

**BRIAN SANDOVAL**  
Governor

## STATE OF NEVADA



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**MEMBERS**  
Guy M. Wells, Chairman  
Thomas "Jim" Alexander  
Kevin E. Burke  
Margaret Cavin  
Donald L. Drake  
Jan B. Leggett  
Stephen P. Quinn

## STATE CONTRACTORS BOARD

### MINUTES OF THE MEETING April 17, 2013

#### **CALL TO ORDER:**

Hearing Officer Stephen Quinn called the meeting of the State Contractors Board to order at 8:32 a.m., Wednesday, April 17, 2013, 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. Stephen Quinn, Hearing Officer  
Mr. Donald Drake, Board Member  
Mr. Jan B. Leggett, 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. David Brown, Esq., Legal Counsel  
Mr. Jonathan Andrews, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on April 11, 2013, 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's Internet Website.

#### **ADJUDICATING COMMITTEE MEMEBER: Stephen Quinn**

#### **1. DISCIPLINARY HEARING:** (Continued from March 20, 2013)

#### **T & M ELECTRICAL, INC., dba TWO MASTER ELECTRICIANS,** License No. 70562

Licensee was present at the hearing but not represented by counsel.

The following Agency Exhibits were entered:

Exhibit #1 – Board Hearing File.

Exhibit #2 – Correspondence from Pezzillo Lloyd law firm dated January 18, 2013.

The following Licensee Exhibits were entered:

Exhibit A – Copies of cashiers' checks payable to City Electric Supply and Arash, LLC.

Hearing Officer Quinn 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 for the First Cause of Action and investigative costs of \$2,335.00. The Second Cause of Action was dismissed. Fines and investigative costs shall be paid within thirty (30) days of the April 17, 2013 hearing or license number 70562, T & M Electrical, Inc., dba Two Master Electricians shall be suspended. Respondent's license limit shall be lowered to \$10,000.00.

**2. DISCIPLINARY HEARING:** (Continued from March 20, 2013)

**PATRICK HENRY MEADS, OWNER, dba BAR K,** License Nos. 66593, 66596

Licensee was not present at the hearing nor represented by counsel.

The following Agency Exhibits were entered:

Exhibit #1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's response to the Board's Complaint dated March 19, 2013.

Hearing Officer Quinn found Respondent guilty of one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(5) failure to include its license number and monetary license limit on its contracts; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.165(3)(e)(2) failure to hold the appropriate business licenses; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; 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 \$250.00 for the First Cause of Action; a fine of \$500.00 for each of the Second and Fourth Causes of Action; a fine of \$100.00 for the Third Cause of Action for total fines of \$1,350.00 and investigative costs of \$2,189.00. License numbers 66593 and 66596, Patrick Henry Meads, Owner, dba Bar K were suspended. Respondent shall pay the fines and investigative costs plus provide a current financial statement with bank verification for all cash accounts that supports the license limit within sixty (60) days of the April 17, 2013 hearing or license numbers 66593 and 66596, Patrick Henry Meads, Owner, dba Bar K shall be revoked.

**3. DISCIPLINARY HEARING:** (Continued from March 20, 2013)

**MILESTONE PAVING AND GRADING, INC., dba MILESTONE ENGINEERING,** License No. 41829

**D & T WILLIAMS, LLC, dba GLOBAL CONCRETE CUTTING,** License No. 64004

Licensees were present and represented by counsel at the hearing, Donald H. Williams, Esq.

The following Agency Exhibits were entered:

Exhibit #1 – Board's Hearing File.

Exhibit #2 – The Stipulation and Settlement Recommendation and Decision and Order dated April 17, 2013.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated January 15, 2013.

Hearing Officer Quinn found Respondent Milestone Paving and Grading, Inc., dba Milestone

Engineering guilty of one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(3) failure to notify the Board of a change of officers; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.665(1) failure to submit an application for a change of officers; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.260(3)(a)(b)(c) failure to have a qualified individual fulfilling the duties of a qualified individual; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.650(1) a licensee shall not permit his contracting business to be operated by an unlicensed person. Respondent Milestone Paving and Grading, Inc., dba Milestone Engineering 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 of \$5,651.00. The Fifth, Sixth, Seventh, Eighth, Ninth and Eleventh Causes of Action are dismissed. Fines and investigative costs shall be paid within thirty (30) days of the April 17, 2013 hearing or license number 41829, Milestone Paving and Grading, Inc., dba Milestone Engineering shall be suspended. Respondent Milestone Paving and Grading, Inc., dba Milestone Engineering shall provide a current financial statement with bank verification for all cash accounts that supports the license limit within sixty (60) days of the Buyback of stock from Darby Neagle or license number 41829, Milestone Paving and Grading, Inc., dba Milestone Engineering shall be suspended. If the financial statement fails to support the license limit, the license limit shall be lowered to the amount that the financial statement supports. If the financial statement is timely provided, the Tenth Cause of Action shall be dismissed.

#### **4. DISCIPLINARY HEARING:**

**NEVADA HOMES GROUP, INC., dba NEVADA GROUP CONSTRUCTION,** License No. 40413

Licensee was present and represented by counsel at the hearing, Craig Slater, Esq.

The following Agency Exhibits were entered:

Exhibit 1 – Board's Hearing File.

