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2 **BEFORE THE STATE OF NEVADA**
3 **DEPARTMENT OF BUSINESS AND INDUSTRY**
4 **HOUSING DIVISION, MANUFACTURED HOUSING**

5 **IN THE MATTER OF:**

6 **GREAT BASIN HOME**
7 **IMPROVEMENT, L.L.C.; and DANIEL**
8 **KAPETAN, License #B1539**

9 **Respondents.**

COMPLAINT FOR REVOCATION OF
LICENSE
&
ORDER TO CEASE AND DESIST

10 This administrative complaint for license revocation is filed pursuant to NRS
11 489.357 and NRS 489.421, by and through the Administrator of the Nevada Housing
12 Division, Manufactured Housing (“Division”) STEPHEN AICHROTH; its counsel;
13 Attorney General ADAM PAUL LAXALT; and Deputy Attorney General PETER K.
14 KEEGAN, against Respondents, DANIEL KAPETAN, License #B1539 (“Kapetan”) and
15 GREAT BASIN HOME IMPROVEMENT, L.L.C. (“GBHI”).

16 **JURISDICTION**

17 The Division, through its Administrator, is charged with the administration and
18 enforcement of Nevada Revised Statutes (“NRS”) 489, which authorizes licensing,
19 regulation, and discipline, of service people who work on and sell Mobile Homes,
20 Manufactured Homes, Commercial Coaches, and similar structures. Kapetan holds a GS2
21 General Serviceperson License #B1539X through the Division under NRS 489, and by
22 doing so has availed himself of the jurisdiction of the Division.

23 **FACTUAL ALLEGATIONS**

24 (1) On or about December 7, 2016, the Division issued Kapetan a Notice of
25 Violation and Order to Cease and Desist as result of at least five (5) separate, homeowner
26 complaints regarding below standard workmanship, negligence, and incompetence.

27 (2) On January 11, 2017, a hearing was held concerning the above-referenced
28 Notice of Violation and Order to Cease and Desist.

1 (3) On or about February 8, 2017, the Division and Kapetan entered into a
2 Settlement Agreement, whereby Kapetan’s GS1 General Serviceperson License was
3 downgraded to a GS2 General Serviceperson License. This precluded Kapetan, until
4 certain agreed-upon terms were met, from engaging in any mobile home installation work
5 or pulling any permits for installations of manufactured homes, mobile homes,
6 commercial coaches, manufactured buildings, or factory-built housing.

7 (4) Since entering into the Settlement Agreement on February 8, 2017, the
8 Division has received numerous complaints against GBHI concerning poor workmanship.
9 Upon investigation of these complaints, the Division has identified additional violations of
10 NRS 489 and NAC 489 including: (1) failure to obtain permits; (2) below standard
11 workmanship, negligence, and incompetence; (3) acting in the capacity of a dealer without
12 a license; and (4) deceptive advertising.

13 **A. 2212 COGNAC COURT**

14 (5) On or about November 21, 2016, the Division received Complaint No. P-CC-
15 599-L against Kapetan and GBHI regarding below-standard workmanship at the
16 property located at 2212 Cognac Ct., Carson City, Nevada, 89701 (“2212 Cognac Ct.”).
17 This Complaint alleged numerous examples of below-standard work, negligence, and
18 incompetence, including: (i) causing damage to six (6) doors requiring replacement; (ii)
19 backward installation of bathroom faucet handles; (iii) incorrect piping used to install a
20 toilet; (iv) installation of a non-GFI electrical outlet next to a water source; (v) improper
21 installation of a dishwasher requiring reinstallation; (vi) erroneously cutting a large hole
22 in the laundry room wall without repairing it; (vii) incorrectly plumbing a vanity sink in
23 the master bathroom; (viii) incorrectly handing[hanging?] curtain rods; and (ix)
24 incorrectly cutting and installing outdoor carpet on an exterior ramp.

25 (6) Upon investigation of Complaint No. P-CC-599-L, and the GBHI service
26 contracts for the work performed at 2212 Cognac Ct., including, plumbing, electrical, and
27 custom door installation/retrofit, it was determined that Kapetan and GBHI never
28 obtained the required permits from the Division.

1 (7) On or about November 21, 2016, along with Complaint No. P-CC-599-L, the
2 Division received a copy of a Letter of Concern from John C. Pannell Jr., a foreman for
3 Anywhere Repair, which detailed the substandard work conducted by Kapetan and GBHI
4 at 2212 Cognac Ct.

