



# Senior Bulletin

August 2017

## Board uncovers \$500,000 fraud

An investigation conducted by the Nevada State Contractors Board's Fraud Unit has culminated in 12 felony charges against two men suspected of bilking a contractor out of more than \$560,000 over a 5-year period.

Darin Christensen and John Graft III have turned themselves in to law enforcement after the Clark County District Attorney issued warrants for their arrest, alleging forgery, fraud, and other charges.

The Contractors Board investigation found evidence that between 2011 and 2015, Graft created fraudulent invoices for equipment purchases and Clark County building permits and submitted them to Christensen, who was employed as a project manager for a licensed contractor.

Christensen, the case alleges, had gained his employer's trust through years of employment, validated the invoices, which the company paid. Board investigators believe Christensen and Graft split the proceeds from the scheme.

The Board's investigation earlier

***Fake contractor's license Leads to felony charges***

The Clark County District Attorney on May 22 issued a felony arrest warrant for unlicensed contractor Richard Toney. Charges include obtaining money under false pretenses, forgery, and contracting without a license.

NSCB's fraud investigated an initial complaint that a licensed contractor failed to return telephone calls after receiving money to start a roofing project for a local fraternal organization.

The investigation revealed that Toney fabricated an Nevada contractor's license Certificate and "proof" of workman's compensation insurance from a national carrier. The case alleges Toney produced these documents in order to win the bid for the roofing job.

As a result of the Board's investigation, a felony indictment against Toney was obtained for his involvement in creating fraudulent and fictitious documents.

helped indict a third party, a licensed subcontractor who at a 2015 disciplinary hearing pleaded guilty to committing fraudulent and deceitful acts by submitting \$100,000 in fake invoices to Christensen company, which Christensen approved for payment.

Financial documentation

collected during the course of the fraud unit's investigation indicated Christensen and his alleged co-conspirator divided the money.

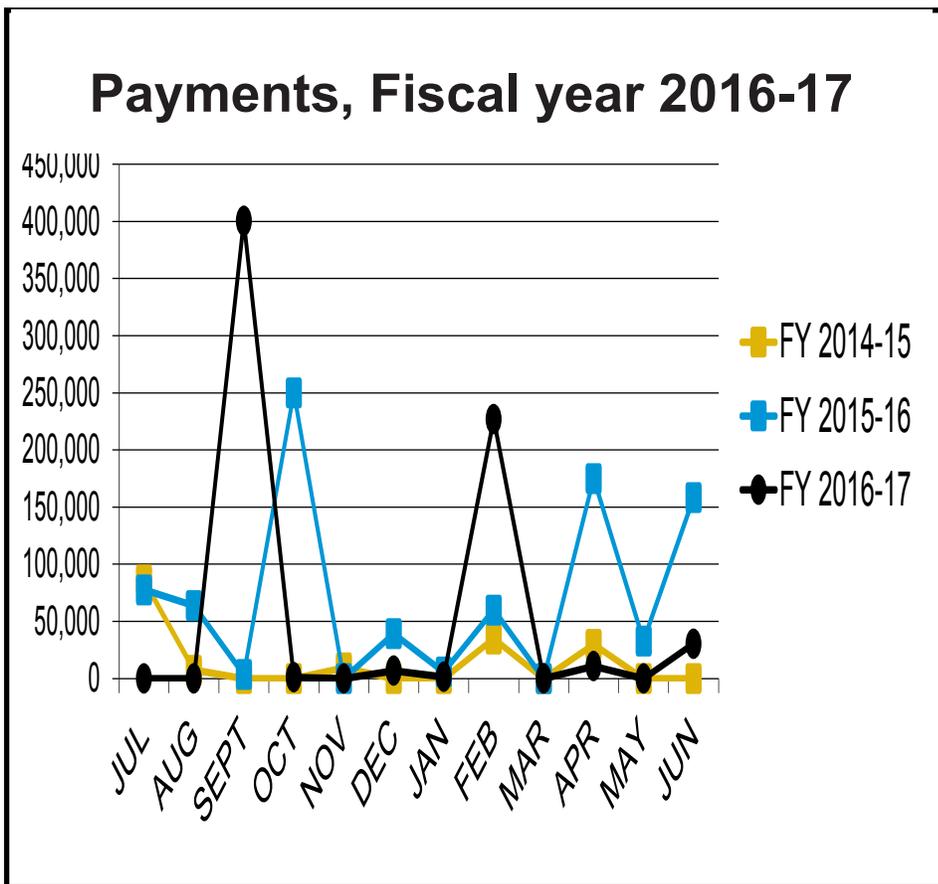
In addition to a fine and order to pay \$50,000 in restitution, the subcontractor agreed to testify in Christensen's prosecution.

# Recovery Fund pays \$755,000

During fiscal year 2016-17 the Contractors Board’s Residential Recovery Fund awarded more than \$750,000 to homeowners who were damaged as a result of hiring licensed contractors to perform work on their property.

More than half of the \$755,812 awarded to 132 claimants was distributed to victims of Summerlin Energy Las Vegas, LLC. The residential solar company filed for bankruptcy after collecting money from homeowners. It failed to pay suppliers for the solar equipment, leading suppliers to place liens on many customers’ homes. The Board awarded a total of \$400,000 – the maximum allowed by Nevada law – to 132 homeowners, about one-third of the losses claimed by homeowners.