Hearing Officer Quinn found Respondent guilty of one (1) violation of NRS 624.3016(2) a conviction of a violation of NRS 624.730, or a conviction in this State or any other jurisdiction of a felony relating to the practice as a contractor; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(3) failure to notify the Board of a change of personnel which affects the accuracy of the statements in the application upon which his license is based within 30 days after the change occurs; 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 for the Second Cause of Action; a fine of \$500.00 for the Third Cause of Action for total fines of \$1,750.00 and investigative costs of \$1,797.00. License number 40413, Nevada Homes Group, Inc., dba Nevada Group Construction shall be suspended for 120 days. Within this 120 day timeframe, the Respondent shall pay the fine and investigative costs; provide a current reviewed or audited financial statement with bank verification for all cash accounts that supports the license limit; and submit an application for a change of qualified individual. If the financial statement fails to support the license limit, the license limit shall be lowered to the amount that the financial statement supports. If Respondent fails to timely comply with the Board's Decision and Order, license number 40413, Nevada Homes Group, Inc., dba Nevada Group Construction shall be revoked.

#### **5. DISCIPLINARY HEARING:**

**V. W. C. BUILDERS, INC.,** License No. 77562

Licensee was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit #1 – Board's Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated April 1, 2013.

Hearing Officer Quinn found Respondent guilty of two (2) violations of NRS 624.3016(7) misrepresentation or the omission of a material fact to obtain a license. Respondent was assessed a fine of \$500.00 each for the First and Second Causes of Action for total fines of \$1,000.00 and investigative costs of \$1,575.00. License number 77562, V. W. C. Builders, Inc. shall be suspended until such time as the fines and investigative costs are paid and a signed indemnification agreement is provided to the Board.

**6. DISCIPLINARY HEARING:** (Stipulated Revocation)

**a. P. M. S. & ASSOCIATES, INC., dba HUBB CITY CONSTRUCTION,** License No. 73792

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit #1 – Board's Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – A letter from Respondent to the Board dated February 25, 2013.

Hearing Officer Quinn found Respondent guilty of one (1) violation of NRS 624.3011(b)(2) violation of the safety laws or labor laws of the State; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.263(3)(a)(b) failure to notify the Board of a filing of bankruptcy; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The Third and Fourth Causes of Action were dismissed. The Respondent was found in violation of the First, Second and Fifth Causes of Action; however fines and investigative costs were not assessed due to Respondent's bankruptcy filing. License number 73792, P. M. S. & Associates, Inc., dba Hubb City Construction was revoked.

**b. ALTAIR HOLDINGS, LLC, dba ADDITIONS N MORE,** License Nos. 75302, 77256, 77271

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit #1 – Board's Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – E-mails between the Respondent and the Board dated March 13, 2013 and March 14, 2013.

Exhibit B – Respondent's Bankruptcy, Case No. 13-11534-bam.

Hearing Officer Quinn found Respondent guilty of three (3) violations of NRS 624.301(4) failure to prosecute a construction project with reasonable diligence; one (1) violation of NRS 624.301(2) abandonment of a construction project when the percentage completed is less than the percentage paid to the contractor; two (2) violations of NRS 624.301(1) abandonment of any construction project; three (3) violations of NRS 624.301(5) failure to comply with the terms of a construction contract; 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. The Seventh Cause of Action was dismissed. The Respondent was found in violation of the First, Second, Third, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth and Eleventh Causes of Action; however fines and investigative were not assessed due to Respondent's bankruptcy filing. License numbers 75302, 77256 and 77271, Altair Holdings, LLC, dba Additions N More were revoked.

**7. DISCIPLINARY HEARING – DEFAULT ORDERS:****a. CREATIVE CONSTRUCTION AND CARPENTRY, LLC,** License No. 71967

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit #1 – Board Hearing File.

Hearing Office Quinn found Respondent Creative Construction and Carpentry, LLC, license number 71967 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 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of the State; one (1) violation of NRS 624.3016(5), as set forth in NRS 624.600(1)(a)(b), (2), (3)(a)(b) failure to provide the required notices to the homeowner; one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$500.00 each for the First, Fourth, Sixth and Seventh Causes of Action; a fine of \$250.00 each for the Second and Fifth Causes of Action; a fine of \$100.00 for the Third Cause of Action for total fines of \$2,600.00 and investigative costs of \$1,832.00. License number 71967, Creative Construction and Carpentry, LLC 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 pay the fines and investigative costs prior to consideration of future licensure.

**b. A LINE MECHANICAL, LLC,** License Nos. 70829, 76459

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit #1 – Board Hearing File.

Hearing Officer Quinn found Respondent A Line Mechanical, LLC, license numbers 70829 and 76459 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 624.3011(b)(4) violation of the laws of this State regarding industrial insurance; 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 each for the First and Second Causes of Action for total fines of \$1,000.00 and investigative costs of \$1,816.00. License numbers 70829 and 76459, A Line Mechanical, LLC were 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 pay the fines and investigative costs prior to consideration of future licensure.

**c. ITAL STONE, INC.,** License Nos. 53369, 58861**STONE INDUSTRIES OF AMERICA, LLC,** License Nos. 75856, 75857

Licensees were present and represented by counsel at the hearing, Sam Hotchkiss, Esq.

This matter was continued to June 19, 2013. License numbers 53369 and 58861, Ital Stone, Inc. and license numbers 75856 and 75857, Stone Industries of America, LLC were suspended.

**ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Quinn at 10:33 a.m.

Respectfully Submitted,

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Melinda Mertz, Recording Secretary

APPROVED:

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Margi A. Grein, Executive Officer

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Stephen Quinn, Hearing Officer