



# NEVADA CONTRACTORS' BILLBOARD

Kenny Guinn, Governor

Spring 2005

Margi Grein, Executive Officer

## NSCB Sponsors Contractor Education Classes

Recognizing the need to build greater consumer confidence in licensed contractors, the Board created a voluntary education program to promote and develop higher standards in business management. History has shown that when contractors understand the key business principals of contracting, complaints decrease and customer satisfaction increases.

Codes, Insurance and Bonding, Estimating and Bidding, and an overview of the Board and applicable provisions of NRS 624.



The voluntary classes assist in providing contractors with the fundamental skills needed to succeed in their businesses.

The program incorporates the following core skill requirements: Contract Management, Project Management, Project Scheduling, Mechanics liens, Customer Service, Reading Plans and Specifications, Safety, Building

The Nevada State Contractors Board and the Associated General Contractors Las Vegas Chapter are sponsoring a series of Construction Education classes in the Las Vegas area through

June of 2005. The classes are offered at minimal cost to licensed contractors and their employees. Most are only \$25.

Some classes that are offered include:

- Introduction to Construction
- Basic Print Reading
- Customer Service
- Mechanic's Lien
- Estimating
- Project Management Skills
- Contract Negotiations
- Uniform Building Codes
- OSHA

Please visit the NSCB website for more information about current class schedules and locations as well as new educational opportunities for contractors.



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## Education Commission Supports Industry Programs

The Nevada Commission on Construction Education was created by the 2001 session of the Nevada Legislature to review programs of education and award grants to qualifying programs. Meetings were conducted in late 2001 and early 2002 to develop the grant application process. The commission has met nine times since its inception, the most recent being on December 1, 2004 and February 2, 2005. The commission dispersed over \$445,000 including grants to the following programs:

### Nevada Chapter AGC

The Nevada Chapter AGC conducts construction education

programs in elementary and middle schools. The organization also hosts a Construction Career Day including engineering career opportunities, demonstrations with heavy equipment, safety, field trips to jobsites, and hands-on building projects for preschool through 6<sup>th</sup> grade students. The chapter's Introduction to Construction Technology classes for 9<sup>th</sup> through 12<sup>th</sup> grade students will be expanding in the upcoming school year.

The Nevada Chapter AGC hosts competitions at University of Nevada Reno. The UNR/AGC Cooperative Training

program continues to help students with construction internship career opportunities.

### AGC Las Vegas Chapter

The AGC Las Vegas Chapter provides classes at a nominal fee for contractors and those interested in contracting. Classes include construction-related teacher in-service training. Construction career information and tool kits are distributed to Clark County School Districts Career and Technical Education Departments among its other educational programs.

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Margi Grein, NSCB Executive Officer



## Participate in The Legislative Process

It's that time again. The 73rd Regular Session of the Nevada Legislature began on February 7, 2005.

I encourage each member of the construction industry to take an active part in the legislative process to ensure favorable outcomes for your industry. As our elected officials begin the

quest for new answers, solutions and standards, we must all be aware of the process at hand and ready to lend a voice when necessary. The issues discussed and the subsequent decisions will either directly or indirectly affect you and your business.

Ideas for new legislation come from government, elected officials, businesses, lobbyists, and citizens. That could be you. Many of our current laws were initiated by one voice determined to make a difference. Contact your legislator or industry association and let your voice be heard.

The Nevada Legislature has an online service that enables you to track proposed legislation. You can find it at [www.leg.state.nv.us/73rd/Subscriber](http://www.leg.state.nv.us/73rd/Subscriber). There you can create a list of bills of interest to you and receive email updates.

Let's continue to work together toward positive results for Nevada's construction industry and therefore for all citizens of Nevada.

## Business Assistance Program Helps Streamline the Application Process



licensure and completing the application forms. The program also includes help for licensees in preparing change applications for existing licenses. In the Business Assistance Program, a license analyst will review any new or change application to ensure compliance with all appropriate statutory guidelines and regulatory requirements.

Eight informational workshops were conducted in 2004 - 214 applicants attended. Content of the workshops include an overview of NRS Chapter 624, a review of Nevada Administrative Code (NAC) to assist in determining appropriate license classifications;

information concerning examinations and requisite experience; establishing financial fitness and surety bond requirements. In addition, applicants are provided information to assist them in locating source documents and

compiling documents for the application process. A checklist of state and local requirements for doing business in Nevada is also provided.

Workshop attendees have found the information very helpful. "I've been licensed since 1990 and it's been a long time since I've been a part of the licensing process. This class really helped me out," says Larry Greene of Terra Vision Construction.

Information about upcoming Business Assistance Program workshops can be found on the Contractors Board website, [www.nscb.state.nv.us](http://www.nscb.state.nv.us) in the Contractor Information section under Business Assistance Program.

To register for the Business Assistance Program, contact Licensing Consultant, Lisa Bedsole at (702) 486-1100 x1120 or (775) 688-1141 x1120 or send an email to: [lbedsole@nscb.state.nv.us](mailto:lbedsole@nscb.state.nv.us).

During Fiscal Year 2003-2004, the NSCB Licensing Department implemented a Licensing Assistance Program, aimed at providing applicants for a contractors license assistance in understanding the requirements for



# Nevada State Contractors Board

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The Contractors' Billboard is designed for licensed contractors doing business in Nevada.

If you have questions or concerns, please write to us. We will try to address them in an upcoming issue.

**Mission Statement**

The Nevada State Contractors Board is committed to promote integrity and professionalism in the construction industry of Nevada

The Nevada State Contractors Board has the responsibility to promote quality construction by Nevada licensed contractors through a regulatory licensing system designed to protect the health, welfare and safety of the public.

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## Across The Board

July 1, 2004 - December 31, 2004

### Investigations Division

#### **Compliance Investigations Unit**

Investigations Conducted	1,169
Investigations Closed	1,082
Licenses Revoked	43
Fines Assessed	\$165,750
Investigative Costs Assessed	\$197,839
Recovery Fund Claims Awarded	\$109,363

#### **Special Investigations Unit**

Investigations Conducted	1,228
Investigations Closed	1,248
Felony Cases Filed	33
Criminal Complaints Filed with District Attorney	162
Citations Issued	313
Convictions	134
Restitution Ordered by the Court	\$113,217
Fines Assessed by Court	\$42,308

### Licensing Division

New License Applications Received	1,035
New Licenses Issued	801
License Change Applications Received	1,159
Licensed Nevada Contractors (as of 3/1/05)	14,429

The Contractors' Billboard is published by the Nevada State Contractors Board as a service to licensed contractors to promote a better understanding of Nevada Contracting law and to provide information of interest to all construction professionals. This information is believed to be accurate at the time of publication. The Contractors Board and the State of Nevada assume no responsibility for any damage that arises from any action that is based on information found in this publication.

## Safety Degree Program to Start at CCSN

By Joe Wheeler

The Community College of Southern Nevada will offer a two-year Associates Degree in Occupational Safety & Health starting with the fall semester, and students who complete the program will be certified in several key areas as part of the curriculum.

"We've been working on this program for some time," said Jason Rozar, a loss control consultant with Risk Services-Nevada who acted as a consultant for the college. "The college offered several safety-related classes that never attracted a student base because there was no degree or certification tied to them, so we took those as a starting point and built the program from there."

Industrial hygiene, fire prevention and building codes were some of the classes that had long been part of the school's curriculum, yet attracted few

students. Those offerings have been given new life as part of the degree program, according to Rozar, who said that in addition to the existing classes, the college has developed courses on safety laws and regulations, introduction to hazardous materials and transportation of hazardous materials. More importantly, students will earn several important certifications as they fulfill their educational requirements.

