRUCTION, License No. 71980

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing file.

Hearing Officer Quinn found Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility. Respondent was assessed a fine of \$500.00 and investigative costs of \$466.28. Fines and costs must be paid within sixty (60) days of the April 28, 2010 Board Hearing or license number 71980, Drew Hubbell Construction, will be revoked. License is suspended until Board receives a current financial statement

6. FINANCIAL RESPONSIBILITY HEARING:

J & J STUCCO LATH AND PLASTER, License No. 71159

Licensee was present with Public Accountant Orlando Condori.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing file.

Hearing Officer Quinn continued the matter for thirty (30) days to allow Respondent to submit a financial statement that is prepared by a Certified Public Accountant. Costs in the amount of \$478.41 were assessed and must be paid within thirty (30) days. License number 71159, J & J Stucco Lath and Plaster is to remain suspended.

7. FINANCIAL RESPONSIBILITY HEARING:

COTA FRAMING, INC., License No. 72028

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing file.

Hearing Officer Quinn found Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility; one (1) violation of NRS 624.302(6) failing to comply with a written request by the Board. License number 72028, Cota Framing, Inc. is suspended. Respondent was assessed a fine of \$500.00 for the First Cause of Action and \$1,000.00 for the Second Cause of Action and costs of \$467.16. Fines and costs must be paid and a financial statement that supports license limit must be submitted within four (4) months of the April 28, 2010 Board Hearing. If not submitted, license number 72028, Cota Framing, Inc., will be revoked.

8. FINANCIAL RESPONSIBILITY HEARING:

WALL DONE PAINTING, INC., License No. 71968

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing file.

Hearing Officer Quinn found Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility; one (1) violation of NRS 624.302(6) failing to comply with a written request by the Board. Respondent was assessed a fine of \$500.00 for the First Cause of Action and a fine of \$1,000.00 for the Second Cause of Action and costs of \$465.03. License number 71968, Wall Done Painting, Inc. was revoked.

9. FINANCIAL RESPONSIBILITY HEARING:

M T G YARDSCAPE, LLC, License No. 72092

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing file.

Hearing Officer Quinn found Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility; one (1) violation of NRS 624.302(6) failing to comply with a written request by the Board. Respondent was assessed a fine of \$500.00 for the First Cause of Action and a fine of \$100.00 for the Second Cause of Action and costs of \$470.91. License limit was reduced to \$5,000.00 and bond remains at \$5,000.00. Fines and costs must be paid within

forty five (45) days of the April 28, 2010 Board Hearing or license number 72092, M T G Yardscape, LLC will be suspended. A financial review is required every six months for one year.

10. FINANCIAL RESPONSIBILITY HEARING:

LEONS CONSTRUCTION, License Nos. 71776 and 71894

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing file.

Hearing Officer Quinn found Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility; one (1) violation of NRS 624.302(6) failing to comply with a written request by the Board. Respondent was assessed a fine of \$500.00 for the First Cause of Action and a fine of \$1,000.00 for the Second Cause of Action and costs of \$465.03. License numbers 71776 and 71894, Leons Construction are suspended for sixty (60) days from the April 28, 2010 Board Hearing. Payment of fines, costs and a Certified Public Accountant prepared financial statement supporting the license limit must be provided prior to reinstatement of the license.

11. FINANCIAL RESPONSIBILITY HEARING:

LIONSGATE CABINET COMPANY, LTD, License No. 68954

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing file.

This matter was continued for thirty (30) days.

12. FINANCIAL RESPONSIBILITY HEARING:

BLUE ROCK DEVELOPMENT, INC., License No. 72433

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing file.

Hearing Officer Quinn found Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility; one (1) violation of NRS 624.302(6) failing to comply with a written request by the Board. Respondent was assessed a fine of \$500.00 for the First Cause of Action and a fine of \$1,000.00 for the Second Cause of Action and costs of \$468.41. License number 72433, Blue Rock Development, Inc. was revoked.

13. FINANCIAL RESPONSIBILITY HEARING:

FLOORING MASTERS, dba EVEREST CONSTRUCTION, License No. 70076

Licensee's Qualified Employee, Deniss McLaine was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing file.

Hearing Officer Quinn found Respondent guilty of one (1) violation of NRS 624.3013(3) failing to establish financial responsibility; one (1) violation of NRS 624.302(6) failing to comply with a written request by the Board. Respondent was assessed a fine of \$500.00 for the First Cause of Action and a fine of \$1,000.00 for the Second Cause of Action and investigative costs of \$480.17. License number 70076 will be suspended as of Monday, May 3, 2010 to allow licensee time to pull a permit on a current project. Fines and costs must be paid within forty five (45) days of the April 28, 2010 Board Hearing or license number 70076, Flooring Masters, dba Everest Construction will be revoked.

ADJOURNMENT

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

Respectfully Submitted,

Janet Brinkley, Recording Secretary

APPROVED:

Margi Grein, Executive Officer

Stephen Quinn, Hearing Officer