5 (8) On or about November 28, 2016, the Division sent Kapetan and GBHI an
6 investigation opening letter requesting a response to Complaint No. P-CC-599-L.

7 (9) On or about December 19, 2016, the Division received Kapetan and GBHI's
8 response to the investigation opening letter.

9 (10) On or about December 29, 2016, the Division sent a follow-up letter to
10 Kapetan and GBHI requesting further information.

11 **B. 73 CABERNET PARKWAY**

12 (11) On or about September 25, 2017, the Division received Complaint No. P-CC-
13 696-L against Kapetan and GBHI regarding substandard workmanship at the property
14 located at 73 Cabernet Parkway, #142, Reno, Nevada 89512 ("73 Cabernet Parkway").
15 This Complaint alleged numerous examples of substandard workmanship, negligence,
16 and incompetence, including: (i) incorrect electrical installation, resulting in outages and
17 necessary correction; (ii) incorrect plumbing on drain and water lines for master shower,
18 resulting in a leak, larges holes in wall and floor, and necessary reinstall; (iii) water
19 damage to existing parquet flooring; (iv) incorrect installation of exterior trim and siding,
20 resulting in cracking and necessary repair; (v) incorrect estimate, measure, and purchase
21 of flooring materials; (vi) incorrect estimate, measurement, purchase, and installation of
22 interior siding materials on exterior of home; (vii) charging for window delivery and
23 installation that was not provided; (viii) failure to bring necessary materials and tools to
24 job site.

25 (12) Upon investigation of Complaint No. P-CC-696-L, and the GBHI service
26 contracts for the work performed at 73 Cabernet Parkway, #142, including, plumbing,
27 electrical, flooring, and window/exterior remodeling, it was determined that Kapetan and
28 GBHI never obtained the required permits from the Division.

1 **C. 1385 HOOTEN DRIVE**

2 (13) On or about November 14, 2017, the Division received Complaint No. NP-
3 CC-861-L against Kapetan and GBHI regarding below standard workmanship at the
4 property located at 1385 Hooten Drive, Silver Springs, Nevada 89429 (“1385 Hooten
5 Drive”). This Complaint alleged numerous examples of substandard workmanship,
6 negligence, and incompetence, including: (i) incorrect and hazardous installation/
7 conversion of water heater to propane gas, requiring repair and abatement; (ii)
8 installation of used materials despite purchase of new materials; (iii) erroneous advice
9 concerning conversion of home to real property and attempt to contract for unnecessary
10 installation of pre-existing eight (8) point foundation system; (iv) poor craftsmanship and
11 old materials used on stairwell and porch installation; and (v) failure to obtain Division
12 approval plans for attachment of porch and stairs to manufactured home structure as
13 required by NAC 489.470.

14 (14) Upon investigation of Complaint No. NP-CC-861-L, it was revealed that
15 Kapetan and GBHI contracted to perform work at 1385 Hooten Drive, including,
16 plumbing, electrical, propane water heater installation, and interior/exterior remodeling.

17 (15) The Division discovered that Kapetan and GBHI never obtained the required
18 work permits from the Division.

19 (16) As part of the work contracted for by Kapetan and GBHI, on or about
20 September 15, 2017, Kapetan, on item (7) of his Services Contract Addendum I,
21 contracted to “[i]nstall [an] eight (8) point foundation system for property conversion[;]
22 [i]nstall perimeter supports for stabilization[;] [e]ngineering not included[;] [h]omeowner
23 to do the conversion process.”

24 (17) The September 15, 2017, contract item for installation of the eight (8) point
25 foundation constitutes a direct violation of the Settlement Agreement entered into by and
26 between Kapetan and the Division on February 8, 2017, precluding Kapetan from
27 engaging in any installation activities.

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1 (18) Included with Complaint No. NP-CC-861-L is a notarized letter dated
2 November 15, 2017, from Nevada Journeyperson Plumber Dean R. Ewing, which details
3 the botched installation of a Rheem propane-fired water heater, resulting in a substantial
4 propane leak caused by an irreparably-damaged gas valve (cross-threading) and burner
5 assembly parts. Mr. Ewing's letter further describes the repairs necessary to correct the
6 propane leak in order to avoid what could have resulted in a catastrophic outcome.

7 (19) Complaint No. NP-CC-861-L also alleges fraudulent charges for materials
8 that were not installed on the project and work that was not completed.