Students will complete the OSHA 10 and 40 hour certifications and 40 hour Hazwoper as part of the program. The 40 hour Hazwoper certification is part of the class load for the two-year degree, which requires students to fulfill 30 hours of "core" credits such as history and math. Students who don't wish to complete the 30 hours of core credits can concentrate on occupational safety and health, and earn a

separate safety certification at the end of their training. The OSHA training and Hazwoper are part of the certificate program.

"Students who want to specialize in just safety can get a Certificate of Management – Occupational Safety & Health by completing the safety and health part of the curriculum," Rozar said. "Someone in the program, even just on the certificate side, would still have the OSHA 10, 40 and Hazwoper certifications."

Rozar said the college expects between 20 to 30 students the first year, with an ongoing student population of 60 to 100. He said that with more employers emphasizing safety and loss control, the availability of the degree and safety certificate program is a boon for Southern Nevada.

## Don't Let "Return to Sender" Happen to You



Can the Contractors Board find you? Don't let lost mail result in discipline against your license. Please keep in mind that state law requires that you notify the NSCB in writing of any change to your mailing address. Your "address of record" is the mailing address that the NSCB

uses to send important notices to you like renewal forms, notices of complaints filed, citations, notices of hearings, decisions and orders. If you fail to receive mail from us, it may cause the suspension or even the revocation of your license without your knowledge.

The NSCB is required to notify licensed contractors of all citations, hearings and disciplinary actions that may be taken against their license. These notices are generally sent via certified mail to the last known address of record on file with our office. When the letter is mailed, under Nevada law, the NSCB's obligation is satisfied and the contractor has been legally served.

Be sure to open mail from the NSCB immediately and read the notices carefully. Legal notices are time sensitive and usually require a reply within a specified number of days – the clock starts running when the letter was mailed. Do not allow the letter to go unnoticed or the time may run out and you may lose your right to respond.

Please check our website at [www.nscb.state.nv.us](http://www.nscb.state.nv.us) to verify that your mailing address is correct. This should be done periodically. If it is not correct, notify the NSCB of your correct address. Contact us at (702) 486-1100 or (775) 688-1141 for instruction on updating your information.

*Construction Education Commission, continued from page 1*

**National Association of Minority Contractors**

The National Association of Minority Contractors (NAMC) designed and developed a Capacity Building Program to help contractors and other individuals with employment opportunities. They have trained students on construction sites throughout Clark County. Students are evaluated for communication skills, adaptability, flexibility, safety, stress tolerance, active listening, ethical behavior, conscientiousness, industry knowledge and competitiveness. Quality control and quality assurance mechanisms are built into courses.

**Clark County School District**

The Clark County School District revamped the Construction Trades Program at Southern Nevada Voca-

tional/Technical Center. The district plans to implement Woods Technology II so students can work on larger projects. A second and third year carpentry course will be offered for juniors and seniors. Seniors pursuing a career in construction will have the opportunity to be placed in an internship through the program.



**Academy for Career Education (ACE)**

ACE is a Sparks charter school dedicated to teaching academics through the application of construction skills. The school is a result of collaboration between the Washoe County School District and the construction industry. Juniors and seniors at ACE learn excavation, drywall installation, tiling, roofing, plumbing and landscaping in a hands-on teaching environment.

Students at ACE build a house from the ground up every year.

The Nevada Commission on Construction Education will meet on May 3, 2005. Grant applications are due by April 15, 2005. Application forms are available on the NSCB website, [www.nscb.state.nv.us](http://www.nscb.state.nv.us).

**Southern Nevada Water Authority Contractor Outreach 2005**

*New Pool Program to be Added this Spring*

In spite of recent record rainfall, Southern Nevada is entering its sixth consecutive year of drought, the Southern Nevada Water Authority (SNWA) continues to partner with contractors and retailers to promote water conservation and outdoor living.

The SNWA's **Water Smart Contractor** program provides water-smart training to licensed land-

scape contractors. The eight-hour course is divided into two sections. The first section, SNWA Programs, covers landscape standards that comply with regional laws, codes and conservation programs. The second section, Efficient Irrigation, covers proper irrigation techniques and scheduling.

**Schedule of 2005 Water Smart Contractor classes through June 2005**

4/12/05	4 hours	1 p.m. – 5 p.m.	SNWA Programs
4/13/05	4 hours	1 p.m. – 5 p.m.	Efficient Irrigation
4/22/05	8 hours	8 a.m. – 5 p.m.	Spanish Track including SNWA Programs & Efficient Irrigation
6/14/05	4 hours	1 p.m. – 5 p.m.	SNWA Programs
6/15/05	4 hours	1 p.m. – 5 p.m.	Efficient Irrigation

program is a great way to address the issue of pool maintenance and water conservation through education."

The outreach program does not include restrictions on pool size or pool construction. The SNWA will be contacting pool-related companies by phone and mail to explain more about the program. If you have any

SNWA's outreach efforts now include pool contractors and related issues. "Pools are a way of life for many residents in the desert, so it's important we manage them as efficiently as possible," said Doug Bennett, Conservation Manager of the Southern Nevada Water Authority. "The pool outreach

questions or would like to team up with the SNWA, please call (702) 258-3836. The pool outreach program is expected to launch in Spring.

**To sign up for a class, visit [snwa.com](http://snwa.com) or call 258-3946.**

**BOARD DISCIPLINARY ACTIONS 7/1/04 - 12/31/04**

Note: Actions do not include contractor's licenses suspended for failure to maintain surety bond.

**KEY - Grounds for Disciplinary Action and Related Statutes**

NRS 624.301	Abandonment or failure to complete or prosecute diligently a project for construction; willful failure to comply with the terms of a contract or written warranty.
NRS 624.3011	Disregard of plans, specifications, laws or regulations
NRS 624.3012	Diversion of money; failure to pay for materials or services; failure to release lien on property to be improved
NRS 624.3013	Failure to keep records or maintain bond; misrepresentation; failure to establish financial responsibility or comply with regulations of Board
NRS 624.3014	Misuse of license; evasion of law
NRS 624.3015	Acting beyond the scope of a license; contract with unlicensed contractor; constructing or repairing a mobile home, manufactured home or commercial coach; engaging in work that requires a license while license is inactive
NRS 624.3016	Fraudulent or deceitful acts; criminal conviction; improper acts involving liens; improper acts involving residential pools and spas; failure to make required disclosure; failure to pay assessment; improper acts involving contracting for public work
NRS 624.3017	Substandard workmanship; incomplete advertising; advertising projects beyond the scope of the license
NRS 624.30175	Suspension of license for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license
NRS 624.3018	Certain persons prohibited from serving as officer, director, associate or partner of licensee
NRS 624.302	Contracting, offering to contract or submitting bid if license is suspended, revoked or inactive; failure to comply with written citation or pay administrative fine; suspension or revocation of license in other state or disciplinary action in other state; failure or refusal to respond with written requests of the Board
NRS 624.305	Unlawful use, assignment or transfer of a license; revocation of license
NRS 624.700	Engaging in business or submitting a bid without license unlawful; prosecution; damages; bid submitted in violation of section void
NRS 624.720	Unlawful advertising; disconnection of telephone number or beeper listed in unlawful advertisement

For more information, see the "State Contractors Board Handbook" or visit the Nevada Legislature's website, [www.leg.state.nv.us](http://www.leg.state.nv.us).

