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STATE OF NEVADA



STATE CONTRACTORS BOARD

**MINUTES OF THE MEETING
FEBRUARY 6, 2013**

REPLY TO:

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CALL TO ORDER:

Administrative Law Judge Bruce Robb Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday **FEBRUARY 6, 2013**, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

STAFF MEMBERS PRESENT:

Ms. Margi A. Grein, Executive Officer
Ms. Nancy Mathias, Licensing Administrator
Mr. George J. Lyford, Director of Investigations
Mr. Daniel Hammack, Chief Enforcement
Ms. Susan Broili-Kamesch, Licensing Supervisor – Reno

LEGAL COUNSEL PRESENT:

Louis Ling, Esq., Legal Counsel
Bruce Robb, Esq.

The agenda was posted in compliance with the open meeting law **JANUARY 31, 2013** 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.

ADMINISTRATIVE LAW JUDGE: BRUCE ROBB

1. DISCIPLINARY HEARING:

ALPINE STEEL LLC, LICENSE NO. 42951

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

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Administrative Law Judge Robb found Respondent Alpine Steel LLC, license number 42951 guilty of violating NRS 624.3013(3) failure to establish financial responsibility. Respondent shall submit a new financial statement within thirty (30) days of the hearing. The license limit shall be lowered to \$1,700,000.00. Respondent shall acquire a \$20,000.00 bond within ten (10) day of the hearing. License shall be placed on probation for one (1) year. Every sixty (60) days the Respondent shall provide written documentation to George Lyford that it is current with its payments to the Nevada Department of Correction and the IRS. If the Board received any money owing complaints while the license is on probation, the Respondent shall appear at the next scheduled disciplinary hearing. Respondent agreed to pay the Board's investigative fees in the amount of \$1,732.00.

2. DISCIPLINARY HEARING:
DO RITE PLUMBING HEATING AND AIR INC, LICENSE NO. 75933

Licensee was not present and was not represented by counsel.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – February 5, 2013 Terms of Resolution

Administrative Law Judge Robb accepted the surrender of license number 75933. Respondent stipulated to the violations of NRS 624.3017(1) substandard workmanship, NRS 624.3011(2) if a contractor performs construction without obtaining any necessary building permit there is a rebuttable presumption that the contractor willfully and deliberately violated the building laws of this State or of its political subdivisions, 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(5), pursuant to NAC 624.650(1) by permitting his contracting business to be operated by an unlicensed or unqualified person under a power of attorney or otherwise and NRS 624.3013(3) failure to establish financial responsibility. Respondent shall satisfy the outstanding judgment Ms. Park has against the Respondent in the approximate sum of \$1,525.00 Respondent shall present written evidence of the satisfaction of judgment within ten (10) days of approval of the settlement by the Hearing Officer. Respondent shall pay an administrative fine of \$1,000.00 for the Third Cause of Action, \$100.00 for the Fifth Cause of Action, \$50.00 for the Sixth Cause of Action, \$2,000.00 for the Eighth Cause of Action and \$500.00 for the Twelfth Cause of Action for a total fine in the amount of \$3,650.00. Respondent shall pay investigative costs and fees in the amount of \$1,958.00. Fines and fees are to be paid in 12 equal payments of \$467.33 commencing on March 6, 2013 and continuing on the 6th day of each successive month thereafter until the administrative fines and assessed investigative costs have been paid in full. The Second, Fourth, Seventh, Ninth, Tenth and Eleventh Causes of Action are dismissed.

3. NEW LICENSE APPLICATION DENIAL HEARING: Continued from December 5, 2012
DAVID PAUL ROBERTS DBA, GRANITE PERFECTION

Licensee was present.

Administrative Law Judge Robb approved the license with a \$10,000.00 monetary license limit and a \$2,000.00 bond.

4. NEW APPLICATION DENIAL HEARING: Continued from December 5, 2012
RANDOLPH LYN HANSON DBA, RANDOLPH HANSON CONSTRUCTION

Licensee was present.

Administrative Law Judge Robb approved the B-2 and B-3 license each with a \$200,000.00 monetary license limit and a \$20,000.00 bond. Respondent shall provide an indemnification agreement and financial statement to the Board in support of the indemnification prior to issuance of the license.

5. FINANCIAL RESPONSIBILITY HEARING:
DREAM CONSTRUCTION CO LLC, LICENSE NO. 73790

Licensee was not present.

Administrative Law Judge Robb found Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility and NRS 624.302(5) failure to comply with written request of the Board. No administrative fines were imposed. Respondent must pay investigative fees in the amount of \$475.91. License number 73790 is revoked.

6. FINANCIAL RESPONSIBILITY HEARING:
R COAT PAINT AND DRYWALL INC DBA, TITANIUM, LICENSE NO. 70633

Licensee was not present.

Administrative Law Judge Robb found Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility and NRS 624.302(5) failure to comply with written request of the Board. No administrative fines were imposed. Respondent must pay investigative fees in the amount of \$470.03 within thirty (30) days. License number 70633 is revoked. Staff is to review the C-4 license.

7. FINANCIAL RESPONSIBILITY HEARING:
JASON PAUL PRUETT DBA, ALOHA GLASS AND MIRROR, LICENSE NO. 74794

Licensee was not present.

Administrative Law Judge Robb found Respondent guilty of violating NRS 624.3013(3) failure to establish financial responsibility and NRS 624.302(5) failure to comply with written request of the Board. No administrative fines were imposed. Respondent must pay investigative fees in the amount of \$497.21. License number 74794 is revoked.

8. FINANCIAL RESPONSIBILITY HEARING:
SEA GROUPS LTD, LICENSE NO. 76460

Licensee was present.

Administrative Law Judge Robb suspended Sea Groups Ltd, license number 76460 until a current financial statement is provided which supports the license monetary limit. Respondent shall pay investigative fees in the amount of \$473.41 prior to reactivation of the license. The suspension will be lifted once the Respondent has paid the assessed costs and provided a current financial statement which supports a \$50,000.00 license limit.

9. FINANCIAL RESPONSIBILITY HEARING:
RIGHTWAY CONSTRUCTION LLC

Licensee was present.

Administrative Law Judge Robb approved the license with a \$10,000.00 monetary license limit and a \$2,000.00 bond.

10. NEW APPLICATION DENIAL HEARINGS:
DAVID CLIFTON STEPHENS DBA, DMS CONSTRUCTION

Licensee was present.

Administrative Law Judge Robb approved the license with a \$240,000.00 monetary license limit and a \$15,000.00 bond.

11. NEW APPLICATION DENIAL HEARINGS:
THOMAS PAUL DEGREGORY DBA, CARSON VALLEY SIGNS

Licensee was not present.

Administrative Law Judge Robb denied the application.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Administrative Law Judge Robb at 9:50 a.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Administrative Law Judge, Bruce Robb, Esq.