

BRIAN SANDOVAL  
Governor

## STATE OF NEVADA



### MEMBERS

Kevin E. Burke, Chairman  
Thomas "Jim" Alexander  
Donald L. Drake  
Nathaniel W. Hodgson, III  
William "Bruce" King  
Stephen P. Quinn  
Guy M. Wells

## STATE CONTRACTORS BOARD

### MINUTES OF THE MEETING July 20, 2011

### REPLY TO:

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

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

### CALL TO ORDER:

Hearing Officer Hodgson called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, July 20, 2011, 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. Nathaniel Hodgson, Hearing Officer  
Mr. Donald Drake, Board Member

### STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer  
Mr. George Lyford, Director of Investigations  
Mr. Daniel Hammack, Chief of Enforcement

### LEGAL COUNSEL PRESENT:

Mr. Jonathan Andrews, Esq., Legal Counsel  
Mr. David Brown, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on July 14, 2011, 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.

### 1. PUBLIC COMMENT

No one from the general public was present to offer comment.

### ADJUDICATING BOARD MEMBER: NATHANIEL HODGSON

### 2. DISCIPLINARY HEARING FOR POSSIBLE ACTION:

#### CONSTRUCTION SERVICES UNLIMITED, License Nos. 50079, 56280

Licensee was not present but was represented by counsel, Lars Evensen, Esq.

One witness testified for the Board.

The following Agency Exhibits were entered:

Exhibit 1 – Board's Hearing File.

Exhibit 2 – Executed copy of the Stipulation of Agreed Upon Disposition signed by Respondent's President, Michael Dean Froelich.

The following Respondent's Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint, dated May 9, 2010.

Exhibit B – Respondent's Affidavit of Michael Dean Froelich in Support of Motion to Dismiss the First, Fourth and Fifth Causes of Action.

**Hearing Officer Hodgson found Respondent guilty of one (1) violation of NRS 624.3014(2)(a) aiding or abetting an unlicensed person to evade the provisions of this chapter; two (2) violations of NRS 624.3015(4) knowingly entering into a contract with a contractor while that contractor is not licensed; three (3) violations of NRS 624.3015(1) acting beyond the scope of the license. The First, Fourth and Fifth Causes of Action were dismissed with prejudice; the Tenth, Eleventh and Twelfth Causes of Action with dismissed without prejudice. The Respondent stipulated to the Second, Third, Sixth, Seventh, Eighth and Ninth Causes of Action. Respondent was assessed a fine of \$1,000.00 for each of the Second, Third and Ninth Causes of Action; a fine of \$500.00 for each of the Sixth and Eighth Causes of Action; a fine of \$250.00 for the Seventh Causes of Action for total fines of \$4,250.00 and investigative costs of \$1,100.00. The Respondent's license limit shall be lowered to \$2,500,000.00 and shall remain this amount until such time as a current financial statement with bank verification form for all cash accounts is provided that supports a \$5,000,000.00 license limit. The Respondent has agreed to provide a financial statement within sixty (60) days of the hearing. Fines and costs are due within thirty (30) days of the July 20, 2011 hearing or license numbers 50079 and 56280, Construction Services Unlimited, Michael Dean Froelich, President and Qualified Individual will be suspended.**

**3. DISCIPLINARY HEARING FOR POSSIBLE ACTION:** (Continued from April 20, 2011)

**MICHAEL LEE SPECTER, OWNER, dba SUNDANCE POOLS AND SPAS,** License No. 31156

Licensee was not present but was represented by counsel, Douglas L. Monson, Esq.

Mr. Hodgson disclosed a business relationship with Sundance Pools and Spas.

The following Agency Exhibits were entered:

Exhibit 1 – Board's Hearing File.

The following Respondent's Exhibits were entered:

Exhibit A – Answer to the Board's Complaint dated April 18, 2011.

**Hearing Officer Hodgson granted a thirty (30) days continuance.**

**4. DISCIPLINARY HEARING FOR POSSIBLE ACTION:**

**RAY WAYNE CRIHFIELD, OWNER, dba AMBER POOLS AND SPAS,** License No. 47602

Licensee was present.

Two witnesses testified for the Board.

The following Agency Exhibits were entered:

Exhibit 1 – Board’s Hearing File.

The following Respondent’s Exhibits were entered:

Exhibit A – Answer to the Board’s Complaint dated June 2, 2011.

Exhibit B – A packet which included Pahrump Regional Planning District Inspection Job Card along with swimming pool plans for the Whitehead residence.

**Hearing Officer Hodgson found Respondent guilty of one (1) violation of NRS 624.3011(1)(b(1)) willful disregard of the building laws of the State. Respondent was assessed a fine of \$1,000.00 and investigative costs of \$1,286.00. Fines and costs are due within thirty (30) days of the July 20, 2011 hearing or license number 47602, Ray Wayne Cribfield, dba Amber Pools and Spas shall be suspended.**

**5. DISCIPLINARY HEARING FOR POSSIBLE ACTION:** (Continued from June 22, 2011)

**SOUTHWEST STONE AND TILE, INC.,** License Nos. 46544 and 46545

Licensee was present with counsel, Charles Bennion, Esq.

