

‘Tis the season for asphalt scams

As winter approaches, homeowners may consider preparing their asphalt driveways to stand up to temperature drops, snow and freezing rain. And while it is only natural to seek out the lowest price for asphalt work, the Nevada State Contractors Board warns consumers that some unscrupulous contractors, who can be both licensed or unlicensed, use driveway patching and sealing scams to pave their way to riches.



The typical scam begins with an unsolicited approach – a salesman knocks at the door or an unmarked truck pulls over while the homeowner is mowing their lawn. A friendly, slick-talking young man explains that his company has just finished a paving project in the neighborhood and has material left over. Rather than letting it go to waste, he is willing to

offer the customer a terrific deal.

Of course, the scammer says, such a great deal won't last. You must commit now or forfeit this once-in-a-lifetime offer. Sales tactics become increasingly hard-sell, perhaps even menacing and intimidating. When the victim acquiesces, the scammer outlines his terms: cash only, no written contract - only a verbal description of the quality and quantity of materials he will use and the price he will charge. Often the quoted price changes midway through the job, due to "unforeseen complications." The homeowner must agree to pay or the work will stop, the scammer threatens, leaving the project half done, the yard torn up and construction debris strewn about.

INSIDE

- Military Assistance Program 2**
- Research contractors before need arises . 3**
- Alleged unlicensed contractor arrested . . 3**
- Nevada Legal Services assists seniors . . . 4**

See ASPHALT, p. 2

ASPHALT, from p. 1

“Anytime you are approached with an unsolicited offer for home repair or construction, your defenses should go up,” advises NSCB Executive Officer Margi Grein. “It may be a legitimate contractor at your door, but you owe it to yourself to verify his contractor’s license with our Board to ensure you are protected if the project doesn’t go as planned in your written contract.”

Homeowners can protect themselves by following these tips:

- Always hire a licensed contractor.
- Ask for and verify the contractor’s license number on NSCB’s website: www.nscb.nv.gov or by calling NSCB’s offices at (702) 486-1100 or (775) 688-1141.
- Do not give in to high-pressure sales tactics. Legitimate contractors are in business for the long haul. They can wait for an order. Scammers need to hit and run.
- Obtain at least three bids and check refer-

ences.

- Insist your written contract is as detailed as possible, including cost, types of materials, payment schedules, etc.
- Never sign a contract until you understand all the terms and agreements.
- Do not pay in cash. Use only a check or credit card and obtain receipts for all payments.
- Refuse demands for large down payments.
- Report any suspicious activities to the Contractors Board at (702) 486-1160 or (775) 688-1150.

Homeowners who hire licensed contractors may be eligible for the Residential Recovery Fund if damages are incurred, which can afford financial recourse up to \$35,000.

It is a criminal offense to contract without a license in the State of Nevada. The first offense is a misdemeanor, second offense is a gross misdemeanor, and the third offense is a Class E felony.



Nevada State Contractors Board

MILITARY ASSISTANCE PROGRAM

For veterans making the transition into civilian employment and spouses of active-duty military personnel relocating with their service members to Nevada

- A dedicated, specially trained NSCB staff member to evaluate transferable military training and experience from all branches of the military that meet minimum contractor licensing requirements.
- Military experience and training will be considered along with college credit when the Board evaluates acceptable technical education levels for license applicants.
- Military spouses’ current records of licensure will be evaluated to determine whether he/she is eligible for waiver of certain experience requirements for licensure.



To determine eligibility or for questions concerning NSCB’s expedited service for veterans and military spouses, contact License Analyst Barbara Miller at 775-850-7814 or 702-486-1100, extension 7814, or e-mail her at bamiller@nscb.state.nv.us

Find contractors before you need them

Would you rather pick a home-repair contractor after:

A. Surfing the Internet at 2 a.m. while dodging frigid water dripping from the leak in your roof?

B. Juggling a flashlight and squinting your way through the yellow pages after your electricity shorts out?

C. Knowing exactly whom you will call when you need emergency repairs?

Of course, no one would intentionally put himself in the stressful situations of options A and B. So the Nevada State Contractors Board advises all homeowners to be proactive by

taking time now to identify and research possible contractors for these critical services. The Board suggests you identify at least three roofing, plumbing, electrical and air conditioning contractors you are confident will perform quality services at fair prices.

