

KENNY C. GUINN  
Governor

STATE OF NEVADA

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](http://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



**STATE CONTRACTORS BOARD**

**MINUTES OF THE MEETING  
January 25, 2006**

**MEMBERS**  
RANDALL SCHAEFER  
*Chairman*  
MARGARET CAVIN  
Vice Chair  
DAVID W. CLARK  
SPIRIDON FILIOS  
JERRY HIGGINS  
WILLIAM "BRUCE" KING  
J. BRIAN SCROGGINS

**CALL TO ORDER:**

Hearing Officer Filios called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, January 25, 2006, 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. Spiridon Filios  
Mr. Jerry Higgins  
Mr. Bruce King

**STAFF MEMBERS PRESENT:**

Ms. Margi Grein, Executive Officer  
Mr. George Lyford, Director of Investigations  
Mr. Chris Denning, Deputy Director of Investigations  
Mr. Gary Hoid, Deputy Director of Investigations  
Mr. Daniel Hammack, Chief of Enforcement

**LEGAL COUNSEL PRESENT:**

Mr. Bruce Robb, Esq., Legal Counsel  
Ms. Laura Browning, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on January 19, 2006, at Las Vegas City Hall, Sawyer State Building and Clark 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: SPIRIDON FILIOS**

**1. DISCIPLINARY HEARING:**

**CASINO ROOFING, INC., LICENSE NO. 55265**

Licensee was present with Counsel Elizabeth Ghanem, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Respondent Exhibits were entered:

Exhibit A – Binder of documents provided by Counsel on behalf of Casino Roofing, Inc.  
Notice of Hearing and Requirement to Answer  
Answer to Complaint

Letter from Casino Roofing, Inc. to Las Vegas Roofing Supply dated July 25, 2005  
Bond  
Statement from Las Vegas Roofing Supply dated January 9, 2006  
Copies of checks  
Balance sheet provided by Las Vegas Roofing Supply  
Stipulation and Order  
Letter from Michael Pantages to Elizabeth Ghanem, Esq. dated November 1, 2005  
Credit application and Sales Agreement  
Letter from Elizabeth Ghanem, Esq. to Michael Pantages dated January 13, 2006  
Financial Statement dated August 31, 2005

**Hearing Officer Filios found Respondent Casino Roofing, Inc., Paul J. Lorono, President, license number 55265 guilty of violation of NRS 624.3012(2) failure to pay money due for materials or services rendered in connection with his operation as a contractor. Mr. Lorono was assessed a fine of \$1,000.00 for the First Cause of Action. The Second Cause of Action was dismissed. Investigative costs were assessed in the amount of \$2,427.00. Fines and costs are to be paid within 60 days from January 25, 2006 or license number 55265, Casino Roofing, Inc. will automatically be Revoked. Mr. Lorono was ordered to pay \$10,000.00 restitution to Las Vegas Roofing Supply on January 25, 2006 and the remaining \$64,567.00 will be paid beginning March 1, 2006 in \$6,000.00 monthly installments. The monthly payments shall be made in a timely manner and the total shall be paid within Twelve (12) months or license number 55265, Casino Roofing, Inc. will automatically be Revoked.**

## **2. DISCIPLINARY HEARING:**

### **CUSTOM CUT, INC., LICENSE NOS. 49355 & 57045**

Licensee was present with Counsel Frank Flansburg, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

**Hearing Officer Filios found Respondent Custom Cut, Inc., Roman I. Jaworsky, President, license numbers 49355 and 57045 guilty of violation of NRS 624.3013(3) failure to establish financial responsibility; NRS 624.302(6) failure to comply with a written request from the Board for information or records; 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 624.302(5) failure to cooperate in an investigation. Mr. Jaworsky was assessed a fine of \$500.00 for the First, Second, Third and Fourth Causes of Action for a total fine of \$2,000.00. The Fifth Cause of Action was dismissed. Investigative costs were assessed in the amount of \$1,332.00. Fines and costs are to be paid within 30 days or license numbers 49355 and 57045, Custom Cut, Inc. will automatically be Suspended. Mr. Jaworsky was ordered to pay \$5,000.00 restitution to L & R Integrity, Inc. on January 25, 2006 and the remaining \$11,391.92 will be paid within 30 days from January 25, 2006 or license numbers 49355 and 57045 will automatically be Suspended. The Respondent is ordered to submit to a Business Review within 90 days from January 25, 2006. The result of the Business Review will be presented to the Executive Officer. The Respondent will be provided a billing and will reimburse the Board for the cost of the Business Review within 10 days of receipt of the billing. Failure to submit to the Business Review or reimburse the Board the investigative cost will result in the Suspension of the license.**

## **3. DISCIPLINARY HEARING:**

### **CONCRETE MASTERS, INC., LICENSE NO. 50594**

Licensee was present with Counsel Michael Pontoni, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Respondent Exhibits were entered:

Exhibit A – Bankruptcy filing.

