

Jim Gibbons
Governor

STATE OF NEVADA



REPLY TO:

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

MEMBERS

MARGARET CAVIN, CHAIR
SPIRIDON FILIOS, VICE CHAIR
MICHAEL EFSTRATIS
JERRY HIGGINS
WILLIAM "BRUCE" KING
RANDY SCHAEFER
GUY M. WELLS

www.nscb.state.nv.us

STATE CONTRACTORS BOARD

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

**MINUTES OF THE MEETING
SEPTEMBER 10, 2008**

CALL TO ORDER:

Hearing Officer Cavin called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday September 10, 2008, State Contractors Board Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

BOARD MEMBERS PRESENT:

Ms. Margaret Cavin
Mr. Michael Efstratis
Mr. Jerry Higgins

STAFF MEMBERS PRESENT:

Mr. George J. Lyford, Director of Investigations
Mr. Gary Hoid, Deputy Director of Investigations

LEGAL COUNSEL PRESENT:

Mr. David Brown, Esq., Legal Counsel
Mr. Bruce Robb, Esq., Legal Counsel

The agenda was posted in compliance with the open meeting law September 4, 2008 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.

ADJUDICATING BOARD MEMBER: MARGARET CAVIN

1. DISCIPLINARY HEARING:

JESS ARNDELL CONSTRUCTION CO, INC, LICENSE NOS. 9369B AND 9369C

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Cavin found Respondent Jess Arndell Construction Co. Inc, license numbers 9369B and 9369C guilty of violating NRS 624.3012(2) failure to pay for materials and services; NRS 624.3018(2) association of any act or omission constituting a cause for disciplinary action; NRS 624.3013(3) failure to establish financial responsibility. License numbers 9369B and 9369C were Revoked. Respondent was ordered to pay a fine of \$1,000.00 for the First Cause of Action. Prior to any consideration for relicensure the \$1,000.00 fine and investigative costs of \$1,955.00 must be paid; restitution in the amount of \$109,717.70 to Coan Equipment and payment to any other damaged parties. The Second Cause of Action was dismissed.

2. DISCIPLINARY HEARING:**R L MECHANICAL, LICENSE NO. 56846**

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit 2 – Series of documents

Hearing Officer Cavin found Respondent Raymond Lloyd O'Neal, dba R L Mechanical, license number 56846 guilty of violating NRS 624.301(1) abandonment without legal excuse of any construction project or operation engaged in or undertaken by the licensee as a contractor; NRS 624.3015(2) bidding to contract or contracting for a sum for one construction project in excess of the limit placed on the license by the Board; NRS 624.3016(1) fraudulent or deceitful act; NRS 624.302(5) failure or refusal to cooperate in an investigation; 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(4) failure to keep in full force the bond or cash deposit pursuant to NRS 624.270 for the full period required by the Board; NRS 624.3013(3) failure to establish financial responsibility. License number 56846 was revoked. Mr. O'Neal was ordered to pay a fine of \$200.00 each for the First, Second, Sixth, Seventh and Eighth Causes of Action, \$500.00 each for the Third and Fourth Causes of Action and a \$100.00 fine for the Fifth Cause of Action for a total fine of \$2,100.00; and assessed investigative costs in the amount of \$2,099.50. Prior to any consideration of relicensure, the Respondent shall pay fines, investigative costs and full restitution to the damaged parties.

3. DISCIPLINARY HEARING-DEFAULT ORDER:**DEE & HOLIDAY BUSINESS ENTERPRISES, INC., LICENSE NO. 62091**

Licensee was not present.

The following Agency Exhibit was entered:

Exhibit 1 – Board Hearing File

Hearing Officer Cavin found Respondent Dee & Holiday Business Enterprises, LLC., Dee Val Towles, President and Qualified Individual guilty of violating NRS 624.302(5) failure or refusal to cooperate in an investigation; NRS 624.3013(4) failure to keep in full force the bond or cash deposit pursuant to NRS 624.270 for the full period required by the Board; NRS 624.3013(5), as set forth in NAC 624.640(3) if any change occurs in a licensee's address or personnel which affects the accuracy of statements in the application upon which his license is based, he shall report the change in writing to the Board within 30 days after the change occurs; NRS 624.3013(3) failure to establish financial responsibility.

License number 62091 was Revoked. Prior to any consideration of relicensure, Respondent shall pay a fine of \$4,000.00; investigative costs of \$1,883.50; pay full restitution to the damaged parties and any claims and associated expenses that may be paid out of the Residential Recovery Fund.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Cavin at 9:35 a.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Margaret Cavin, Hearing Officer

ADJUDICATING BOARD MEMBER: MICHAEL EFSTRATIS

4. DISCIPLINARY HEARING:

J E MORROS CONSTRUCTION & DEVELOPMENT, LICENSE NO. 29571A

Licensee was not present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

Exhibit A – Letter dated August 29, 2008 from Rick R. Hsu, Esq.

Hearing Officer Efstratis found Respondent J E Morros Construction & Development, Inc., license number 29571A guilty of twice violating NRS 624.3017(1) substandard workmanship; NRS 624.3013(5), as set forth in NRS 624.700(3)(a) failure to comply with the Board's Notice to Correct; NRS 624.3012(3) failure to obtain the discharge of Lien; NRS 624.3013(3) failure to establish financial responsibility. License number 29571A is Revoked. The Fourth, Fifth and Sixth Causes of Action are dismissed.

5. DISCIPLINARY HEARING:

HEARD ELECTRIC, INC., LICENSE NO. 59427

Licensee was present.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File

The following Respondent Exhibits were entered:

Hearing Officer Efstratis dismissed the First and Second Causes of Action. Heard Electric, Inc. was ordered to provide a current financial statement to the Board within thirty (30) days of September 10, 2008. If the financial statement meets the Board's requirements, the Third Cause of Action will be dismissed. If the financial statement is insufficient, the matter will be heard by Hearing Officer Efstratis on October 8, 2008.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Efstratis at 10:02 a.m.

Respectfully Submitted,

Sandy Diederich, Recording Secretary

APPROVED:

Margi A. Grein, Executive Officer

Michael Efstratis, Hearing Officer