**IC=investigative costs    Ltr of rep=Letter of Reprimand    F=fine    R=Restitution**

Name	License	Disposition	Violations
Unique Drywall	37374A	Revoked	624.3012(3), 624.3013(3), 624.3013(5)
Covenant Painting	45364	Revoked	624.3017(1), 624.3013(5), 624.3016(1), 624.301(2), 624.301(5), 624.3013(3), 624.3013(5)
Schendel Roofing	43862	Revoked	624.3012(2), 624.302(5), 624.3013(3), 624.3013(5)
Foliage Unlimited Landscaping, LLC	51274; 42780	Revoked	624.3017(1), 624.700(3)(a), 624.3014(2)(a)(b)(d), 624.3015(1), 624.640(5), 624.520(1), 624.3018, 624.3013(5)
Lexis Construction Co	52660	\$400 F; R	624.3017(1), 624.3013(3), 624.302(6), 624.640(5), 624.3013(2), 624.3016(6), 624.3012(3), 624.520(1)
Michael Masonry Inc	21463	Revoked	624.640(3), 624.3013(3), 624.302(5), 624.302(6), 624.3012.2
Green Tree Development Group LLC	49551	Revoked	624.3017(1), 624.301(5), 624.3015(3), 624.640(6), 624.3015(1), 624.3013(3), 624.302(5), 624.520(1)
Work Right Construction Co.	43374	Revoked	624.3017(3), 624.640(3), 624.3016(6), 624.3017(1), 624.700(3)(a), 624.302(5), 624.3011(1)(b)(1), 624.302(6), 624.3015(1), 624.3015(3), 624.3014(2)(a)(b)(d), 624.520(1)
Sunland Landscape Inc	41793	Revoked	624.3017(1), 624.700(3)(a), 624.3013(3), 624.302(6), 624.520(1), 624.3015(1), 624.640(5), 624.3011(1)(b)(1)
Pueblo Landscape Company, Inc.; Pueblo Concrete Co.; Site Management Corp	45406A & 50367; 49050; 54158; 55029 & 55030	Revoked	624.3012(2), 624.3013(3), 624.302(6), 624.3018(2), 624.3014(1), 624.305(1), 624.305(2), 624.3015(5), 624.3019(2)
The Flooring Company	43387	Revoked	624.302(1)(b), 624.640(5), 624.3014(1)(a), 624.3013(4), 624.3013(3), 624.3016(6)
D & D Cleaning & Restoration Inc.	45499	Revoked	624.3017(1), 624.302(6), 624.700(3)(a), 624.3013(3), 624.302(5)
Thatchercraft Cabinets; Desert Breeze	53951; 53000	Revoked	624.3017(1), 624.3013(4), 624.700(3)(A), 624.520(1), 624.301(2), 624.640(5), 624.3013(3), 624.3018(2)
Manley Masonry Inc	44808	Revoked	624.3012(2), 624.3013(3), 624.302(6), 624.302(5)

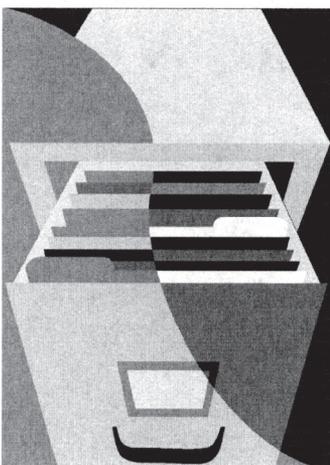
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DISCIPLINARY ACTIONS, CONTINUED

Name	License	Disposition	Violations
S & S Roofing	41123	Revoked	624.3017(1), 624.3013(5), 624.3011(1)(a), 624.3015(2), 624.3013(5), 624.3013(3)
Fiori Corp	20135; 20720	\$1,000 F; IC	624.3017(1), 624.3013(3), 624.3013(5), 624.3013(5)
American General	22816 & 22816A	\$4,600 F; IC	624.3017(1), 624.3013(5), 624.3013(5), 624.3016(6), 624.3013(3), 624.3012(2)
Hamlin Development Co.; Hamlin Development Co., Inc.	47827; 47827A	Voluntary Surrender; \$1,500 F; IC	624.3013(5), 624.3013(5), 624.3014(2), 624.3015(2), 624.600, 624.3013(5)
Environmental Landscape Inc.	45034	\$1,000 F; IC	624.3013(3), 624.302(5), 624.302(6), 624.3015(3)
Jim Bird Tile & Marble; Jim Bird Tile & Marble Inc.	45541	\$1,200 F; IC	624.3017(1), 624.640(5), 624.3013(3), 624.302(6), 624.520(1), 624.3015(2)
T E C Electric Inc	47680	Voluntary Surrender	624.3013(3), 624.302(6), 624.3013(4)
Turf Master Inc.	48514	Revoked	624.3016(1), 624.301(2), 624.301(4), 624.3017(1), 624.700(3)(a), 624.3013(3), 624.302(6), 624.302(5), 624.520(1)
Mike Tocco Roofing Inc	46627	\$700 F; IC	624.3017(1), 624.640(5), 624.3013(3), 624.302(6), 624.520(1), 624.302(5)
All City Glass Inc.	46098	\$250 F	624.3013(3), 624.640(5)
Jess Arndell Construction	9369B; 9369C	\$500 F	624.3017(1), 624.700(3), 624.3018(2), 624.3013(3)
J & L Builders	32493	\$450 F; IC	624.3017(1), 624.3016(6), 624.3013(5) 520(1)
Custom Sheet Metal	36492	\$1,000 F; IC	624.3017(1), 624.3013(5) 700(3), 624.3013(5) 640(5), 624.3013(5) 520(1), 624.3015(5) 640(5), 624.3011(1)(a), 624.3013(3)
Dakem & Associates, LLC	47757	\$1,100 F; IC	624.3017(1), 624.3011(1)(b)(1), 624.520(1), 624.600, 624.640(5)
Distinctive General Contracting	45304; 51595	Revoked	624.3013(3), 624.302(5), 624.302(6), 624.301(2), 624.3018(2)
Empire Plumbing, Inc.	51461	Suspended; Permanent Ltr of Rep; \$4,000 F; IC	624.3017(1), 624.302(6), 624.3013(3), 624.520(1), 624.302(5)
Creative Pool Design	32964A	Permanent Ltr of Rep; \$13,000 F; IC; R	624.3017(1), 624.700(3)(a), 624.3013(3), 624.520(1), 624.6958(2)(d), 624.6964(3), 597.719(3)(b)(1), 597.716(5), 597.719(2)(h), 624.600., 597.719(2)(d)
Western Air Mechanical	46458; 46457	Revoked	624.3012(2), 624.3013(3), 624.302(5), 624.3018(2), 624.3013(4)
La Paz Ceramic Tile, Inc.	46486	Revoked	624.3017(1), 624.700(3)(a), 624.3015(3), 624.640(5), 624.3012(2), 624.3013(3), 624.3013(4), 624.640(3), 624.3018(2), 624.302(5)
Citadel Design Construction, LP; Citadel Design Construction, Inc.	50637; 36070	Revoked	624.3013(3), 624.302(6), 624.640(3)
Bakspin Associates, LLP	49123	Revoked	624.3017(1), 624.700(3)(a), 624.3013(3), 624.302(6), 624.302(5), 624.640(3)
New Vision Electric	52895	IC	624.3013(4), 624.3013(3), 624.302(6)
Las Vegas Air Conditioning, Inc.	51959	Revoked	624.3017(1), 624.520(1), 624.3015(1), 624.302(1)(a), 624.640(5)
Mirage Electric Corp.; Mirage Electrical Service Corp.	44044; 56049	Voluntary Surrender; IC	624.302(6), 624.302(5), 624.3018(2)
Desert Comforts	53294	\$1,600 F; IC	624.3017(1), 624.700(3)(a), 624.302(5), 624.3015(1), 624.3014(2)(a)(b)(d), 624.520(1), 624.720(1), 624.3011(1)(b)(1)
Wright Brothers Tile, Inc.	48773, 48774	\$450 F; IC	624.3015(1), 624.3014(2)(b)(C)(d)(e), 624.640(6), 624.640(5), 624.520(1)
G M Steel	52469	Revoked	624.3013(3), 624.302(6), 624.3602(5), 624.640(3)
Blue Sky Pools	33948	Revoked	624.3017(1), 624.700(3)(a), 624.520(1), 624.3013(3), 624.302(6), 624.302(5), 624.640(5), 624.640(3), 624.3016(5)
Earth Development, Inc.; Earth Development; Lasting Impressions	38301; 51979; 55139	Revoked	624.3013(3), 624.302(6), 624.3018(2); 624.3012(2); 624.301(1), 624.302(5), 624.3015(1), 624.700(3)(A)
D B A Contracting	48787	1 yr Ltr of Rep	624.3017(1); 624.3015(3)
Monster Siding	31944	Revoked	624.3017(1), 624.3013(5) 700(3), 624.3013(5) 520(1), 624.3013(5) 640(5), 624.3013(3), 624.3011(1)(a)
Golden Bear	37123	\$400 F; IC	624.3016(6), 624.3013(3), 624.3015(2), 624.3013(5) 624.520(1)
Ray Lavoie	29057	Permanent Ltr of Rep; IC	624.3017(1)
Vanco	40422	Revoked	624.3017(1), 624.3013(5) 700(3), 624.3013(3), 624.3013(5) 520(1)
Geo Cox	14221	\$2,100 F; IC	624.3017(1), 624.3015(2), 624.3013(5) 640(5), 624.3013(5) 520(1), 624.3016(6), 624.3014(2 a-d), 624.3016(1), 624.3015(2)

