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Governor

STATE OF NEVADA



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MEMBERS

Guy M. Wells, Chairman
Thomas "Jim" Alexander
Kevin E. Burke
Margaret Cavin
Joe Hernandez
Jan B. Leggett
Stephen P. Quinn

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING November 12, 2014

CALL TO ORDER:

Richard Scotti, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, November 12, 2014, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

ADMINISTRATIVE LAW JUDGE:

Mr. Noah Allison, Esq.

STAFF MEMBERS PRESENT:

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

LEGAL COUNSEL PRESENT:

Mr. Richard Scotti, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on November 5, 2014, at Paseo Verde Library, 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.

ADMINISTRATIVE LAW JUDGE: Richard Scotti, Esq.

1. DISCIPLINARY HEARING: (Continued from November 13, 2013)

A. A. C. A., LLC, dba MR. ROOTER PLUMBING, License No. 73696

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

The following Licensee Exhibits were entered:

Exhibit C – A letter from the Office of the Attorney General, State of Nevada, dated March 13, 2014 along with two (2) checks.

ALJ Scotti found Respondent guilty of one (1) violation of NRS 624.3011(1)(b)(4) violation of the industrial insurance laws of this State. Respondent was assessed a fine of \$500.00 for the Ninth Cause of Action and investigative costs of \$1,535.00. Fine and investigative costs are to be paid within sixty (60) days of the November 12, 2014 hearing or license number 73696, A. A. C. A., LLC, dba Mr. Rooter Plumbing shall be suspended.

2. DISCIPLINARY HEARING: (Continued from February 19, 2014)

LEO JOSEPH SANTORO, OWNER, dba L & S AIR CONDITIONING & HEATING, License No. 40987

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

This matter was continued to January 21, 2015.

3. DISCIPLINARY HEARINGS: (Continued from August 20, 2014 and October 22, 2014)

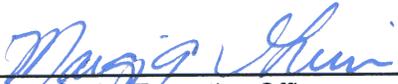
SIENNA SPLASH TECHNOLOGIES, LLC, License No. 77956

Licensee Keith Alan Pfahler was present and represented by counsel at the hearing, Jason Wiley, Esq.

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

This matter was continued to December 17, 2014.

APPROVED:



Margi A. Grein, Executive Officer



Richard Scotti, Esq., Administrative Law Judge

ADMINISTRATIVE LAW JUDGE: Noah Allison, Esq.

4. DISCIPLINARY HEARINGS:

NICCO CONSTRUCTION, LLC, License Nos. 65339, 68214

Licensee was present and represented by Daniel Foley, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – An e-mail from Robert Sprague to the Respondent and Aaron and Stacy Lelah dated April 4, 2014, three (3) receipts for building permits, and two (2) building permits.

ALJ Allison 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 624.3011(1)(b)(1) disregard of the building laws of this State; and one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. The First and Second Causes of Action were dismissed. Respondent was assessed a fine of \$100.00 for the Third Cause of Action; a fine of \$1,000.00 for the Fourth Cause of Action for total fines due of \$1,100.00 and investigative costs of \$2,171.00. Fines and investigative costs are to be paid within thirty (30) days of the November 12, 2014 hearing or license numbers 65339 and 68214, Nicco Construction, LLC shall be suspended.

5. DISCIPLINARY HEARINGS:

CUSTOM TILE AND STONE, INC., dba POUNDERS CUSTOM FLOORS, License No. 62184

Licensee was present and represented by Steve Goldstein, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Upon the Stipulation of the parties, ALJ Allison found Respondent guilty of one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(6) failure to ascertain that Jonathan Olsen was appropriately licensed; one (1) violation of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The Third Cause of Action was dismissed. Respondent was assessed a fine of \$500.00 for each of the First, Second and Fourth Causes of Action for total fines due of \$1,500.00 and investigative costs of \$1,748.00. Fines and investigative costs are to be paid within ninety (90) days of the November 12, 2014 hearing or license number 62184, Custom Tile and Stone, Inc., dba Pounders Custom Floors shall be suspended.

6. DISCIPLINARY HEARINGS:

M. R. I. SOLAR, LLC, License No. 76875

Licensee was present and represented by Keith E. Gregory, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Upon the Stipulation of the parties, ALJ Allison found Respondent guilty of one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; one (1) violation of RS 624.3015(2) contracting for a sum for one construction contract in excess of the license limit; one (1) violation of NRS 624.3013(4) failure to keep in force the bond for the full period required by the Board; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The Third, Fourth and Seventh Causes of Action were dismissed. Respondent was assessed a fine of \$500.00 for each of the First, Fifth and Sixth Causes of Action; a fine of \$3,000 for the Second Cause of Action for total fines due of \$4,500.00 and investigative costs of \$2,230.00. Fines and investigative costs are to be paid within forty-five (45) days of the November 12, 2014 hearing. Mark D. Johnson, Manager was found in violation of the First Cause of Action. License number 76875, M. R. I. Solar, LLC was revoked.

7. DISCIPLINARY HEARINGS:

ABILITY AIR CONDITIONING, INC., License No. 68391

RE-NEW TECH, INC., dba EFFICIENT AIR CONDITIONING, License No. 69445

RE-NEW TECH, INC., dba ROOF REPAIR EXPERTS, License No. 70495

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

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Upon the Stipulation of the parties, ALJ Allison found Respondent Ability Air Conditioning, Inc. 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(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) disregard of the building laws of this State; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.3013(4) failure to keep in force the bond for the full period required by the Board; and 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 and Fifth Causes of Action; a fine of \$100.00 for the Third Cause of Action; a fine of \$1,000.00 for the Fourth Cause of Action; a fine of \$250.00 for the Sixth Cause of Action for total fines due of \$2,850.00 and investigative costs of \$2,069.00. Fines and investigative costs are to be paid within 180 days of the November 12, 2014 hearing or license number 69445, Re-New Tech, Inc., dba Efficient Air Conditioning and license number 70495, Re-New Tech, Inc., dba Roof Repair Experts shall be suspended. The Board accepted the voluntary surrender of license number 68391, Ability Air Conditioning, Inc.

8. DISCIPLINARY HEARINGS – DEFAULT ORDER:

a. SIONE KANATEA PINE, OWNER, dba PINES MASONRY, License No. 52149

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

This matter was continued to December 17, 2014.

ADJOURNMENT

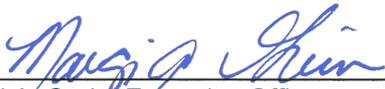
There being no further business to come before the Board, the meeting was adjourned by ALJ Allison at 3:10 p.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer



Noah Allison, Esq., Administrative Law Judge