Hearing Officer Filios found Respondent Concrete Masters, Inc., Jesus Mendoza, President, license number 50594 guilty of violation of NRS 624.3013(3) failure to establish financial responsibility; NRS 624.302(6) failure to comply with a written request from the Board for information or records; NRS 624.3016(1) misrepresentation or omission of a material fact; NRS 624.3016(7) misrepresentation or commission of any other fraudulent or deceitful act to obtain a license; NRS 624.302(5) failure to cooperate in an investigation; NRS 3013(4) failure to keep in force the bond or cash deposit for the full period required by the Board; NRS 624.3013(5), as set forth in NAC 624.640(3) failure to notify the Board of change of address or personnel within 30 days after the change occurs. License number 50594, Concrete Masters, Inc. was Revoked.

#### 4. DISCIPLINARY HEARING:

CAYMAN CONSTRUCTION, INC., LICENSE NO. 45061

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – Contract between Cayman Construction, Inc. and Guy Cristiano.

Exhibit 3 – Estimate of repairs to the Cristiano residence.

Exhibit 4 – Financial statement.

Exhibit 5 – Series of documents from Cayman Construction, Inc.

Exhibit 6 – Letter from Lisa Bedsole to Cayman Construction, Inc dated November 21, 2005.

Exhibit 7 – Pro forma financial statement provided by Cayman Construction, Inc.

Exhibit 8 – Return receipt dated December 8, 2005.

Exhibit 9 – Letter from Investigator Easton to Cayman Construction, Inc. dated October 21, 2005.

The following Respondent Exhibits were entered:

Exhibit A – Letter from Cayman Construction, Inc. to the Board dated January 3, 2006.

Hearing Officer Filios found Respondent Cayman Construction, Inc., Robert L. Wilson, President, license number 45061 guilty of violation of NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with the Board's Notice to Correct; NRS 624.301(4) failure to prosecute a construction project with reasonable diligence, thereby causing material injury to another; Two (2) violations of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; Two (2) violations of NRS 624.302(5) failure to cooperate in an investigation; Two (2) violations of NRS 624.3011(1)(b)(1) disregard and violation of the Building Laws of the State or of any political subdivision thereof; Two (2) violations of NRS 624.302(6) failure to comply with a written request from the Board for information or records; NRS 624.3016(5), as set forth in NRS 624.600 the name, license number, business address and telephone number of all subcontractors with whom he has contracted on the project and all persons who furnish material of the value of \$500 or more to be used in the project; 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 624.3011(1)(a) departure from or disregard of plans or specifications without the consent of the owner; NRS 624.3014(2)(a)(b) aiding or abetting an unlicensed person to evade the provisions of this chapter and combining or conspiring with an unlicensed person to perform an unauthorized act; NRS 624.3011(1)(b)(4) willful disregard and violation of the Laws of this State regarding Industrial Insurance; NRS 624.3013(3) failure to establish financial responsibility; NRS 624.3013(5), as set forth in NRS 624.300(5) if a licensee commits a fraudulent act which is a cause for disciplinary action under NRS 624.3016, the correction of any condition resulting from the act does not preclude the Board from taking disciplinary action; NRS 624.3016(1) misrepresentation or omission of a material fact. Mr. Wilson was assessed a fine of \$500.00 for the Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Twenty-First, Twenty-Second, Twenty-Third, Twenty-Fourth and Twenty-Fifth Causes of Action for a total fine of \$10,000.00. The First, Second, Third, Nineteenth and Twentieth Causes of Action were dismissed. Investigative costs were assessed in the amount of \$3,917.00. Mr. Wilson was ordered to reimburse the Board administrative fines and investigative costs in the amount of \$1,460.00 as a result of the September 28, 2005 Board Hearing. License number 45061, Cayman Construction, Inc. was Revoked.

#### 5. DISCIPLINARY HEARING:

##### A A PRIMO BUILDERS, LLC, LICENSE NO. 53046

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – Copy of the plans for the Tobin residence.

Exhibit 3 – Estimate for repair of the Tobin residence.

