

BRIAN SANDOVAL
Governor

State Of Nevada



STATE CONTRACTORS BOARD

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9670 Gateway Drive, Suite 100
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MEMBERS
Kevin E. Burke, Chairman
Thomas "Jim" Alexander
Margaret Cavin
Donald L. Drake
Nathaniel W. Hodgson, III
Stephen P. Quinn
Guy M. Wells

MINUTES OF THE RESIDENTIAL RECOVERY FUND HEARING March 21, 2012

Bruce Robb, Esq. called the Hearing to order at 1:00 p.m. on Wednesday, March 21, 2012, at the Henderson Board office, 2310 Corporate Circle, #200, Henderson, Nevada 89074 and teleconferenced with the Reno Board office of the Nevada State Contractors Board, 9670 Gateway Drive, Suite 100, Reno, Nevada 89521.

BOARD MEMBERS PRESENT:

Mr. Guy Wells
Mr. Nat Hodgson
Mr. Donald Drake

STAFF MEMBERS PRESENT:

| | |
|--|-----------------------------------|
| Ms. Margi A. Grein, Executive Officer | Mr. Gary Leonard, Investigator |
| Mr. George Lyford, Director of Investigations | Mr. John white, Investigator |
| Mr. Dan Hammack, Chief of Enforcement | Mr. Gordon LaPointe, Investigator |
| Mr. Julio Sabates, Deputy Director, Investigations | Mr. Greg Welch, Investigator |
| Mr. Gary Hoid, Deputy Director, Investigations | Mr. Eric Brio, Investigator |

LEGAL COUNSEL PRESENT:

Mr. Bruce Robb, Esq., Legal Counsel

Ms. Grein stated that the Agenda was posted in compliance with the open meeting law on March 16, 2012 at Las Vegas City Hall, the Sawyer Building, Clark County Library, 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's Internet web site.

1. CALL TO ORDER

The meeting was called to order by Mr. Guy Wells at 1:00 p. m.

2. PUBLIC COMMENT

No one was present for public comment in Reno or Henderson.

3. RECOVERY FUND HEARING

BUKKY'S MASONRY, License No. 8733

Norman Bukky, Owner and Qualified Individual
(John Crouch, Homeowner)
30026237

No one from Bukky's Masonry was present. Homeowner, John Crouch, was present along with his Counsel, David K. Baba, Esq.

Mr. Drake disclosed a personal acquaintance with David Baba, but stated he could be impartial in this case. There was no objection from Mr. Baba.

The following Agency exhibits were entered:

Exhibit 1 – Board File and Summary Report

The Committee awarded John Crouch \$12,000.00.

4. RECOVERY FUND HEARING

PASCHALL PLUS, License No. 20060A

James M. Paschall, President and Qualified Individual
(Laura Murray, Homeowner)
30025432

Jim Paschall, President and Robert Wild, Employee of Paschall Plus were present. Homeowner, Laura Murray, along with her Counsel, Michael Springer, Esq. and Jeff Spencer, Esq. were present.

Mr. Drake disclosed he was the hearing officer in the Disciplinary Hearing involving the Homeowner and Respondent and recused himself from this case.

The Following Agency exhibits were entered:

Exhibit 1 – Board File and Summary Report

The Committee denied the claim.

5. RECOVERY FUND HEARING

WHALEY CONSTRUCTION, License No. 60213

Chadd Whaley, Owner and Qualified Individual
(Adam Zehr, Homeowner)
30026480

No one from Whaley Construction was present. Homeowner, Adam Zehr, was not present.

The Following Agency exhibits were entered:

Exhibit 1 – Board File and Summary Report

The Committee awarded Adam Zehr \$5,400.00.

6. RECOVERY FUND HEARING

WHALEY CONSTRUCTION, License No. 60213
Chadd Whaley, Owner and Qualified Individual
(Jody Hernandez, Homeowner)
30026674

No one from Whaley Construction was present. Homeowner, Jody Hernandez, was not present.

The Following Agency exhibits were entered:

Exhibit 1 – Board File and Summary Report

The Committee awarded Jody Hernandez \$35,000.00.

7. RECOVERY FUND HEARING

WHALEY CONSTRUCTION, License No. 60213
Chadd Whaley, Owner and Qualified Individual
(Scott Boyce, Homeowner)
30026907

No one from Whaley Construction was present. Homeowner, Scott Boyce, was not present.

The Following Agency exhibits were entered:

Exhibit 1 – Board File and Summary Report

The Committee awarded Scott Boyce \$9,563.30.