DISCIPLINARY ACTIONS, CONTINUED

Name	License	Disposition	Violations
Unique Tile & Marble, Inc.	55583	Revoked	624.3012(3), 624.3015(2), 624.520(1), 624.302(5), 624.640(5), 624.3013(3), 624.302(6)
Rockwood Development Corp.	50217, 50218	1 yr Probation; \$3,000 F; IC	624.3016(1), 624.3013(3)
Darby Neagle Enterprises; Darby Neagle Enterprises; Western Pacific Contractors	45040; 46603; 53199	Suspended; \$2,000 F; IC	624.3012(2), 624.302(5), 624.3013(3), 624.302(6), 624.640(3), 624.3018(2)
Taggart Construction	47458	Revoked	624.3017(1), 624.700(3)(a), 624.301(2), 624.301(4), 624.3013(3), 624.302(6), 624.520(1), 624.3014(2)(a)(b)(c)(d), 624.305(1)(2), 624.302(5), 624.3011(1)(b)(1)
Luckier Roofing	50952	Revoked	624.3017(1), 624.700(3)(a), 624.302(5), 624.3013(3), 624.302(6), 624.3015(3), 624.302(3)(a)(b), 624.640(5), 624.520(1)
Parks and Son Plumbing	46886	Revoked	624.3013(3), 624.302(6), 624.3016(1), 624.302(1)(a), 624.302(5), 624.3013(4), 624.640(3)
J A Vay & Sons, Inc.	52716	Revoked	624.3012(2), 624.3013(3), 624.302(6), 624.640(3)
Pro-Scape	39066	Revoked	624.3015(1), 624.302(2), 624.302(3)(a), 624.3013(3), 624.302(6), 624.3012(3), 624.520(1), 624.640(5), 624.3016(5)
Williams & Son Builders	16182	\$1,000 F; IC	624.3017(1), 624.3013(5) 700(3), 624.3013(5) 640(5), 624.3015(2)
Spring Painting	57664	Probation	624.3016(7)
C P Homes	49405	\$3,500 F; IC	624.3017(1), 624.3013(5) 700(3), 624.3013(4), 624.3013(5) 520(1), 624.3016(1), 624.3013(3)
O M C Builder; C D S Construction Defect Specialists, LLC	54173, 56662	Revoked	624.3013(2), 624.3016(1), 624.3016(7), 624.3018(2)
All Quality Air	45987	1 yr Probation	624.3017(1), 624.3015(1), 624.3011(1)(b)(1), 624.520(1), 624.640(5)
Sahara Landscape, Inc.	50024	IC; R	624.3017(1), 624.700(3)(a), 624.302(5), 624.3013(3), 624.302(6), 624.3011(1)(b)(1), 624.3015(1), 624.640(5), 624.520(1), 624.301(5)
Interior Coverings, Inc.; Interior Coverings, Inc., dba Cover It	49907; 49962, 49963	Restitution	624.3017(1), 624.700(3)(a), 624.302(5), 624.3013(3), 624.302(6), 624.520(1), 624.640(5), 624.3018(2)
Gardens by Simon	55680	Revoked	624.3017(1), 624.700(3)(a), 624.301(1), 624.3012(1), 624.3013(3), 624.302(6), 624.3015(1), 624.520(1), 624.640(5), 624.720(1)
Elisha Durham	53886	Revoked	624.3017(1), 624.700(3)(a), 624.302(5), 624.3013(3), 624.302(6), 624.520(1), 624.640(5), 624.3018(2), 624.3015(1), 624.3015(2), 624.3011(1)(b)(1), 624.640(5), 624.302(1)(a), 624.600, 624.301(2), 624.301(5), 624.301(4), 624.3011(1)(b)(4)
Palomar Patio Builders	31652	Revoked	624.301(1), 624.3012(2), 624.3016(1), 624.3013(3), 624.3015(1), 624.640(5)



## A Change in Business Type Requires A New Contractor's License

The Nevada State Contractors Board issues licenses to the following entity types: Sole Proprietor, Partnership, Limited Partnership, Limited Liability Company (LLC), Corporation and Joint Venture.

In most cases, licenses are not transferable from one business entity to another and a new license is required.

Under certain conditions, a business may file conversion of entity documents with the Secretary of State and the Nevada State Contractors Board.

When considering a change of business type, you should consult your legal counsel to determine the appropriate course of action for your particular circumstances.

# Proper Care and Maintenance of a Contractor's License

*Keep Yours in Good Standing*

Consider the most critical and irreplaceable equipment you use in your contracting business. If it were in need of repair, you would likely maintain it as required without delay. Neglecting it would be bad business and a threat to your livelihood. The same can be said of your contractor's license.

Unfortunately, it is not at all uncommon for some licensed contractors to jeopardize or lose their license because they fail to properly maintain it. Your license is essential to the operation of your construction business. Without it, you cannot legally contract in Nevada. In short, you are out of business without your contractor's license.

There are a number of things that you must do to ensure that your license doesn't end up as another statistical footnote in the NSCB fiscal year report as a license "revoked by default or cancelled." Here are some of them:

- ☑ If your mailing address changes or is listed incorrectly with the NSCB, notify us immediately. Call us and follow that up with

a letter identifying your correct mailing address.

- ☑ Ensure that all mail sent to you by the NSCB is delivered to and read by someone who is authorized to act upon it. Your staff should be thoroughly familiar with what to do with Contractors Board correspondence and understand the importance of getting it to the proper person in a timely manner. Do not risk having your license disciplined because one of your employees did not tell you about a notice or letter received from the NSCB.
- ☑ Your license bond must remain current and up to date. If it is cancelled or you change surety companies, you must provide the appropriate documentation to the Contractors Board. Failure to do so can lead to the immediate suspension of your license.
- ☑ Renew your contractor's license before it becomes delinquent. If your license is not renewed by the last day of your renewal month, your license is automatically sus-

pending and a penalty is added to your renewal fee. After six months, you must re-apply for your license.

