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BEFORE THE
REGISTRAR OF CONTRACTORS
CONTRACTORS' STATE LICENSE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against**:** **THOR CONTRACTING CORPORATION; ALEXANDER ANTHONY MONTANO, RMO/CEO/PRES** **3937 WESLEY WAY** **EL SOBRANTE, CA 94803** **Contractor's License No. 1093228 B, C-2, and C-39** Respondents.	Case No. N2025-115 **ACCUSATION**

PARTIES

1. Brian Melvin (Complainant) brings this Accusation solely in his official capacity as the Supervising Special Investigator I of the Contractors' State License Board (Board), Department of Consumer Affairs.

2. On or about June 27, 2022, the Registrar of Contractors (Registrar) issued Contractor's License Number 1093228 in classification B (General Building) and C-2 (Insulation and Acoustical) to Thor Contracting Corporation (Respondent Thor). The Contractor's License was in full force and effect at all times relevant to the charges brought herein and will expire on June 30, 2026, unless renewed. On or about October 22, 2025, the Registrar issued the additional

classification of C-39 (roofing). At all times referenced herein, Alexander Anthony Montano (Respondent Montano) was the responsible managing officer (RMO), CEO, and President.

JURISDICTION

3. This Accusation is brought before the Registrar under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 118, subdivision (b), of the Code, states:

> The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground.

5. Section 7076.5, subdivision (h), of the Code states:

> The inactive status of a license shall not bar any disciplinary action by the board against a licensee for any of the causes stated in this chapter.

6. Section 7090 of the Code provides, in pertinent part, that the Registrar may suspend or revoke any license or registration if the licensee or registrant is guilty of or commits any one or more of the acts or omissions constituting cause for disciplinary action.

7. Section 7106.5 of the Code states:

> The expiration, cancellation, forfeiture, revocation, or suspension of a license by operation of law or by order or decision of the registrar or a court of law, or the voluntary surrender of a license by a licensee, shall not deprive the registrar of jurisdiction to proceed with any investigation of or action or disciplinary proceeding against the license, or to render a decision suspending or revoking the license.

8. Section 7121.5 of the Code states:

> A person who was the qualifying individual on a revoked license, or of a license under suspension, or of a license that was not renewed while it was under suspension, shall be prohibited from serving as an officer, director, associate, partner, manager, or qualifying individual of a licensee, whether or not the individual had knowledge of or participated in the prohibited acts or omissions for which the license was revoked, or suspended, and the employment, election, or association of that person by a licensee shall constitute grounds for disciplinary action.

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9. Section 7122.5 of the Code states:

A person who was the qualifying individual on a revoked license, or of a license under suspension, or of a license that was not renewed while it was under suspension, shall be prohibited from serving as an officer, director, associate, partner, manager, or qualifying individual of a licensee, whether or not the individual had knowledge of or participated in the prohibited acts or omissions for which the license was revoked, or suspended, and the employment, election, or association of that person by a licensee shall constitute grounds for disciplinary action.

STATUTORY PROVISIONS

10. Section 7109 of the Code states, in pertinent part:

(a) A willful departure in any material respect from accepted trade standards for good and workmanlike construction constitutes a cause for disciplinary action, unless the departure was in accordance with plans and specifications prepared by or under the direct supervision of an architect.

11. Section 7113 of the Code states:

Failure in a material respect on the part of a licensee to complete any construction project or operation for the price stated in the contract for such construction project or operation or in any modification of such contract constitutes a cause for disciplinary action.

COST RECOVERY, RESTITUTION AND OTHER AUTHORITY

12. Section 125.3 of the Code states, in pertinent part:

(a) Except as otherwise provided by law, in any order issued in resolution of a disciplinary proceeding before any board within the department or before the Osteopathic Medical Board, upon request of the entity bringing the proceeding, the administrative law judge may direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

(b) In the case of a disciplined licentiate that is a corporation or a partnership, the order may be made against the licensed corporate entity or licensed partnership.

. . .

13. Section 11519 of the Government Code states:

(a) The decision shall become effective 30 days after it is delivered or mailed to respondent unless: a reconsideration is ordered within that time, or the agency itself orders that the decision shall become effective sooner, or a stay of execution is granted.

(b) A stay of execution may be included in the decision or if not included therein may be granted by the agency at any time before the decision becomes effective. The stay of execution provided herein may be accompanied by an express condition that respondent comply with specified terms of probation; provided, however, that the terms of probation shall be just and reasonable in the light of the findings and decision.

(c) If respondent was required to register with any public officer, a notification of any suspension or revocation shall be sent to the officer after the decision has become effective.

(d) As used in subdivision (b), specified terms of probation may include an order of restitution. Where restitution is ordered and paid pursuant to the provisions of this subdivision, the amount paid shall be credited to any subsequent judgment in a civil action.

(e) The person to which the agency action is directed may not be required to comply with a decision unless the person has been served with the decision in the manner provided in Section 11505 or has actual knowledge of the decision.