8. RECOVERY FUND HEARING

STERLING HOMES NEVADA, LLC., License No. 66416
Gary James Hill, Managing Member and Qualified Individual
Gary Malcolm Hill, Managing Member
(Paul Ricketts, Homeowner)
30026399

No one from Sterling Homes Nevada, LLC was present. Homeowner, Paul Ricketts, was not present.

The Following Agency exhibits were entered:

Exhibit 1 – Board File and Summary Report

The Committee denied the claim.

9. RECOVERY FUND HEARING

DESERT EAGLE CONSTRUCTION, INC., DBA CASA ADAME CUSTOM HOMES, License No. 59217
Gabriel Adame, President and Qualified Individual
(Nataliya Voytenko, Homeowner)
30026547

No one from Desert Eagle Construction, Inc. dba Casa Adame Custom Homes was present. Homeowner, Nataliya Voytenko was not present.

The following Agency exhibits were entered:

Exhibit 1 – Board File and summary Report

The Committee denied the claim.

10. RECOVERY FUND HEARING

CANNON HOME IMPROVEMENTS, LLC, License No. 60985

Glenn Cannon, Manager and Qualified Individual
(Elda Fontana, Homeowner)
30026793

No one from Cannon Home Improvements, LLC was present. Homeowner, Elda Fontana, was not present.

The Following Agency exhibits were entered:

Exhibit 1 – Board File and Summary Report

The Committee awarded Elda Fontana \$437.66.

11. RECOVERY FUND HEARING

NEW TRENDS DEVELOPMENT LIMITED LIABILITY COMPANY DBA AQUASCAPE POOL & SPA,

License No. 38797

Julio Schembari, Member and Qualified Individual
(Ronald Burdno, Homeowner)
30026487

No one from New Trends Development Limited Liability Company dba Aquascape Pool & Spa was present. Homeowner, Ronald Burdno, was not present.

The Following Agency exhibits were entered:

Exhibit 1 – Board File and Summary Report

The Committee awarded Ronald Burdno \$687.41.

12. RESIDENTIAL RECOVERY HEARING

NEW TRENDS DEVELOPMENT LIMITED LIABILITY COMPANY DBA AQUASCAPE POOL & SPA,

License No. 38797

Julio Schembari, Member and Qualified Individual
(Michael Bernstein, Homeowner)
30026250

No one from New Trends Development Limited Liability Company dba Aquascape Pool & Spa was present. Homeowner, Michael Bernstein, was present.

The Following Agency exhibits were entered:

Exhibit 1 – Board File and Summary Report

The Committee awarded Michael Bernstein \$8,083.04.

13. RESIDENTIAL RECOVERY HEARING

LOUIS PHILLIP DESANGRO DBA L T D BUILDERS, License No. 33260

Louis DeSangro, Owner and Qualified Individual
(John W. Walker, Homeowner)
30026348

No one from Louis Phillip DeSangro dba L T D Builders was present. Homeowner, John W. Walker and Dale Ann Buttacavoli, John Walker's domestic partner, were present.

The Following Agency exhibits were entered:

Exhibit 1 – Board File and Summary Report

The Committee awarded John W. Walker \$3,100.00.

14. RESIDENTIAL RECOVERY HEARING

A BEST CONCRETE, INC. License No. 68647

Gabriel Sanchez, President and Qualified Individual
(Kevin Denny, Homeowner)
30024390

No one from A Best Concrete, Inc. was present. Homeowner, Kevin Denny, was not present.

The Following Agency exhibits were entered:

Exhibit 1 – Board File and Summary Report

The Committee awarded Kevin Denny \$3,192.00.

15. RESIDENTIAL RECOVERY HEARING

DESERT BREEZE BY INTEGRITY, INC., License No. 65588

Felicia M. Ortega, President
(Samantha Messer, Homeowner)
30010861

No one from Desert Breeze by Integrity, Inc was present. Homeowner, Samantha Messer, was present.

The following Agency exhibits were entered:

Exhibit 1 – Board file and summary Report

The Committee awarded Samantha Messer \$22,619.47 contingent upon receipt of a signed Subrogation of Rights form within 60 days.

16. RESIDENTIAL RECOVERY HEARING

SOUTHWEST PUTTING GREENS NEVADA DBA SOUTHWEST GREENS, License No. 69098

Randall Kleiner, President and Qualified Individual
(Barbara Nolter, Homeowner)
30024630

No one from Southwest Putting Greens Nevada dba Southwest Greens was present. Homeowner, Barbara Nolter was present.

The following Agency exhibits were entered:

Exhibit 1 – Board File and summary Report

The Committee awarded Barbara Nolter \$3,745.00.

17. PUBLIC COMMENT

No one was present for public comment in Reno or Henderson.

The meeting was adjourned at 2:42 p.m.

Respectfully Submitted,

Judy Teller, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Date