- ☑ Keep your corporate status current, neglecting to do so can cause your license to be suspended.
- ☑ If your Qualified employee leaves your employ, you must notify the Board within 10 days and replace the QE within 30 days or the license is subject to suspension.

The Nevada State Contractors Board wants to help keep your license current and in good standing. Use the NSCB website ([www.nscb.state.nv.us](http://www.nscb.state.nv.us)) to look up your license or licenses. Make sure the information listed is accurate. If you find that it is not current or needs correction, contact us right away at (702) 486-1100 (Las Vegas Area) or (775) 688-1141 (Reno Area). Proper preventative maintenance on your contractor's license should be done periodically. It can save you a lot of headaches in the long run.

## Payment and Performance Bonds Required for Pool Contracts

Are you a residential swimming pool contractor licensed by the Board after July 1, 2001? If so, you are required to have a Payment and Performance Bond on every residential swimming pool or spa you build.

plying labor or materials to the contractor or any of his subcontractors in carrying out the provisions of the contract.

If you have any questions regarding this requirement or concerning your duties

and responsibilities as a licensed swimming pool contractor, please contact NSCB Pool Ombudsman, Greg Welch at (702) 486-1100 x1143.



NRS 624.270(8)(a)(b) states that a contractor shall, before commencing work for the repair, restoration, improvement or construction of a residential pool or spa, obtain a performance bond in an amount equal to but not less than 50% of the amount of the contract, conditioned upon the faithful performance of the contract in accordance with the plans, specifications and conditions set forth in the contract.

The performance bond must be solely for the protection of the owner of the property. The payment bond must be solely for the protection of persons sup-

### Attention: Changes to C2 Classification

Effective 9/23/04 the following changes were made to the C2 subclassifications. **(Changes in Bold)**

OLD CLASSIFICATION LIST

- C2 Electrical Contracting
- C2A Electrical Wiring
- C2B Integrated Ceilings
- C2C Fire Detection
- C2D Amplifying Systems
- C2E Signal Systems
- C2F Lines to Transmit Electricity
- C2G Residential Wiring
- C2H Photovoltaics

NEW CLASSIFICATION LIST

- C2 Electrical Contracting
- C2A Electrical Wiring
- C2B Integrated Ceilings
- C2C Fire Detection
- C2D Low Voltage**
- C2E Lines to Transmit Electricity**
- C2F Residential Wiring**
- C2G Photovoltaics**

**CRIMINAL CASES PROSECUTED 7/1/04 - 12/31/04**

By Nevada law, the Nevada State Contractors Board has the authority to issue citations and pursue prosecution of individuals for violations ranging from fraud to contracting or advertising without a license. The following are the convictions and penalties from July 1, 2004 through December 31, 2004.

**KEY**  
 AA=Administrative Assessment  
 R=Restitution  
 IC=Investigative Costs  
 F=Fine

**SOUTHERN NEVADA**

Abbott, Steve	Conviction	Lizotte, Wade N. dba A Pool By You	IC
Abed-Rabbo, Rami S. dba R & N Landscaping	Conviction	Long, Gary dba Anchor Pool Specialties	\$500 F
Amarilla, Julio Antonio	\$5,200 R; \$500 F	Lopez, Obidango dba O Lopez Gardening	\$50 F
Bailey, Kenneth W.	\$50 F; \$1,219 R	Lotta, Patrick dba Lotta Construction	Conviction
Birner, Micheal J. dba Sin City Iron	\$1,200 R	Lueck, William D.	Conviction
Bistram, Tammy dba Night & Day Signs & Lighting	IC	Lynman, Keith dba Decorative Design Concrete	IC
Blackmer, John dba The Water Guy	Conviction	Malinay, Virgilio C. dba Handyman Home Repair	Conviction
Broadbent, Loren dba Ceramic Tile	IC	Marrujo, Earl dba Major Distrubutors	IC
Carlson, Daniel dba 1 Extreme Painting Service	IC	Martinez, Frank dba F & M	\$150 F; \$2,900 R; IC
Carrion, Louie	\$100 F; \$1,600 R, IC	Martinez, Jason dba Lawn Maintenance Unlimited	\$300 F; IC
Chambers, Greg dba Greg Chambers Construction	\$1,000 R; IC	Martinez, Mark	10 days Jail
Cicio, Anthony dba C & C Drywall and Painting	Conviction	McBride, Tom dba McBride Lawn Maintenance	\$100 F; \$305 R; IC
Copping, Michael	IC	Miller, Jack dba Speedy Plumbing	\$750 R, IC
Crisp, Jeff dba A. A. Roofing Co.	IC	Mitchell, Dale dba Mitchell Construction	\$1,200 R; IC
Cuervo, Alvaro dba AFC Landscaping	\$1,000 R	Monderuza, Paul	Conviction
Dalool, Charlie dba Cep's Handyman Service	Conviction	Morgan, Joseph dba Appliance USA	\$200 R
Del Toro-Vargas, Jose Luis	Conviction	Mouer, James T. dba Unique Patios	IC
Delibertis, Martin V. dba Key West Lawn Service	Conviction	Nix, Joe dba The Joe Nix Company	\$1,000 F; \$2,500 R
Drew, Tom dba Tom Drew Installation	\$250 F; IC	O'Conner, Daniel dba Total Home Construction	IC
Ehler, Ron dba Rock Solid Construction	\$1,997 R; Jail	Olson, Bob	\$500 F
Elliott, Dean	IC	Outley, David dba Desert Discount	\$200 F, \$600 R
Escoto, Pete dba Professional Concrete	Conviction	Petrik, Phillip dba Envirotech Landscaping	\$250 F; \$1,692 R; IC
Faile, Bee dba Arkie's	Conviction	Prado, Ed dba Tournement Concrete	\$2,400 R; IC
Fortunoff, Joe dba Ace Hi Awnings Co.	\$300 R; \$491 IC	Rimoldi, Vincent	\$2,000 R
Fox, Michael	\$1051 R; IC	Robles, Danny	\$700 R
Fraser, Greg dba Crete Meister	\$1,500 R	Roden, William dba Home Improvement Specialists	Conviction
Fuller, Carl dba Excel Construction	\$108 R; IC	Rosenberg, Roland Jr. dba Epicenter of Nevada	IC
Garcia, Danny dba Elite Professionals	\$523 R; IC	Ruiz, Roberto dba R & R Landscaping and Maintenance	IC
Garcia, Misael	Conviction	Sabeti, Majid dba Comco	\$3,300 R
Garcia, Ruben	Conviction	Sacco, Tom dba Dream Deck/ Concrete	\$8,800 R; IC
Gass, Marty dba Decor 8	IC	Schwartz, Adam dba Specialized Flooring	\$1,000 R; IC
Gibson, Kevin dba T. K. O. Concrete	\$250 F; IC	Sharp, Kathy R. dba Sharp Interiors	IC
Gomez, Tony dba Gomez Lawn Service	\$50 F; IC	Smith, Don dba Painter Spray Brush or Roll On	Conviction
Haddad, Munir dba Vegas Security Specialists	\$2,566 R	Smyth, John dba Ultimate Floor Effects	IC
Halliday, Peggy dba Ultimate Kitchens	Conviction	Solis-Mendez, Ancelmo dba Arizona Lawn Care	\$3,089 R
Hays, Joe dba Joe's Repair	\$175 R; IC	Strain, Thomas dba Eurocraft Painting Service	Conviction
Huyhn, Hugh dba Custom Cabinets	\$250 F; IC	Sweetland, Jeff dba Handy Man Services	Conviction
Jensen, Kevin dba Rock'N J Excavation	Conviction	Tapia, Blas dba Tapias Landscape	\$1,700 R
Jensen, Stacey dba Desert Green	\$250 F; IC	Torino, Raymond Jr. dba A Anytime Glass	\$525 R; IC
Key, Leroy dba Nobs Pool & Spa Service	\$180 R	Tuai, Simi dba Treeshrub	\$500 F; \$500 R; IC
Kirchner, Richard dba R G K Robin Kirchner	\$500 F; IC	Tuala, Siitupe dba Aqua Tech	IC
Koli, Mavae	Conviction	Van Horn, Donald L. dba D. V. H. Electric Co.	\$250 F; IC
Lambert, Larry dba Terry Adams, Inc.	IC	Vasconcellos, Harry Maxwell	\$600 F; \$500 R
Langley, Troy dba Urban Metropolitan Development	Conviction	Vazquez, Jesus Torres dba Jessie's Patios	\$50 F; IC
Larsen, Brandon dba Great Western & Playground	Conviction	Wallace, Norman dba Green Valley Solar Screening	\$350 F; \$1,900 R
Lester, Chuck dba Las Vegas Marble & Granite	\$100 F; \$6,500 R; IC	Wheeler, Tom dba Tom Wheeler Repairs	\$172 R
Leyva, Teodoro dba Leyva's Landscaping	\$6,400 R; IC	Whittington, John dba Whittington & Assoc.	\$107 F; \$12,000 R; IC
Livingston, Linda dba Life Saver of Southern Nevada	Conviction	Weist, Ken dba Geneva Landscape, Inc.	\$220 R; IC

