

JIM GIBBONS
Governor

STATE OF NEVADA



**STATE CONTRACTORS BOARD
MINUTES OF THE MEETING
FEBRUARY 11, 2009**

REPLY TO:

LAS VEGAS
2310 Corporate Circle
Suite 200
Henderson, Nevada 89074
(702) 486-1100
Fax (702) 486-1190
Investigations (702) 486-1110

www.nscb.state.nv.us

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

MEMBERS
Guy M. Wells, Chairman
Kevin E. Burke
Michael Efstratis
John C. Ellison
Jerry Higgins
Nathaniel W. Hodgson, III
William "Bruce" King

CALL TO ORDER:

Hearing Officer Efstratis called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday February 11, 2009, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Mr. Michael Efstratis
Mr. John C. Ellison
Mr. Jerry Higgins

STAFF MEMBERS PRESENT:

Mr. George J. Lyford, Director of Investigations
Mr. Gary Hoid, Deputy Director of Investigations

LEGAL COUNSEL PRESENT:

Mr. David Brown, Esq. Legal Counsel
Mr. Bruce Robb, Esq., Legal Counsel

The agenda was posted in compliance with the open meeting law February 5, 2009 at Reno City Hall, Washoe County Court House and Washoe County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board Internet Website.

ADJUDICATING BOARD MEMBER: JERRY HIGGINS

1. CONTINUED DISCIPLINARY HEARING: Continued from January 14, 2009

BENS FLOOR COVERING, INC., LICENSE NO. 37311A

Licensee was present.

Hearing Officer Higgins ordered Respondent Bens Floor Covering, Inc., license number 37311A to effect repairs to the Brown residence at no additional cost to the homeowner commencing April 1, 2009. Repairs must be completed on or before May 1, 2009. Respondent shall notify the Board upon completion of the repairs.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Higgins at 8:45 a.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Jerry Higgins, Hearing Officer

ADJUDICATING BOARD MEMBER: MICHAEL EFSTRATIS

2. DISCIPLINARY HEARING:
SIERRA CABINETS & CLOSETS, LICENSE NO. 53188

Licensee was not present.

The following Agency Exhibits were entered:

- Exhibit 1 – Board Hearing File
- Exhibit 2 – Bid from Stewart Construction
- Exhibit 3 – Bid from Dream Ventures Construction

Hearing Officer Efstratis found Respondent Sierra Cabinets & Closets, license number 53188 guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NRS 624.700(3)(a) failure to comply with the Board's Notice to Correct; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; NRS 624.3015(2) bidding to contract or contracting for a sum for one construction project in excess of the limit placed on the license by the Board; 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 624.3013(3) failure to establish financial responsibility. License number 53188 was Revoked. Respondent was ordered to pay a fine of \$1,500.00 for the First Cause of Action, \$500.00 for the Second Cause of Action; \$100.00 for the Third Cause of Action and \$500.00 each for the Fourth, Fifth and Sixth Causes of Action for a total fine of \$3,600.00; reimburse the Board for investigative costs of \$1,889.00 and reimburse Mrs. Pressey \$10,769.50 to be paid within forty-five days (45) of February 11, 2009. Respondent shall pay any claims and associated expenses that may be paid out of the Residential Recovery Fund.

3. DISCIPLINARY HEARING:
FACILITIES MANAGEMENT, INC., LICENSE NO. 52701

Licensee was present.

The following Agency Exhibits were entered:

- Exhibit 1 – Board Hearing File
- Exhibit 2 – January 21, 2009 letter with copy of check
- Exhibit 3 – Letter dated August 4, 2008 from NSCB
- Exhibit 4 – Series of letters requesting financial statements

Hearing Officer Efstratis dismissed the complaint.

4. DISCIPLINARY HEARING – DEFAULT ORDER
ADVANCED WINDOW DESIGN, LICENSE NO. 56006

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Efstratis found Respondent John Warner Ingham, Owner of Advanced Window Design, license number 56006 in default and adopted the Findings of Fact and Conclusions of Law as set forth in the Administrative complaint. Licensee was found guilty of violating NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NRS 624.700(3)(a) failure to comply with the Board's Notice to Correct; NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund Notice to owner; 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 624.3013(3) failure to establish financial responsibility. License number 56006 was Revoked. Respondent shall pay a fine of \$2,350.00; pay full restitution to the damaged parties and reimburse the Board for investigative costs of \$1,564.00 and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

DISCIPLINARY HEARING – DEFAULT ORDER
COLOR DESIGN PAINTING & DECORATING, LICENSE NO. 64163

Licensee was present.

This matter was continued to March 11, 2009.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Efstratis at 9:30 a.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Michael Efstratis, Hearing Officer