The following Respondent Exhibits were entered:

Exhibit A – Binder of documents provided by Counsel on behalf of A A Primo Builders, LLC.

Washington Proposal

Washington Contract

Washington Plans

Change orders from March 23, 2005 through April 27, 2005

Permit

Inspection reports

Correspondence from Washington to A A Primo Builders, LLC

Correspondence from A A Primo Builders, LLC to Washington

Correspondence from the Board to A A Primo Builders, LLC

Correspondence from Becky Pintar, Esq. to Washington

List of expenditures

Estimates of repair

Swimming pool documents

Tobin Proposal

Tobin Plans

Payment schedule

Sub-contractor releases

Copies of checks

Hearing Officer Filios found Respondent A A Primo Builders, LLC, Anthony M. Ignatowicz, Manager and Tina M. Ignatowicz, Manager, license number 53046 guilty of Two (2) violations of NRS 624.3017(1) substandard workmanship; Two (2) violations of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with the Board's Notice to Correct; Two (2) violations of NRS 624.302(5) failure to cooperate in an investigation; NRS 624.015(2) bidding to contract or contracting for a sum

for one construction contract or project in excess of the limit placed on the license by the Board; NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; Two (2) violations of NRS 624.3011(1)(a) departure from plans or specifications without the consent of the owner; Two (2) violations of 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; Two (2) violations of NRS 624.3016(5), as set forth in NRS 624.600 the name, license number, business address and telephone number of all subcontractors with whom he has contracted on the project and all persons who furnish material of the value of \$500 or more to be used in the project; NRS 624.3016(5), as set forth in NRS 597.719(2)(a) and NAC 624.6958(2)(a) failure to provide the name of the contractor, business address and license number on contracts; NRS 624.3016(5), as set forth in NRS 597.719(2)(c) and NAC 624.6958(2)(c) failure to provide date of execution of the contract; NRS 624.3016(5), as set forth in NRS 597.719(2)(d) and NAC 624.6958(2)(d) failure to provide the estimated date of completion of all work to be performed; NRS 624.3016(5), as set forth in NRS 597.719(2)(h) and NAC 624.6958(2)(i) failure to provide notices and informational forms pursuant to NRS 624.600 and federal, state or local laws; NRS 624.3016(5), as set forth in NRS 597.719(2)(j) and NAC 624.6958(2)(k) failure to provide a plan and scale drawing showing the shape, size, dimensions and the specifications for the residential pool; NRS 624.3016(5), as set forth in NRS 597.719(2)(k) and NAC 624.6958(2)(m) failure to provide a schedule of payments that meet the requirements of NAC 624.6964; NRS 624.3016(5), as set forth in NRS 597.719(3)(b)(1) failure to provide a notice to the owner stating that the owner may contact the Board if assistance is needed to clarify any provisions of the contract; NRS 624.3016(5), as set forth in NRS 597.719(3)(b)(2) and NAC 624.6958(2)(l) failure to provide notice to owner stating the owner has the right to request a bond for payment and performance; NRS 624.3016(5), as set forth in NAC 624.6958(2)(n) failure to provide prompt and full payment upon completion of each stage for services rendered or materials supplied; NRS 624.3016(5), as set forth in NAC 624.6964(1) failure to provide schedule of payments; NRS 624.3016(5), as set forth in NRS 597.716(3) and NAC 624.6966(3) failure to furnish the owner a full and unconditional release from any claim of mechanics' lien for that portion of work performed; NRS 624.3016(5), as set forth in NAC 624.6958(3) failure to provide a signature on the contract of the contractor or a person on his license; NRS 624.3016(5), as set forth in NRS 597.719(3)(a) failure to provide a method in the contract whereby the owner may initial provisions of the contract indicating that those provisions have been read and are understood; NRS 624.3016(5), as set forth in NRS 597.719(4) failure to provide the owner a legible copy of all documents; NRS 624.3013(3) failure to establish financial responsibility; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner. Mr. Ignatowicz was assessed a fine of \$500.00 for the Fourth, Fifth, Twenty-Fourth, Twenty-Fifth and Twenty-Eighth Causes of Action, a fine of \$250.00 for the Twenty-Seventh Cause of Action, a fine of \$100.00 for the Thirty-Second Cause of Action and a \$50.00 fine for the Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twenty-First, Twenty-Second, Twenty-Third, Twenty-Sixth, Twenty-Ninth, Thirtieth, Thirty-First and Thirty-Third Causes of Action for a total fine of \$4,000.00. If Mr. Ignatowicz provides a current financial statement that supports its license limit, the fine of \$500.00 shall be dismissed for the Twenty-Fourth Cause of Action making the total fines due \$3,500.00. The First, Second and Third Causes of Action were dismissed for insufficient evidence and the Twentieth Cause of Action was dismissed. Investigative costs were assessed in the amount of \$4,747.00. Fines and costs are to be paid within 90 days or license number 53046, A A Primo Builders, LLC will automatically be Suspended. Mr. Ignatowicz was ordered to furnish a personal financial statement prepared by a Certified Public Accountant within 30 days or license number 53046, A A Primo Builders, LLC will automatically be Suspended. If Mr. Ignatowicz furnishes the personal financial statement within 30 days the fine for the Twenty-Fourth Cause of Action will be dismissed. If the personal financial statement does not support the monetary license limit then the license will be brought back before the Board for financial responsibility. Mr. Ignatowicz has 30 days from January 25, 2006 to either come to a monetary settlement with Mr. Washington or make the necessary repairs to the Washington residence then Mr. Ignatowicz has 60 days from that to resolve the issue. If the issue with Mr. Washington is not resolved license number 53046 will be brought back before the Board for disciplinary action. Mr. Ignatowicz was ordered to pay restitution to Ms. Tobin in the amount of \$15,600.00 or make the necessary repairs to the Tobin residence within 90 days from January 25, 2006 or license number 53046 will automatically be Suspended.

