

NEVADA STATE CONTRACTORS BOARD



INVESTIGATIONS OVERVIEW

April 4, 2024

OUR MISSION

“To promote public confidence and trust in the competence and integrity of our licensees, while protecting the health, safety and welfare of the public”



OUR FOCUS

- **Consumer Protection**
- **Licensing & Regulation**
- **Investigations/Complaints**
- **Public Awareness**

COMPLIANCE ENFORCEMENT

Compliance

Licensed Contractors

Workmanship

Money-owing

Industrial Regulation

Jobsite Visits/NTC's

Informal Citation Conferences

Administrative Citations

Disciplinary Hearings

CRIMINAL ENFORCEMENT

Criminal

Unlicensed Activity

Pro-Active Enforcement/Site Visits

Stings/Law Enforcement Partnerships

Monitor Advertising & Social Media

Prosecution/Restitution with DA & AG

Fraud Unit

Complex Investigations

Diversion of Funds/Theft/Forgery

Consumer Protection Workshops

Industry Accountability Meetings

Multi-Agency Cases

NEVADA CONSUMER AWARENESS

- Workshops
- Outreach Programs
- Proactive Enforcement
- Social Media
- Press Releases
- Consumer Alerts
- *Consumer Resources

ONLINE CONSUMER RESOURCES

*Brochures and pamphlets are available in Spanish.

STATUTE OF LIMITATIONS

Currently the statute of limitations for filing a criminal complaint against a contractor is 2 years pursuant to NRS 171.090

Except as otherwise provided in NRS 171.095, an indictment for:

1. A gross misdemeanor must be found, or an information or complaint filed, within 2 years after the commission of the offense.
2. Any other misdemeanor must be found, or an information or complaint filed, within 1 years after its commission.

* Changes to this statute would require legislative approval.

NSCIB CRIMINAL COMPLAINT

 **NEVADA STATE CONTRACTORS BOARD**
5390 KIETZKE LANE, SUITE 102, RENO, NV, 89511 (775) 688-1141 FAX (775) 688-1271, INVESTIGATIONS (775) 688-1150
8420 WEST SUNSET ROAD, SUITE 150, LAS VEGAS, NV, 89113 (702) 486-1100 FAX (702) 486-1190, INVESTIGATIONS (702) 486-1110
www.nscib.nv.gov

CRIMINAL COMPLAINT FORM
(Required Field)

I, _____, hereby make the following free and voluntary statement. No threats or promises have been made to persuade me to make this statement, and I understand any statement I make may be used as evidence by any Court of Law.

On or about _____ I entered into a ☐ **WRITTEN** or ☐ **VERBAL** contract or agreement with: _____ of _____
(State) (Company Name)
Address: _____ City: _____ State: _____ Zip: _____ Phone: _____
Type of work to be performed: _____

Total Sum: _____ Did you pay the above person or company? ☐ **YES** ☐ **NO**
(Choose One)

Amount Paid \$ _____ How paid? ☐ **CHECK** ☐ **CASH** ☐ **CREDIT CARD**

Address where work was performed: _____

Did the person or company you contracted with indicate to you either verbally or in writing that they were a LICENSED CONTRACTOR? ☐ **YES** ☐ **NO**
(Choose One)

Your best description of individual: Age _____ Height _____ Weight _____ Hair _____ Eyes _____
Ethnicity: ☐ American Indian or Alaska Native ☐ Sex: ☐ Female
☐ Asian ☐ Male
☐ Black or African American
☐ Native Hawaiian or Other Pacific Islander
☐ White

It is very important this field is completed.

Complainant's Name: _____
Address: _____ City: _____
State: _____ Zip Code: _____ Phone #: _____
Cell #: _____ Work #: _____ Ext.: _____

Email Address: (Required) _____

Nevada Revised Statute (NRS), 193.167, permits an enhanced penalty, if the crime is committed against a person 60 years of age or older.

Does your case qualify for the enhanced penalty provisions of the Nevada Revised Statute? ☐ **YES** ☐ **NO**

Revised 12/2021

Nevada Revised Statute (NRS), 193.167, permits an enhanced penalty, if the crime is committed against a person 60 years of age or older.