CRIMINAL CONVICTIONS, CONTINUED

NORTHERN NEVADA

Barnhill, Michael Christopher	\$1,000 F; \$205 R; IC	McLane, Larry	\$407 F; IC
Bouchard, Jon	\$950 F	Miguel-Gutierrez, Juan	\$250 F; IC
Bourgeois, Craig	\$300 F; IC	Moritz, Gerald Lee	\$250 F; IC
Brenner, Jann Scott	\$297 F	Mowrey, Brent	\$117 F; IC
Brock, Ronald	\$560 F; IC	Pedroza, Pablo	\$635 F; IC
Burnett, Kenneth	\$632 F; IC	Perez-Vidrio, Ramiro	\$303 F; IC
Cabral, Joseph P.	\$1,000 R; IC	Pierrott-Mendoza, Salvador	\$632 F; IC
Cadra, Edwin Wesley Jr.	\$615 F	Potter, Ricky L. Jr.	\$1,132 F; \$7,475 R
Campobassa, Patrick Allen	\$635 F	Prada, Luis Trujillo	\$1,132 F
Day, Jeffrey Lawrence	\$635 F; IC	Quilici, Stephen	\$287 F; IC
Dennis, Robert	\$1,132 F	Riley, Scott	\$210 F; IC
Fields, Ty	\$635 F; IC	Sabatoni, Rod	\$635 F
Finau, Sione Unga	\$1,000 F	Savage, William	\$410 F; IC
Finau, Tuihalangie	\$5,000 R; IC	Serna, Joseph	\$190 F; IC
Fleming, Jay	\$140 F	Shamlan, Paul	\$635 F; IC
Fleming, Jim	\$635 F; IC	Sitani, Loni Samu	\$300 R
Garcia, Roger	\$187 F; IC	Smith, Jameason	\$187 F; IC
George, Richard Dion	\$635 F; IC	Taylor, Kenneth Carroll	\$500 F; IC
Goodman, Peter Ralph	\$635 F	Tiede, Madeline	\$1,000 F; IC
Goss, Joe	\$632 F; IC	Trinidad, Carlos	IC
Gurrola, Jose Benito	\$635 F; IC	Tsouris, Dimitrios Vasilios	\$125 F; IC
Hodgson, Mark Bradley	\$628 F; IC	Varela, Roger	\$635 F; IC
Hong, Angela Jeong Hee	\$1,135 F; IC	Vega, Herendira H	\$200 F; IC
Jones, Robert Gene	\$635 F; IC	Wakeman, Timothy J.	\$2,000 F; IC
Lathrop, Vincent Andrew	\$1,700 F; IC	Walter, Jeffrey	\$375 F; \$8,465 R; IC
Lenci, Albert	\$350 F; IC	Warren, Frank	\$187 F; IC
Levitt, Virgil E.	\$1,132 F; IC	Weece, Gerald	\$632 F; IC
Luna, Juan	\$500 F; IC		

## How to Report an Unlicensed Contractor

As a licensed Nevada contractor, you are a member of one of the state's largest industries. Unlicensed contracting undermines the profession. Not only are unlicensed contractors evading the law, they are putting homeowners at risk and blemishing the construction industry as a whole.

The Nevada State Contractors Board has a Special Investigation Unit that responds to unlicensed contracting complaints and works proactively to stop unlicensed contracting.

The telephone numbers are (775) 850-7838 and (702) 486-1160.

The NSCB website provides a form that contractors or consumers can use to report unlicensed activity. The form can be submitted to the Board anonymously. Though kept entirely confidential, this information allows the investigator to conduct the necessary follow-up and prosecute the unlicensed contractor.

Complaints concerning an unlicensed contractor can be sent via fax to (775)

850-7854 in Reno and (702) 486-1166 in Las Vegas.

Unlicensed contracting is a crime in Nevada. The first offense is a misdemeanor, the second offense a gross misdemeanor and the third a Class E felony.

To assist in the efforts against unlicensed contracting, the Nevada State Contractors Board has made a handy pocket card available to consumers and licensed contractors that

details the law and contact information for reporting unlicensed activity. To request a pocket card, contact the Contractors Board.

The Nevada State Contractors Board has an Unlicensed Contractor Hotline in both the Reno and Las Vegas offices.

### NEVADA STATE CONTRACTORS BOARD

Southern Nevada  
2310 Corporate Circle, Suite 200  
Henderson, NV 89074

Northern Nevada  
9670 Gateway Drive, Suite 100  
Reno, NV 89521

#### Unlicensed Contractor Hotline

Las Vegas  
702-486-1160 (ph.) 775-850-7838 (ph.)  
702-486-1166 (fax) 775-850-7854 (fax)

#### 24-hr. License Verification

702-486-1100 or 775-688-1141 (Information Line)  
www.nscb.state.nv.us

### UNLICENSED CONTRACTING

**NRS 624.700** - It is unlawful for any person or combination of persons to engage in the business or act in the capacity of a contractor within this state or submit a bid on a job situated within this state without having an active license.