**DISCIPLINARY HEARING – DEFAULT ORDERS:****a. ELDORADO EXCAVATION,** LICENSE NO. 45753

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Filios found Respondent Roy Lee Bales, dba Eldorado Excavation, license number 45753, in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Mr. Bales was found guilty of violation of NRS 624.302(5) failure to cooperate in an investigation; NRS 624.3013(3) failure to establish financial responsibility; NRS 624.302(6) failure to comply with a written request from the Board for information or records; NRS 624.3013(5), as set forth in NAC 624.640(3) failure to notify the Board of change of address or personnel within 30 days after the change occurs; NRS 624.3013(4) failure to keep in force the bond or cash deposit for the full period required by the Board. License number 45753, Roy Lee Bales, dba Eldorado Excavation was Revoked. Mr. Bales is required to pay full restitution to the damaged parties and reimburse the Board for Investigative costs of \$1,356.00 and any expenses that may be paid out of the Residential Recovery Fund.

**b. MONTEZ & ASSOCIATES,** LICENSE NO. 54235

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Filios found Respondent Ronald F. Montez, dba Montez & Associates, license number 54235, in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Mr. Bales was found guilty of violation of NRS 624.301(4) failure to prosecute a construction project with reasonable diligence thereby causing material injury to another; NRS 624.3012(1) diversion of money received the completion of a specific construction project; NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of their license; NRS 624.3011(1)(b)(1) willful disregard and violation of the Building Laws of the State or of any political subdivision thereof; NRS 624.520(1) failure to provide Residential Recovery Fund to owner; NRS 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 624.3013(3) failure to establish financial responsibility; NRS 624.302(6) failure to comply with a written request from the Board for information or records; NRS 624.3013(4) failure to keep in force the bond or cash deposit for the full period required by the Board. License number 54235, Ronald F. Montez, dba Montez & Associates was Revoked. Mr. Montez is required to pay full restitution to the damaged parties and reimburse the Board for Investigative costs of \$1,488.00 and any expenses that may be paid out of the Residential Recovery Fund.

**c. THE PACESETTER CORPORATION,** LICENSE NOS. 29448, 29600 & 44637

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Filios found Respondent The Pacesetter Corporation, Peter Danielson, President, license numbers 29448, 29600 and 44637, in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Mr. Danielson was found guilty of

violation of NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with the Board's Notice to Correct; NRS 624.302(5) failure to cooperate in an investigation; 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; NRS 624.302(6) failure to comply with a written request from the Board for information or records; 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 monetary limit placed upon his license. License number 29448, 29600 and 44637, The Pacesetter Corporation were Revoked. Mr. Danielson is required to pay full restitution to the damaged parties and reimburse the Board for Investigative costs of \$1,484.00 and any expenses that may be paid out of the Residential Recovery Fund.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Filios at 5:03 p.m.

Respectfully Submitted,

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Traci Greenlee, Recording Secretary

APPROVED:

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Margi Grein, Executive Officer

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Spiridon Filios, Hearing Officer