Does your case qualify for the enhanced penalty provisions of the Nevada Revised Statute? ☐ YES ☐ NO

NRS 193.167- Certain crimes committed against person 60 years of age or older or against vulnerable person:

Taking money or property from the person of another,

↳ **against any person who is 60 years of age or older** or against a vulnerable person shall, in addition to the term of imprisonment prescribed by statute for the crime, be punished, if the crime is a misdemeanor or gross misdemeanor, by imprisonment in the county jail for a term equal to the term of imprisonment prescribed by statute for the crime, and, if the crime is a felony, by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years.

NSCB UNLICENSED VIOLATORS

**Have you seen any
of the following
individuals?**

**If so, call the Unlicensed
Contractor Hotline:**

702-486-1160
(Southern NV)

775-688-1150
(Northern NV)

Contracting without a license is a crime in the state of Nevada.

NRS 624.700 - It is unlawful for any person or combination of persons to engage in the business or act in the capacity of a contractor within this state or submit a bid on a job situated within this state without having an active license.

NSCB CRIMINAL COMPLAINT STATISTICS

FY 2022-2023 (July 1, 2022-June 30, 2023)

*Total Complaints Received	777
• Contracting without a license	524
• Unlawful Advertising	237
• Criminal fraud	16

*The Board can assess the maximum fine if the violation or violations were perpetrated against a person 60 years of age or older or a person with a diagnosed physical or mental disability.

FY 2022-2023 (July 1, 2022-June 30, 2023)

Total Complaints Closed	661
• Invalid	238
• Valid Unresolved	123
• Violation Letters	119
• Admin. Citation Accepted	82
• Valid	40
• Insufficient Evidence	14
• Refer to Another Agency	12
• Statutes of Limitations	11
• Criminal Charges Dismissed	9
• Combined with another case	5
• No Jurisdiction	3
• Criminal Convictions	3
• Complaint Withdrawn	2

RESIDENTIAL SOLAR

Focused Discussions Regarding Solar Complaints Regularly Held with Attorney General

- Information Sharing
- Enforcement Strategies

Consumer Protections Enhanced

- Effective January 1, 2024, licensed contractors who perform work on residential solar photovoltaic systems (solar) must adhere to heightened requirements to better protect the public.

UNDERGROUND ECONOMY TASKFORCE

ONGOING TASK FORCE MEETINGS REINFORCE IMPORTANCE OF PUBLIC OUTREACH & COLLABORATIVE EFFORTS

The purpose of the Underground Economy - Interagency Task Force is to facilitate cooperation and coordination amongst the various agencies and stakeholders in the State of Nevada to better help protect our citizens from illegal construction activities (i.e. unlicensed contractors/unpermitted-uninspected work, fraudulent or deceitful acts, embezzlement, abandonment, substandard work, theft/unemployment insurance fraud, diversion of monies, unsafe job sites).

* B&I, AG, LVMPD, DETR, OSHA, Building Departments, Labor Commission

APPLYING FOR A LICENSE

Important Requirements:

- **Must pass trade and law exams**
- **Must demonstrate financial responsibility**
- **Must prove years of experience in licensed construction field**

Misrepresentation of experience or criminal history may be grounds for denial of a license and/or the issuance of an Administrative Citation.

AB 22

CEASE AND DESIST ORDERS

BILL – AB 22

NRS – 624.212 Orders to Cease and Desist

SUMMARY - Revises provisions governing the actions the Board is authorized or required to take after the issuance of a cease-and-desist order for unlicensed activity.

IMPLEMENTATION & UPDATE – Implemented October 1, 2023

To date, although this bill has reduced the penalties for first time offenses of unlicensed contractor throughout the state, it has not impacted the overall goals and strategy of the NSCB. Investigators have continued to prioritize and address unlicensed contracting on a multitude of levels to protect consumers and licensed members of the industry and continue to bring forth cases involving theft and fraud.

AB 23

INFORMAL CITATION CONFERENCES

BILL – AB 23

NRS – NRS 624, NRS 624.302, NRS 624.345, NRS 624.351

SUMMARY – Revises provisions relating to the resolution of certain administrative citations through an informal citation conference.