**NRS 624.720** - It is unlawful for any person to advise as a contractor unless he has a license in the appropriate classification

*"Advertising" includes but is not limited to any sign, card, device, marking on a motor vehicle, newspaper, magazine, airway transmission, Internet or telephone directory.*

First Offense - Misdemeanor
Second Offense - Gross Misdemeanor
Third Offense - Class E Felony

## OSHA - Scaffold Safety Tips

*Provided by Nevada Safety Consultation and Training*

Mobile scaffolds are seen in nearly every business in some application or another and are so common that employees and employers often take them for granted. However, like any other piece of equipment, they are dangerous if employees are not properly trained in their safe use. A few of the OSHA construction requirements for mobile scaffolds include:

- Scaffold casters and wheels must be locked with positive wheel and/or wheel and swivel locks, or equivalent means, to prevent movement of the scaffold while the scaffold is used.
- Scaffolds must be plumb, level, and squared with all braces in place and brace connections secured.
- When being manually moved, the force applied must be as close to the base as practicable, but no more than 5 feet above the supporting surface.
- Scaffolds must be stabilized to prevent tipping during use.
- Employees are not permitted to ride on mobile scaffolds unless the following conditions exist:
  1. The surface on which the scaffold is being moved is within 3 degrees of level, and free of pits, holes, and obstructions;
  2. The height to base width ratio during movement is two to one or less, unless the scaffold is designed and constructed to meet or exceed nationally recognized stability test requirements;
  3. Outrigger frames, when required or when used, are installed on both sides of the scaffold;
  4. No employee is on any part of the scaffold extending outward beyond the wheels, casters, or other supports.
- Platforms can not extend outward beyond the base supports of a scaffold unless outrigger frames or equivalent devices are used to ensure stability.
- Caster stems and wheel stems must be pinned or otherwise secured in scaffold legs or adjustment screws to prevent displacement.
- Ladders or makeshift devices can not be used on scaffolds to increase the working level height of employees.

Remember to provide the appropriate fall protection!

For more information or for a schedule of training courses offered at no charge by SCATS, call toll free 1.877.4SAFENV [1-(877)-472-3368] or visit, [www.4safenv.state.nv.us](http://www.4safenv.state.nv.us). SCATS is a section of the Nevada Division of Industrial Relations. The division helps employers provide a safe and healthful workplace.

## NSCB Issues Alert Following Rough Weather Across Nevada

After the recent rainstorms and flooding in the Clark County area and excessive snow in Northern Nevada, the Nevada State Contractors Board issued an alert to homeowners urging them to protect themselves against home repair scams by unlicensed contractors.

Ms. Margi A. Grein, the Executive Officer of the NSCB cautioned homeowners to take a little time to ensure that contractors are properly licensed before

giving any money or authorizing the repair of rain or flood damage.

Inferior repairs by unqualified contractors often cause more problems than the original damage and leave the homeowner with no viable recourse against the unlicensed contractor.

After a natural disaster, homeowners are often approached by unlicensed contractors looking for quick profits. These unlicensed contractors do not

have bonds or liability insurance, and their workers are not covered by workman's compensation benefits. Many times they will ask for cash payments up front or before completing the work. Their written contracts are either nonexistent or vague.

Unlicensed activity hurts homeowners and the industry. To report unlicensed activity, please contact the Board at (775) 850-7838 or (702) 486-1160.

## Investigative Unit Surveys Flood Damaged Areas



Flooded home in Mesquite, NV

The Nevada State Contractors Board (NSCB) Proactive Enforcement team visited the flood-ravaged areas of Mesquite, Overton, Bunkerville and Logandale. Investigators from the Board went into the communities to make contact with homeowners who suffered storm damage to inform them of their rights in contracting for repairs and the benefits of hiring only licensed contractors.

The Enforcement Team visited community hubs including local post

offices, libraries, senior centers hardware stores and courthouses as well as making individual visits to affected homes. The feedback from members of the community has been positive.

Anyone with information about unlicensed activity should call the NSCB Special Investigations Unit Hotline at (702) 486-1160 or (775) 850-7838.

## NSCB Stings Unlicensed Contractors

During a recent sting operation conducted February 28<sup>th</sup> through March 2<sup>nd</sup> in Las Vegas, criminal investigators assigned to the Board's Special Investigations Unit issued 14 citations for unlicensed contracting. The violations included NRS 624.700 (engaging in business without a license), and NRS 624.720 (unlawful advertising).

Investigators focused on unlicensed contractors who advertised their services in the classified section of local newspapers, circulated business cards and fliers. Among those cited were painters, landscapers (including synthetic lawn installers), as well as those who work with masonry and tile.

Those cited will appear in justice court for hearing within the next 60 days. NRS 624 makes contracting without a license a Misdemeanor for the first offense, a Gross Misdemeanor for the second offense, and a Class E Felony for the third offense.



Tanya Umphrey with Executive Officer, Margi Grein holding a flag flown in a combat mission over Afghanistan for the Nevada State Contractors Board

### NSCB Staffer Does Military Tour in Afghanistan

The Nevada State Contractors Board welcomes back Staff Sergeant Tanya Umphrey to her position as a Public Information Assistant. Ms. Umphrey recently completed a six-week tour in Afghanistan to perform maintenance on A-10 aircraft for Operation Enduring Freedom.



## Staff Spotlight

Diana Wallace is a License Analyst in the Reno office of the Nevada State Contractors Board. For the past 12 years, she has enjoyed being able to help those that come to the Board office for license renewals, license changes, and new applications.



Diana Wallace  
License Analyst

Diana's goals include providing exceptional customer service - making the licensing process easier. Her background in customer service lends itself well to handling the over two dozen calls a day that come to her desk. She enjoys working at the Contractors Board because of the diversity of the job and being able to see her efforts result in a positive outcome for contractors.

Diana is a proud mother of three and grandmother of one.

### Contractor Tip:

Be sure that the contract is within the scope of work/license classification.

**NRS 624.3015(3)**

## NSCB Cracking Down on Senior Scams



Representatives from the Nevada State Contractors Board routinely visit senior centers to inform seniors of their rights and the importance of hiring licensed contractors.

Recently, two women from a Nevada senior community came into the Board offices to make a complaint about an unlicensed contractor who had taken money and never did the job. The unlicensed contractor showed up at one of their homes, convinced her that she needed a new floor, and offered her a "deal that was too good to pass up" to have her floors redone. "He just started measuring," the woman reported.

The unlicensed contractor wanted half of the money up front and delivered a pile of wood to the home. He took eight hundred dollars and never returned to do any work. The homeowner asked for her money back. The floor installer balked and remarked that she didn't have a contract and he didn't have the money. She kept thinking that he would come back, but he never did.

"That's when I remembered that I had this card (Unlicensed Contractor Pocket Card) in my billfold," the homeowner said. Fortunately, she remembered that she had been to a presentation by the Nevada State Contractors Board and knew who she could call to report the unlicensed activity. "We wouldn't have known if it weren't for the Board presentation at the center. I think all seniors should know about this." NSCB

Special Investigations Unit opened a case on her behalf. The individual was cited for contracting without a license and will be processed through justice court.

In addition to unlicensed contracting, senior fraud itself is a crime that the NSCB takes very seriously. Crimes committed against a person 65 or over can add to the severity of criminal penalties (*NRS 197.167*).

As a part of its Senior Awareness Program, the Nevada State Contractors Board offers "A Senior's Guide to Hiring a Contractor," a publication that helps seniors identify possible home improvement scams.

To obtain a copy of the senior's guide, contact the Nevada State Contractors Board or log on to [www.nscb.state.nv.us](http://www.nscb.state.nv.us).

## NSCB Business Review Program

A "Business Review Program" has been implemented to provide information and assistance to contractors concerning the administrative provisions of the laws and regulations of the Board. The program, initiated in August, 2004, helps to ensure regulatory compliance and has been favorably received by



the industry. A business may request a Business Review or the Board may order a review as a result of disciplinary action. A member of our investigative staff will review a company's business practices and provide input for improvement. A "review checklist" is available online at [www.nscb.state.nv.us](http://www.nscb.state.nv.us) and will provide a list of the areas that are commonly overlooked and easily remedied by a licensee.

