

**PROPOSED REGULATION OF
THE STATE CONTRACTORS' BOARD**

LCB File No. R081-01

August 15, 2001

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-4, NRS 624.100.

Section 1. Chapter 624 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. *A notice that the board provides to a licensee pursuant to NAC 624.710 will include:*

- 1. A copy of the complaint;*
- 2. The date by which the licensee is required to submit an answer or responsive pleading and any supporting documents to the board;*
- 3. A statement that the licensee is entitled to a hearing only if he complies with the provisions set forth in subsection 2; and*
- 4. A statement that the failure of the licensee to comply with the provisions of subsection 2 may cause the board to enter a default order against the licensee.*

Sec. 3. *1. If a licensee receives a notice from the board pursuant to NAC 624.710, the licensee is entitled to a hearing only if he complies with the provisions of subsection 2 of section 2 of this regulation. If the licensee fails to comply with those provisions, the board will hold a hearing to determine whether it will enter a default order against the licensee.*

2. The board may consider at the hearing:

- (a) The complaint and any amended complaints provided to the licensee;*
- (b) Any notices provided to the licensee pursuant to NAC 624.710;*
- (c) Any communication between the board and the licensee; and*
- (d) Any other evidence relating to the allegations set forth in the complaint or amended complaints.*

3. The board may:

- (a) Include evidence presented at the hearing in its findings of fact and conclusions of law; and*

- (b) Enter a default order against the licensee.*

4. If the board enters a default order against the licensee, the board will:

- (a) Send to the licensee by certified mail, return receipt requested, a copy of the default order, including any findings of fact and conclusions of law, not later than 10 days after the board enters its order; and*

- (b) Take such disciplinary action against the licensee as it deems appropriate.*

5. A licensee against whom a default order is entered may submit to the board a written request for reconsideration of the order not later than 15 days after he receives a copy of the order. The written request must set forth the reasons for reconsideration by the board.

6. The board will review the request to determine whether there is good cause for reconsideration of the order. If the board determines that good cause for reconsideration exists, the board will schedule a hearing and notify the licensee, in writing, of the time and place of the hearing.

Sec. 4. NAC 624.710 is hereby amended to read as follows:

624.710 1. The ~~[board will presume that the]~~ address of an applicant or licensee which is on file with the board ~~[is]~~ *shall be deemed to be* his correct address. *An applicant or licensee shall provide to the board written notice of any change of his address.*

2. Before taking disciplinary action against a licensee, the board will provide reasonable notice of the action contemplated. *The notice will be sent by certified mail, return receipt requested, to the licensee at the address on file with the board and include the information set forth in section 2 of this regulation.*

3. If the board has grounds to suspend or revoke a contractor's license or otherwise discipline a contractor, the board may place him on probation until he completes his existing contracts and may thereafter suspend or revoke his license or otherwise discipline him.