Asking friends and neighbors for recommendations and following up on references provided by the contractors themselves can give peace of mind. **Always protect yourself by hiring licensed contractors.** Call the Contractors Board or visit our website, www.nscb.nv.gov to ensure the license remains active and to find any disciplinary action the Board has

taken against the contractor.

State law requires that all heating, air conditioning, plumbing, refrigeration, or electrical service must be performed by licensed contractors. A license is also required for any project requiring a building permit and for any project totaling \$1,000 or more – including labor and materials.

The Contractors Board is offering a new service in which we can provide consumers a list of licensed contractors in their area. These listings should not be construed as endorsements or recommendations. Call the Board at 702-486-1100 or 775-688-1141 for more information.

Alleged unlicensed contractor apprehended

The Nevada State Contractors Board in partnership with the Henderson Police Department and Nevada Highway Patrol successfully apprehended an unlicensed contractor. The bust occurred after Las Vegas Justice Court issued a warrant for Joe Castanon for gross misdemeanor charges related to contracting without a license. Castanon, former owner of American Wholesale Flooring, is facing charges for allegedly entering into contracts, accepting deposits from custom-

ers, and then failing to perform the work.

Castanon's son and current owner of American Wholesale Flooring, Joseph Castanon, has two misdemeanor warrants out for his arrest for the same alleged offenses. He has been added to [NSCB's Most Wanted list](#). Information available indicates he may have fled out-of-state.

Homeowners with outstanding dealings with American Wholesale Flooring should call NSCB's Unlicensed Contractor Hotline at (702) 486-1160.

Contact NSCB!

RENO

9670 Gateway Drive
Suite 100
Reno, NV 89521
775-688-1141

HENDERSON

2310 Corporate Circle
Suite 200
Henderson, NV 89074
702-486-1100

www.nscb.nv.gov

Agency offers legal help for seniors

Nevada Legal Services provides legal advice and representation to seniors and low-income residents of Nevada. Staff members visit senior centers across the state to meet with older Nevadans seeking information on general legal questions and issues of particular interest to seniors, such as power of attorney and estate planning.

A full-time staff attorney handles most of the senior issues that come to NLS.

With funding from the Nevada Aging and Disability Services Division for the Independent Living grant, the non-profit organization maintains a presence in every county to help Nevada's seniors maintain their ability to live independently. Some common assistance areas include drafting durable powers of attorney for healthcare and financial decisions, limited estate planning documents, representation in federal and state courts and administrative hearings and negotiations.

In most cases NLS must adhere to income and asset guidelines. Representation generally is limited to seniors with income at or below 200 percent of the Federal Poverty Level. Anyone – not only seniors – who qualifies under the agency's income threshold may apply for assistance. For more information on the types of assistance it can offer or for a list of planned senior center visits log onto Nevada



Legal Services' website at www.nlslaw.net or call its offices throughout the state: southern Nevada, 866-432-0404; northern Nevada, 800-323-8666; Elko and statewide, 877-693-2163.

The agency's website also contains a Frequently Asked Questions section that provides information on issues important to older Nevadans.

According to the NLS website, any adult may execute a power of attorney document in which they name a person to make healthcare decisions for them if they are no longer able to make those decisions themselves.

"You must sign the power of attorney in front of a notary public or in front of two people who know you personally. At least one of those witnesses can-

not be related to you by blood, marriage or adoption or be entitled to any part of your estate. Neither witness can be a health care provider, an employee of a health care provider, an operator of a health care facility or an employee of a health care facility," the website advises.

The power of attorney would go into effect if a physician, psychiatrist or licensed psychologist certifies in writing that the patient cannot competently make his or her own healthcare decisions.

NOTE: This information is intended for general background information only. If you have a legal question, both Nevada Legal Services and the Nevada State Contractors Board encourages you to consult with a legal expert.