IMPLEMENTATION & UPDATE – Implemented October 1, 2023

To date, this bill has been extremely effective in helping to timely resolve administrative citations and provide clarification to licensed and unlicensed contractors regarding best practices and regulatory requirements under NRS 624. It has also improved the efficiency of disciplinary processes and minimized unnecessary hearings, fees and costs.

INFORMAL CITATION CONFERENCES

Effective October 1, 2023

Allows for administrative citations to be affirmed, amended or withdrawn.

- *15 Informal Citation Conferences Scheduled*
- *6 Affirmed Administrative Citations*
- *4 Administrative Citations Withdrawn and Issued Violation Letter*
- *1 Administrative Citation Withdrawn*
- *4 Pending Conferences*

AB 27

MANAGEMENT & COUNSELING SERVICES

BILL – AB 27

NRS – NRS 624.215

SUMMARY – Revised provisions relating to contractors who provided management and counseling services on construction projects by requiring a general building contractor who provides management and counseling services on a construction project to have an active license in the same classifications or subclassifications that are required to be held by the prime contractor.

IMPLEMENTATION & UPDATE – Implemented May 23, 2023

To date, this bill has helped provide clarification and defined requirements for general building contractors who were previously performing these functions outside their respective classifications.

AB 29

FALSE OR MISLEADING STATEMENTS

BILL – AB 23

NRS – NRS 624.3016

SUMMARY – Revises the grounds for disciplinary action against a licensed contractor who provides a false or misleading statement in connection with the application of another.

IMPLEMENTATION & UPDATE – Implemented October 1, 2023

To date, this bill has effectively been used by members of the NSCB licensing and investigative staff to deter licensed contractors from providing fraudulent or misleading statements to assist others in obtaining licensure without having proper experience because such acts can now result in an administrative citation or other disciplinary action being taken against them.

AB 39

RESIDENTIAL CONTRACTS

BILL – AB 39

NRS – NRS 624, NRS 624.3016

SUMMARY – Establishes mandatory elements to be included in contracts for work concerning certain residential improvements and provides for disciplinary action for failure to comply.

IMPLEMENTATION & UPDATE – Implemented October 1, 2023. Also posted on homepage of NSCB website

To date, this bill has effectively been introduced as part of an overall strategy to improve consumer protections for the public with respect to residential construction. Since its implementation, workshops, webinars, industry bulletins, association meetings and other measures have been taken to continuously update and advise members of the public, licensees, and industry representatives regarding its implementation and requirements.

AB 39

RESIDENTIAL IMPROVEMENTS

CONTRACT CHECKLIST

For home improvement projects

☐ CONTRACTOR INFORMATION

Company name, address, license number(s), monetary limit(s)

☐ HOMEOWNER INFORMATION

Name, mailing address, physical address/legal property description

☐ PROJECT INFORMATION

- Date of contract
- Estimated completion date
- Description of work to be performed
- Total amount of contract, including taxes
- Notice of the Board's Residential Recovery Fund
- Any change orders agreed upon by the owner and contractor must be incorporated into the contract and include all changes in scope and price of work
- Ensure all permits are obtained

☐ PAYMENT INFORMATION

- Down payment cannot exceed \$1,000 or 10% of contract price, whichever is less. A down payment may only exceed this amount if the contractor posts a Consumer Protection Bond with the Board in the amount of \$100,000, or if the contractor was previously granted relief of the requirement to post a license bond. You can check your contractor's bond status on the Board's website.
- Schedule of progress payments (not to exceed 100% of contract value). This excludes finance charges & initial down payments or deposits made. *Not required if Consumer Protection Bond is obtained.*

☐ AS THE PROJECT OWNER, YOU ARE ALLOWED:

- To initial all contract provisions agreed upon.
- To contact an attorney for an explanation of your contract rights.
- To ask for written contract in the language used to explain the contract.
- To receive legible copies (physical or electronic) of all signed documents and a written receipt.
- To modify the contract to ensure compliance with the law.

QUESTIONS?

www.nscb.nv.gov

Las Vegas Office

(702) 486-1100

Unlicensed Contractor

Hotline:

(702) 486-1160

Reno Office

(775) 688-1141

Unlicensed Contractor

Hotline:

(775) 850-7838