9 **D. 1970 REED STREET**

10 (20) On or about May 26, 2017, a multi-section manufactured home installation
11 rough inspection was performed by the Division on Permit No. 26807, pulled by KC
12 Concepts (License No. B1508). Kapetan and GBHI assisted KC Concepts with the work
13 under Permit No. 26807. During this inspection, it was determined that the roof on the
14 home located at 1970 Reed Street, Reno, Nevada 89512 ("1970 Reed Street") had been
15 installed without a permit by Kapetan and GBHI. The Division's inspector ordered
16 Kapetan to obtain a permit for the roof installation.

17 (21) On or about June 13, 2017, Kapetan obtained a Permit No. 27771 for
18 installation of the roof at 1970 Reed Street.

19 (22) On or about December 8, 2017, a final inspection for Permit No. 26807 and
20 Permit 27771 was performed by the Division.

21 (23) Permit No. 27771 passed the final inspection but Permit No. 26807 failed.

22 (24) During the December 8, 2017 inspection, the Division's inspector for the
23 home installation for Permit No. 26807 identified a hot water heater that had been
24 installed at 1970 Reed Street without a permit and which was not approved for
25 manufactured homes.

26 (25) The inspection for Permit No. 26807 was failed and a Correction Notice No.
27 04710 was issued to Kapetan ordering a water heater approved for a manufactured home
28 be installed, the electrical wires concealed, and the main water leak be fixed.

1 (26) On or about December 15, 2017, the Division received an owner-builder
2 permit application for the re-installation of the original water heater at 1970 Reed Street
3 and issued Permit No. 29516.

4 (27) On December 22, 2017, the final inspections of the home installation for
5 Permit No. 26807 and the water heater re-installation for Permit No. 29516 were
6 approved.

7 **E. 5590 LEON DRIVE, # 22—ACTING AS A DEALER WITHOUT A**
8 **LICENSE**

9 (28) On or about June 27, 2016, the Division received a Complaint from Allison
10 Bollen (the owner) and Pamela Pappas (the manager of Sun Valley Mobile Home Park)
11 regarding Kapetan acting in the capacity of a Dealer without a license by purchasing and
12 selling a 1959 Viking Mobile Home, Serial No. 1050281368AP.

13 (29) The June 27, 2016, Complaint also alleges numerous examples of below
14 standard workmanship and incompetence by Kapetan and GBHI. Specifically, the
15 Complaint states that Kapetan was unable to get the title transferred or pass the
16 installation inspections.

17 (30) The Bill of Sale, dated April 8, 2016, for the home, reflects the Seller as
18 River Bend Mobile Home Park in Verdi, Nevada, and the Buyer as Sun Valley Mobile
19 Home Park in Sun Valley, Nevada.

20 (31) However, a separate handwritten and signed agreement between Dan
21 Kapetan and Pamela Pappas, dated March 31, 2016, shows that GBHI was paid
22 \$3,500.00 for the purchase of the 1959 Viking, which “includes all permits, inspections,
23 setup, moving, and mobile home.” This agreement is signed by Dan Kapetan, but not by
24 Caleb Associates, and demonstrates that GBHI and Kapetan acted in the capacity of a
25 Dealer, as defined by NRS 489.076, without a license.

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1 (32) A handwritten addendum agreement dated April 8, 2016, which also
2 identifies the purchase of the 1959 Viking home for \$3,500.00, does not include any
3 reference to Caleb Associates as the Dealer and is signed only by Kapetan, GBHI, and
4 Pamela Pappas.

5 (33) The Dealer's Report of Sale for the home, dated May 3, 2016, identifies Caleb
6 Associates LLC as the name of the Dealer, Dan Kapetan as the Seller, and Sun Valley
7 Mobile Home Park as the Buyer.

8 (34) However, the Title Records for the 1959 Viking Mobile Home, with Serial
9 No. 1050281368AP, at no point reflects Dan Kapetan as the owner of the home.

10 (35) A typed Purchase Agreement, apparently prepared by Sun Valley Mobile
11 Home Park, dated May 4, 2016, lists Dan Kapetan as the Seller of the 1969 Viking Home.
12 The Purchase Agreement is signed only by Pamela Pappas of Sun Valley Mobile Home
13 Park and Dan Kapetan of GBHI.

14 (36) Kapetan and GBHI acted in the capacity of a Dealer without a license,
15 misrepresented the title status of the sales transaction, and used Caleb Associates, LLC
16 to falsify a Dealer's Report of Sale.

17 (37) A title search performed by the Division reflects at least three (3) other
18 instances in which Respondents have acted in the capacity of a Dealer without a license:
19 (1) 3626 N 151 St. E. Ely, Nevada 89301 (no permits); (2) 640 W. Riverview Circle, Reno,
20 Nevada 89509; and (3) HC 10 #3 (KOA), Ely, Nevada 89301.