In another significant case, 11 homeowners received \$113,776.27 from the Residential Recovery Fund after the Board opened a case against Western Landmark Enterprises, LLC, dba Reno Renovators. The investigation revealed the contractor received approximately \$147,000, but never performed the contracted construction projects, obtained the required building materials or returned the deposits. The Board revoked the company’s licenses and submitted the case to the Washoe County District Attorney for felony charges of



theft, diversion of funds and obtaining money under false pretense. An arrest warrant has been issued, and the case is pending adjudication.

The Residential Recovery Fund was established by the Nevada Legislature in 1999. It offers protection to Nevada owners of single-family residences who conduct business with licensed contractors for the performance of any construction, remodeling, repair or improvement. An owner must occupy the residence to qualify. An applicant’s eligibility to receive funds is determined after

an investigation is conducted by NSCB.

Contractors are required by law to provide information to a homeowner regarding the Residential Recovery Fund upon establishment of a residential contract with the homeowner. To be considered for the Fund, a complaint must be filed with NSCB within four years after the completion of work.



# Watch for nursing home elder abuse

By Aaron Crane

Moving a loved one into a nursing home is a difficult decision. Families doing this expect their loved one to be treated properly and with dignity. The unfortunate truth is that nursing home neglect happens more often than one expects, affecting millions of people in America every single year.

## Vulnerability of Nursing Home Residents

Nursing home residents are most often not able to care for themselves any longer and are admitted into such a living situation because of their personal vulnerability to injury or death if not cared for in supervised accommodations. Most residents are over the age of 65, although some may be younger people with disabilities.

Many of these residents do not have another place to live due to limited personal resources or few family members in close proximity. Families unable to care for their elderly loved ones may place them in a home to ensure they receive the best possible attention and treatment that cannot be provided at home. Lack of space, financial issues, long work hours, other obligations and situations may apply that prevent families from caring for their own family members in a family environment.

## Neglect of Nursing Home Residents

One in three residents of nursing homes suffer from neglect, according to recent studies of American eldercare homes. Neglect is a failure to provide the attention and services required for personal security and comfort of residents. Neglect is not always an intentional act by nursing home staff or management. It is the existence of the situation that causes danger, harm and anxiety to people living in these homes, however.

Federal and state laws regulate how nursing homes must be operated. Neglect can be attributed to overlooking issues of importance, ignor-

ing resident needs and even direct actions of staff leading to grief or misery of residents, whether or not physical harm occurs.

## Warning Signs of Neglect

Nursing home residents who do not have regular contact with family members are more often the victims of neglect than those who are frequently visited by family members. Family visitations should include careful observance of the elderly person to look for any signs of neglect or abuse.

Bed sores, stiff joints and other physical signs may be present to indicate there is a problem of neglect when the individual is left in one position for too long on a bed or in a chair. Medical neglect

*See ABUSE, page 4*



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can occur when ailments or injuries are not treated or are improperly handled. There may also be signs of behavioral changes in the elderly person, staff behavior changes toward the patient or limited access to your loved one. Malnutrition and dehydration may also be present. You may have noticed increased frequency of trips to the E.R., hospital or other medical facilities.

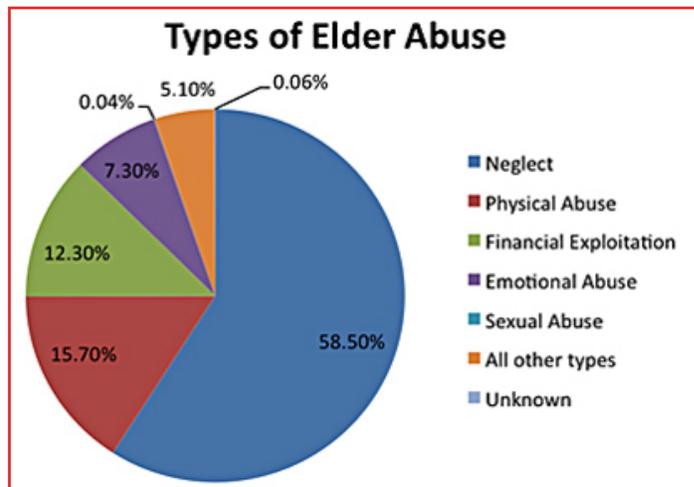
**Preventing Neglect**

There are many ways that nursing home neglect may occur. But many incidents can be prevented. By being aware and observant of the circumstances of your loved one’s living arrangements, behaviors and care, you can be quick to notice nursing home neglect, should it occur.

Ongoing and regular family contact is the best way to keep nursing home neglect from happening. A thorough background check should be conducted into the performance of a particular nursing home before family members are admitted to the facility. Medical boards provide information about infractions or problems at a nursing home, in regard to abuse and neglect. Caretakers should be screened through background checks by a nursing home prior to employment. This can be confirmed before admitting someone you love into such a facility.

**Suspect Neglect or Abuse?**

When nursing home neglect or abuse is suspected, it should be promptly reported to law enforcement. Such abuse or neglect can lead to criminal activity at the facility, if left unchecked. When injuries are discovered, medical attention



should be provided through licensed medical professionals outside of the nursing home to ensure the victim is treated and issues causing the problem are resolved.

**Consider Legal Assistance**

Whenever nursing home neglect or abuse occurs, it is important to contact a legal representative. This lawyer should be experienced in nursing home care issues and protection of victims living in these facilities. The lawyer can investigate the problems of the facility and gather evidence of abuse or neglect for the case. Lawyers may recommend hiring an expert witness who can help substantiate claims of neglect and abuse and in regard to injuries suffered by the victim. A qualified lawyer can help locate other victims within the establishment who may have suffered the same abuse or neglect.

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