One witness testified for the Board.

The following Agency Exhibits were entered:

Exhibit 1 – Board’s Hearing File.

The following Respondent’s Exhibits were entered:

Exhibit A – A letter from Respondent to the Board dated June 28, 2010.

**Hearing Officer Hodgson placed license number 46545, Southwest Stone and Tile, Inc. on probation and continued the matter for one-hundred and twenty (120) days, the renewal of license number 46545 was granted.**

**6. DISCIPLINARY HEARING FOR POSSIBLE ACTION:**

**AVERY ATLANTIC, LLC,** License Nos. 67984, 52522A, 69383

**FAITH VISION, INC., dba VISION BUILDERS,** License No. 74754

**SOL UP USA, LLC,** License No. 75025

Licensee was present.

Richard Peel, Esq. was present to represent the Complainant.

One witness testified for the Board.

The following Respondent’s Exhibits were entered:

Exhibit A – A letter from Respondent to the Board dated June 28, 2010.

This matter was continued.

**7. DISCIPLINARY HEARING FOR POSSIBLE ACTION:**

**CHRISTOPHER HOMES, LLC**, License No. 51938

**CHRISTOPHER COMMERCIAL, LLC**, License No. 57851

**J. CHRISTOPHER STUHMER, INC.**, License No. 21076

Licensee was not present but was represented by counsel, Dale Hayes, Esq.

Mr. Hodgson disclosed a personal relationship with the Qualified Individual for Christopher Homes.

One witness testified for the Board.

The following Agency Exhibits were entered:

Exhibit 1 – Board's Hearing File.

Exhibit 2 – Respondent's District Court case Arbitration Exemption Claimed: Action for Declaratory Relief on Case No. A-11-644721-C.

The following Respondent's Exhibits were entered:

Exhibit A – Respondent's letter to the Board dated April 2, 2011.

Exhibit B – Dale A. Hayes, Jr., Esq.'s letter to the Board dated July 7, 2011.

**Hearing Officer Hodgson found Respondent guilty of one (1) violation of NRS 624.3012(2) willful failure to pay any money when due for materials or service; one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. The Respondent stipulated to the First and Third Causes of Action; a fine of \$500.00 was assessed for the First Cause of Action and investigative costs of \$650.00. The Second Cause of Action was dismissed. Fines and costs are due within thirty (30) days of the July 20, 2011 hearing or license number 51938, Christopher Homes, LLC, license number 57851, Christopher Commercial, LLC and license number 21076, J. Christopher Stuhmer, Inc., John Christopher Stuhmer, Inc. will be suspended.**

**8. DISCIPLINARY HEARING FOR POSSIBLE ACTION:**

**PERMASTEELISA NORTH AMERICA, CORP.**, License No. 73924

**PERMASTEELISA NORTH AMERICAN CORP.**, License No. 72133

Licensee was not present but was represented by counsel, David Johnson, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board's Hearing File.

Exhibit 2 – The Handwritten disposition from the mediation meeting held July 7, 2011 between Permasteelisa North America, Dunrite Construction, Inc. and Ermenegoldo Zegna Corp.

Exhibit 3 – A letter from Candice Renka, Esq., Dunrite Construction, Inc.'s counsel dated July 8, 2011.

The following Respondent's Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated June 17, 2011 to include Volumes 1 thru 4.

**Hearing Officer Hodgson dismissed the Board's Complaint contingent upon Respondent complying with the payment agreement entered into on July 7, 2011.**

**9. DISCIPLINARY HEARING FOR POSSIBLE ACTION:** (Continued from February 23, 2011)

**DUNRITE CONSTRUCTION, INC.,** License No. 18138

Licensee was not present but was represented by counsel, Jack Juan, Esq. and Candice Renka, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board's Hearing File was submitted at the February 23, 2011 hearing.

Exhibit 2 – An e-mail from Candice Renka, Esq. to the Board dated February 16, 2011.

Exhibit 3 – The handwritten disposition from the mediation meeting held July 7, 2011 between Permasteelisa North America Corp., Dunrite Construction, Inc. and Ermenegoldo Zegna Corp.

Exhibit 4 – A letter from Candice Renka, Esq. to the Board dated July 15, 2011.

The following Respondent's Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated January 28, 2011.

Exhibit B – Respondent's Supplemental Answer to the Amended Complaint was admitted at the July 20, 2011 hearing.

Exhibit C – A letter from Candice Renka, Esq. to the Board dated July 8, 2011.

Exhibit D – A letter from Becky A. Pintar, Esq. to the Board dated July 14, 2011.

**Hearing Officer Hodgson dismissed the Board's Complaint contingent upon Respondent complying with the payment agreement entered into on July 7, 2011.**

**10. DISCIPLINARY HEARING FOR POSSIBLE ACTION: (Stipulated Revocation)**

**S. B. A. DEVELOPMENT, INC., dba ROYAL CONSTRUCTION COMPANY,** License No. 35409

Licensee was not present.

One witness testified for the Board.

The following Agency Exhibits were entered:

Exhibit 1 – Board's Hearing file.