21 **F. DECEPTIVE ADVERTISING**

22 (38) On February 20, 2007, the Division issued Kapetan a Dealer's License. On
23 January 31, 2009, Kapetan's Dealer License expired.

24 (39) In or about April 2009, Kapetan's Dealer License Renewal Application for
25 Kapetan Enterprises, Inc., dba GBHI was denied by the Division for failing to supply
26 requested documentation.

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1 (40) On April 14, 2016, the Division issued Kapetan an Order to Cease and
2 Desist, pursuant to NRS 489.436, for Unlicensed Activity as a Dealer in Case No. NP-CC-
3 774-U, regarding the sale of the 1959 Viking home to Sun Valley Mobile Home Park.

4 (41) On or about May 6, 2016, the certified mailing receipt for the Cease and
5 Desist Order was returned as “unclaimed, unable to forward” because Kapetan failed to
6 update his address as required by NAC 489.335.

7 (42) As of January 2018, GBHI was advertising on Facebook as a Mobile Home
8 Dealer.

9 (43) As of January 2018, Dan Kapetan was advertising on LinkedIn as the
10 “Proprietor” of GBHI and offering services including “Business Manager; Marketing;
11 Purchasing, HR, Employee supervision, Property acquisition and Development; Rentals.”
12 Kapetan’s LinkedIn page also states that he offers “MH set up installation and repair.”

13 (44) As of January 2018, GBHI was advertising on Yelp as a General
14 Serviceperson GS1 installer, to “assist in property development for home sites from the
15 ground up.”

16 **ALLEGED VIOLATIONS**

17 **A. 2212 Cognac Street**

18 (1) Respondents violated NRS 489.421(6), as set forth in NAC 489.411 and NAC
19 489.486, by failing to obtain work permits for any of the work completed, or contracted
20 for, at 2212 Cognac Street.

21 (2) Respondents Violated NRS 489.416 by engaging in workmanship, which was
22 not commensurate with the standards of the trade in general and caused the homeowner
23 additional time and money to correct.

24 **B. 73 Cabernet Parkway, #142**

25 (3) Respondents violated NRS 489.421(6), as set forth in NAC 489.411 and NAC
26 489.486, by failing to obtain work permits for any of the work completed, or contracted
27 for, at 73 Cabernet Parkway #142.

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1 (4) Respondents violated NRS 489.416 by engaging in workmanship which was
2 not commensurate with the standards of the trade in general and caused the homeowner
3 additional time and money to correct.

4 **C. 1385 Hooten Drive**

5 (5) Respondents violated NRS 489.806 by submitting a bid, entering into a
6 contract, and/or engaging in manufactured home installation work, requiring a General
7 Serviceperson GS1 license.

8 (6) Respondents violated NRS 489.421(6), as set forth in NAC 489.411 and NAC
9 489.486, by failing to obtain work permits for any of the work completed, or contracted
10 for, at 1385 Hooten Drive.

11 (7) Respondents violated NRS 489.416 by incorrectly installing/converting the
12 water heater located at 1385 Hooten Drive, damaging its components and creating a
13 propane leak which endangered the life and safety of the occupants of the manufactured
14 home.

15 (8) Respondents violated NRS 489.421(6) and NAC 489.470 by installing a porch
16 and stairs attached to the manufactured home structure without submitting plans to, and
17 obtaining approval from, the Division.

18 **D. 1970 Reed Street**

19 (9) Respondents violated NRS 489.421(6), as set forth in NAC 489.411 and NAC
20 489.486, by failing to timely obtain work permits for the roofing work at 1970 Reed
21 Street.

22 (10) Respondents violated NRS 489.421(6), as set forth in NAC 489.411 and NAC
23 489.486, by failing to advise the homeowner about the requirement to obtain a permit for
24 installation of the water heater at 1970 Reed Street.

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1 **E. 5590 Leon Drive # 22**

2 (11) Respondents violated NRS 489.716(3)(a)-(e) by failing to enter into a written
3 agreement, before performing any work, with each person for whom the provider of
4 services will perform work pertinent to the sale, installation or occupancy of a mobile
5 home.

6 (12) Respondents violated NRS 489.806 by engaging in business as a dealer of
7 manufactured homes without a dealer's license and contracting for a job requiring a
8 dealer's license.

9 (13) Respondents violated NRS 489.421(9) by misrepresenting the title status of
10 the 1959 Viking mobile home during sales transaction and cooperating with Caleb
11 Associates, LLC to falsify a Dealer's Report of Sale for the home.