The most common infractions that investigators have discovered in the reviews are:

1. Absence of license number on contracts or proposals
2. Absence of Monetary limit on contracts or proposals
3. Absence of Residential Recovery Fund notice given to homeowners (applies to residential contractors only).

For questions regarding The Business Review program, call (702) 486-1162 in Southern Nevada and (775) 688-7828 in Northern Nevada.

## Half A Million Disbursed from Recovery Fund

During 2004, the Board has disbursed nearly half a million dollars from the Residential Recovery Fund.

The biggest disbursement since the fund's inception occurred December 6, 2004 when an unprecedented \$199,999.56 was distributed to 69 homeowners who were harmed by Curtis Construction. The license of Curtis Construction was revoked by the Board as a result of fraudulent action by the company.

The Residential Recovery Fund law was enacted by the 1999 Nevada Legislature and provides limited monetary compensation to single-family homeowners harmed by actions of a licensed contractor. All other means of recovery of damages must have been exhausted. The law limits payment for a single claim to \$30,000 and claims against a single contractor to \$200,000.

The Curtis Construction matter was the first case in which claims far exceeded the \$200,000 limit. Homeowners were awarded a portion of their losses based on established criteria. The Board supported Assemblyman Barbara Buckley's bill to increase the aggregate per contractor limit allowed from \$200,000 to \$400,000 and in-

creasing the limit amount of individual claims to \$35,000. Assembly Bill 34 unanimously passed both houses and is pending signature from the governor making it effective July 1, 2005.

Contractors who perform residential work are assessed a fee for the Residential Recovery Fund based on the monetary license limit. The assessment is levied at the time of initial licensure and upon renewal of the license.

The current fee schedule is as follows:

License Limit	Fee
Up to \$1,000,000	\$50
Over \$1,000,000	\$125
Unlimited	\$250

Contractors are required by law to provide information regarding the Residential Recovery Fund upon establishment of a residential contract. (See required disclosures below.)

### Required Disclosure

NRS 624.520 requires all contractors who perform residential work to provide homeowners with the Residential Recovery Fund disclosure in writing. Contracts must include the written statement in substantially the following form:

### Residential Construction Recovery Fund

Payment may be available from the Recovery Fund if you are damaged financially by a project performed on your residence pursuant to a contract, including construction remodeling, repair or other improvements, and the damage resulted from certain specified violations of Nevada Law by a contractor licensed in this state. To obtain information relating to the Recovery Fund, you may contact the State Contractors Board at the following locations:

State Contractors Board  
 9670 Gateway Drive, Suite 100  
 Reno, Nevada 89521  
 Telephone number: (775) 688-1141

State Contractors Board  
 2310 Corporate Circle, Suite 200  
 Henderson, Nevada 89074  
 Telephone number: (702) 486-1100

Suggestions for meeting this requirement include having the information printed directly on contracts or applied to the contract with a stamp.

## Byrd Underground Scores Big on Business Review

The NSCB Business Review Program (described on page 14) helps contractors to examine their business practices for regulatory compliance. Las Vegas contractor Byrd Underground's Business Review stood out as having no violations. Byrd Underground is a Las Vegas based wet and dry underground utility company that has been licensed since 1986. "It had all the markings of a well run, well-organized business," says NSCB Investigator, Bill Adamson.

Buddy Byrd, native Las Vegas and owner of Byrd Underground, attributes much of the success of his business



**Buddy and Tonya Byrd**

*photo courtesy of Cashman Equipment Co.*

to his wife Tonya. The company was run as a husband and wife team up until Tonya's death in 2003. "Tonya ran

a tight ship," remembers Buddy. "I ran the work in the field. I did the sales and got the work done. Her skills set everything up right – taxes, insurance, licensing, etc. We made a really good team."

Buddy got his first contractor's license at the age of 23. He has a solid gold key as a reminder of his progress as a business owner. The key, a gift from Tonya, is to a 1976 580C Case backhoe that he bought from his father who had been in the business since 1969. Buddy remembers going to worksites time after time until someone gave him work. Now Byrd Underground has over 40 backhoes and rents them out with operators.

Byrd Underground currently has 45 employees, though its numbers have been as high as 60. Buddy sees his employees and years of experience as key to his continued success. "We provide quality service and installation. We are service-oriented and ready to take care of it right now."



*photo courtesy of Cashman Equipment Co.*

Buddy looks forward to building up the company over the next ten years. Byrd Underground experienced considerable growth in 2004. He believes that Nevada construction will also be good for the economy. He says, "There's nothing like being in the right place (Nevada) at the right time." The Byrd's have two sons (ages 18 & 20) who dabble in the business and may one day decide to take it over.

When asked what advice he would give other contractors who may struggle with the business end of their operation, Buddy says, "Stay on top of your paperwork."

## Generous Contractors Pitch in to Fix Senior Couple's Leaky Roof



The Nevada State Contractors Board recognizes the contractors and suppliers who donated time and materials to repair the roof of a senior Las Vegas couple. The roof leaked in several places and was in need of major repair work. The couple had been suffering from illnesses and were in need of assistance.

Due to the kindness and generosity of several contractors, the roof was repaired in January.

The following contractors pitched in to help:

Mike Tocco, Mike Tocco Roofing  
Tom Romney, Prestige Roofing  
Steve Howard, Red Rose Roofing  
Rick Pollard, Rick's Roofing  
Rick Riegert, DRI Roofing

These suppliers donated materials:

Pacific Supply  
Las Vegas Roofing Supply

Thanks to all involved including: C. Frederick Charles, RCAN (Roofing Contractor's Association of Nevada) and KTNV Las Vegas Contact 13.

## Contractors, did you know . . .

. . . A contractor may apply to the Board to have his license placed on inactive status for a maximum of 5 years? *NRS 624.282*

. . . No license may be issued in the same name as another licensee or if it so resembles the name of another licensee that the Board determines that it is likely to result in confusion or mistake? *NRS 624.254*

. . . Willful or deliberate disregard or violation of the building laws, safety laws or labor laws of the State of Nevada is a violation?  
*NRS 624.3011*

. . . A contractor's license issued pursuant to NRS 624 does not authorize a contractor to construct or repair a mobile home, manufactured home or commercial coach?  
*NRS 624.284*



. . . If your Qualified Employee leaves your employ, you must notify the Board within 10 days and replace the QE within 30 days or the license is subject to suspension? *NRS 624.285(4)*

. . . If a contractor is licensed after July 1, 2001 and engages in the repair, restoration, improvement or construction of a residential pool or spa, the contractor is required to maintain a payment and performance bond for each pool or spa he constructs? *NRS 624.270(7)*

. . . A licensee must display on each commercial motor vehicle registered under his name, his name and the license number, in letters and numbers approximately 1 1/2 inches high? *NRS 624.288*

. . . Advertising projects of construction beyond the scope of the license is a violation? *NRS 624.3017(3)*

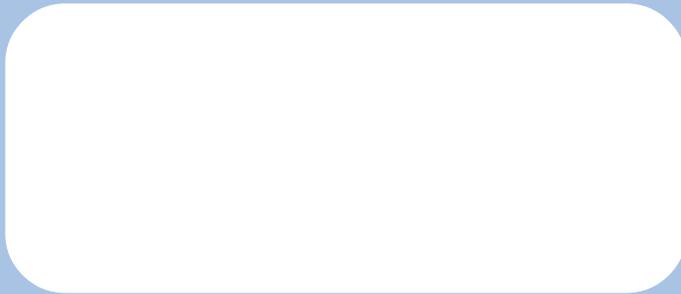
Get more information about NRS 624 by visiting the Nevada State Contractors Board website, [www.nscb.state.nv.us](http://www.nscb.state.nv.us).

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

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