Exhibit 2 – A letter from Respondent's counsel, Frank M. Flansburg, III to the Board dated May 23, 2011 stipulating to the revocation of the license.

**Hearing Officer Hodgson found Respondent guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$500.00 and investigative costs of \$1,801.00. License number 35409, S. B. A. Development, Inc., dba Royal Construction Company,**

**Stephen Barrie Aizenberg, President and Qualified Individual was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus fines and investigative costs prior to consideration of future licensure.**

#### **11. DISCIPLINARY HEARING – DEFAULT ORDERS**

##### **a. PATTON AND PATTON MARBLE AND GRANITE, INC.,** License Nos. 72258 and 72259

Licensee was not present.

Fiona Roberts from Illume and Jim Shelton from True Dentistry were present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – Estimate to repair Stone work.

**Hearing Officer Hodgson found Respondent Patton and Patton Marble and Granite, Inc., license numbers 72258 and 72259 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board's Notice to Correct; one (1) violation of NRS 624.3013(4) failure to keep bond in force; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. Respondent was assessed a fine of \$500.00 for each of the First, Second, Third and Fourth Causes of Action for total fines of \$2,000.00 and investigative costs in the amount of \$1,524.00. License numbers 72258 and 72259, Patton and Patton Marble and Granite, Inc. were revoked. Respondent is ordered to pay full restitution to the damaged parties and reimburse the Board for any monies paid out of the Residential.**

##### **b. MIKOHN SIGNS AND GRAPHICS, LLC,** License No. 62921

Licensee was not present.

Erika Twesme, Esq. was present representing Pacific Showcase.

**Hearing Officer Hodgson found Respondent Mikohn Signs and Graphics, LLC, license number 62921 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of 624.3013(4) failure to keep bond in force; one (1) violation of NRS 624.302(5) failure to comply with a written request by the Board. Respondent was assessed a fine of \$500.00 each for the First and Second Cause of Action; a fine of \$250.00 for the Third Cause of Action**

and investigative costs in the amount of \$1,321.00. License number 62921, Mikohn Signs and Graphics, LLC was revoked. Respondent is ordered to pay full restitution to the damaged parties and reimburse the Board for any monies paid out of the Residential.

**c. CITYWIDE ELECTRIC, INC., dba CITYWIDE HEATING, AIR AND ELECTRICAL**, License No. 56714

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Hodgson granted a thirty (30) days continuance. License number 56714, Citywide Electric, Inc., dba Citywide Heating, Air and Electrical was suspended.

**d. VESTA DEVELOPMENT, LLC**, License No. 54941

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Hodgson found Respondent Vesta Development, LLC, license number 54941 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$500.00 and investigative costs in the amount of \$1,365.00. License number 54941, Vesta Development, LLC was revoked. Respondent is ordered to pay full restitution to the damaged parties and reimburse the Board for any monies paid out of the Residential.

**e. STONE AGE CONCRETE, LLC**, License No. 69222A

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Hodgson found Respondent Stone Age Concrete, LLC, license number 69222A in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.301(1) abandonment of construction project; one (1) violation of NRS 624.302(5) failure to comply with a written request by the Board; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(3) failure to notify Board of change of address or personnel; one (1) violation of NRS 624.3013(4) failure to keep bond in force; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,000.00 for the First Cause of Action; a fine of \$250.00 each for the Second and Third Causes of Action; a fine of \$500.00 each for the Fourth and Fifth Causes of Action for total fines of \$2,500.00 and investigative costs in the amount of \$1,740.00. License number 69222A, Stone Age Concrete, LLC was revoked. Respondent is ordered to pay full restitution to the damaged parties and reimburse the Board for any monies paid out of the Residential.

**f. AMERICAN PIPING SERVICES, INC.**, License No. 49295

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

**Hearing Officer Hodgson found Respondent American Piping Services, Inc., license number 49295 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board. Respondent was assessed a fine of \$500.00 each for the First and Second Causes of Action and investigative costs in the amount of \$1,740.00. License number 49295, American Piping Services, Inc. was revoked. Respondent is ordered to pay full restitution to the damaged parties and reimburse the Board for any monies paid out of the Residential.**

**g. DANIEL SCOTT LARSON, Owner, dba SOUTHWESTERN CONSTRUCTION, License Nos. 74852 and 69555**

License was present.

Krislynn Markey from Alternative Refrigeration was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

**Hearing Officer Hodgson granted a thirty (30) day continuance. License number 74852, Daniel Scott Larson, Owner, dba Southwestern Construction was suspended.**

**h. SANDSTONE BUILDERS, LLC, License No. 59166**

**WILLIAMS CONSTRUCTION CORP., License No. 48434**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

**Hearing Officer Hodgson granted a thirty (30) day continuance. License number 59166, Sandstone Builders, LLC and license number 48434 Williams Construction Corporation, were suspended.**

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Hodgson at 12:53 p.m.

Respectfully Submitted,

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Janet Brinkley, Recording Secretary

APPROVED:

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Margi A. Grein, Executive Officer

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Nathaniel Hodgson, Hearing Officer