12 (14) Respondents violated NRS 489.311 by submitting a bid and engaging in
13 business as a dealer and general serviceperson installer without the required license.

14 **F. Deceptive Advertising**

15 (15) Respondents violated NRS 489.401(3) by intentionally circulating and
16 displaying advertisements on Facebook and LinkedIn that identified Kapetan and GBHI
17 as an installer and dealer, which constitutes a substantial misrepresentation intended to
18 influence, persuade, or induce customers to hire Kapetan or GBHI.

19 (16) Respondents' advertisements also constitute a deceptive trade practice
20 pursuant to NRS 489.401(1) and NRS 589.0923(1) because Kapetan conducted business
21 without possessing a GS1 General Serviceperson license or a Dealer's license as he
22 advertised.

23 (17) Respondents violated NRS 489.421(6) and NAC 489.335(4) by failing to
24 update the contract address maintained by the Division.

25 (18) Respondents violated NRS 489.421(6) by acting in the capacity of a Dealer
26 despite having been denied renewal of a Dealer's license in April of 2009 and having been
27 issued a Cease and Desis Order on April 11, 2016.

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DISCIPLINE AUTHORIZED

(1) Pursuant to NRS 489.381, the Division may impose an administrative fine of not more than \$1,000 per violation and may deny, suspend, or revoke any license issued under this chapter or reissue the license subject to reasonable conditions upon any of the grounds set forth in NRS 489.391 to 489.421, inclusive, which constitute grounds for disciplinary action. If discipline is imposed pursuant to this section, the costs of the proceeding, including investigative costs and attorney's fees, may be recovered by the Division.

(2) Pursuant to NRS 489.814, the Administrator of the Division may impose an administrative fine upon any person or combination of persons who violates the provisions of NRS 489.311 or subsection 1 of NRS 489.806, of not less than \$1,000 nor more than \$10,000 for each violation. Such an administrative fine, imposed pursuant to this section, is in addition to any other remedy or penalty authorized, pursuant to this chapter. If the administrative fine is not paid when due, the fine must be recovered in a civil action brought by the Attorney General on behalf of the Administrator.

(3) Pursuant to NRS 489.806(3)(a)-(d), the Attorney General may seek court costs; reasonable costs of the investigation; damages to the person caused by the violation up to the amount of any pecuniary gain from the violation; or any combination thereof.

Dated this 26th day of March 2018.

ADAM PAUL LAXALT
Attorney General

By: 

PETER K. KEEGAN
Deputy Attorney General
Nevada Bar No. 12237
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ORDER TO CEASE AND DESIST

Based upon the above, alleged facts and alleged violations, the Division finds that allowing Respondents to continue to act in the capacity of a licensed general serviceperson presents an immediate risk to the health, safety, and welfare to the citizens of the State of Nevada.

Pursuant to NRS 489.297 and NRS 489.431(3), the Division Orders you to **IMMEDIATELY CEASE AND DESIST** all work until authorized by the Division to continue.

Dated this 22 day of March 2018.

NEVADA HOUSING DIVISION,
MANUFACTURED HOUSING

By: 
STEPHEN AICHROTH
Administrator

CERTIFICATE OF SERVICE

1
2 I certify that I am an employee of the State of Nevada, Office of the Attorney
3 General, and that on this 26th day of March 2018, I caused to be served a copy of the
4 foregoing **COMPLAINT FOR REVOCATION OF LICENSE & ORDER TO CEASE**
5 **AND DESIST, NOTICE OF HEARING, and NOTICE OF DOCUMENTS** by
6 depositing for mailing postage prepaid, at Carson City, Nevada, addressed as follows:
7 via Inter-Office Mail

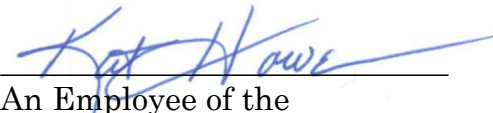
8 Manufactured Housing Division
9 Attn: Diane O'Connor & Tabitha Creon
10 1830 E College Pkwy #120
11 Carson City, Nevada 89706

11 via Certified Mail to:

12 **Certified Mail #7016-2070-0000-9746-7574**
13 Daniel Kapetan
14 Great Basin Home Improvement
15 5210 Crystal Vista Lane
16 Reno, Nevada 89523-1801

16 via email to:

17 Shannon Chambers
18 Administrative Hearing Officer
19 Shannonchambers@labor.nv.gov

20
21 
22 _____
23 An Employee of the
24 Office of the Attorney General
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