(f) A nonparty may not be required to comply with a decision unless the agency has made the decision available for public inspection and copying or the nonparty has actual knowledge of the decision.

(g) This section does not preclude an agency from taking immediate action to protect the public interest in accordance with Article 13 (commencing with Section 11460.10) of Chapter 4.5.

14. Section 143.5, subdivision (b), of the Code states:

Any board, bureau, or program within the Department of Consumer Affairs that takes disciplinary action against a licensee or licensees based on a complaint or report that has also been the subject of a civil action and that has been settled for monetary damages providing for full and final satisfaction of the parties may not require its licensee or licensees to pay any additional sums to the benefit of any plaintiff in the civil action.

15. Section 7095 of the Code states:

(a) The decision may:

(1) Provide for the immediate complete suspension by the licensee of all operations as a contractor during the period fixed by the decision.

(2) Permit the licensee to complete any or all contracts shown by competent evidence taken at the hearing to be then uncompleted.

(3) Impose upon the licensee compliance with such specific terms and conditions as may be just in connection with the licensee's operations as a contractor disclosed at the hearing and may further provide that until those terms and conditions are complied with no application for restoration of the suspended or revoked license shall be accepted by the registrar.

(4)

(A) Provide for the stay of execution of the decision pending completion of specified terms and conditions of probation.

(B) Failure to fully comply with the terms and conditions of probation set pursuant to subparagraph (A) may result in automatic termination of the stay of execution without further notice. If a stay of execution is terminated pursuant to this subparagraph, the decision shall be considered a disciplinary action within the

meaning of this chapter.

(b) The specific terms and conditions imposed pursuant to paragraph (3) or (4) of subdivision (a) may include, but are not limited to, any of the following:

(1) Payment of restitution to persons injured as a result of the violation.

(2) Payment of the costs of investigation and enforcement pursuant to Section 125.3.

(3) Enrollment in, and completion of, specified administrative or trade-specific coursework.

(4) Successful completion of the board's law and business examination or trade examination, as appropriate.

(5) Any further terms and conditions as are set forth for specified violations in the board's disciplinary guidelines in Section 871 of Title 16 of the California Code of Regulations.

16. Section 7097 of the Code states:

Notwithstanding the provisions of Sections 7121 and 7122, when any license has been suspended by a decision of the registrar pursuant to an accusation or pursuant to subdivision (b) of Section 7071.17, Section 7085.6 or 7090.1, any additional license issued under this chapter in the name of the licensee or for which the licensee furnished qualifying experience and appearance under the provisions of Section 7068, may be suspended by the registrar without further notice.

17. Section 7098 of the Code states:

Notwithstanding the provisions of Sections 7121 and 7122, when any license has been revoked under the provisions of this chapter, any additional license issued under this chapter in the name of the licensee or for which the licensee furnished qualifying experience and appearance under the provisions of Section 7068, may be revoked by the registrar without further notice.

18. Section 7102 of the Code states:

After suspension of a license upon any of the grounds set forth in this chapter, the registrar may reinstate the license upon proof of compliance by the contractor with all provisions of the decision as to reinstatement or, in the absence of a decision or any provisions of reinstatement, in the sound discretion of the registrar.

After revocation of a license upon any of the grounds set forth in this chapter, the license shall not be reinstated or reissued and a license shall not be issued to any member of the personnel of the revoked licensee found to have had knowledge of or participated in the acts or omissions constituting grounds for revocation, within a minimum period of one year and a maximum period of five years after the final decision of revocation and then only on proper showing that all loss caused by the act or omission for which the license was revoked has been fully satisfied and that all conditions imposed by the decision of revocation have been complied with.

The board shall promulgate regulations covering the criteria to be considered when extending the minimum one-year period. The criteria shall give due

consideration to the appropriateness of the extension of time with respect to the following factors:

(a) The gravity of the violation.

(b) The history of previous violations.

(c) Criminal convictions.

When any loss has been reduced to a monetary obligation or debt, however, the satisfaction of the monetary obligation or debt as a prerequisite for the issuance, reissuance, or reinstatement of a license shall not be required to the extent the monetary obligation or debt was discharged in a bankruptcy proceeding. However, any nonmonetary condition not discharged in a bankruptcy proceeding shall be complied with prior to the issuance, the reissuance, or reinstatement of the license.

1272 DATE STREET PROJECT

19. On or about October 23, 2024, Respondent Thor contracted with the owner of 1272 Date Street (Homeowner) to install a new roof for $32,100.00. Work began on October 28, 2024. Respondent Thor and the Homeowner subsequently signed three change orders totaling $6,472.94 to address discovered dry rot.

20. Rain fell on the night of October 31, 2024, after Respondent Thor demolished the old roof but before it installed the new one. Although Respondent Thor installed tarps, the covers failed to repel the rainwater. Water entered the home, destroying electrical outlets and drywall in several rooms.

21. Respondent Thor completed the roofing work on or about November 6, 2024. The following day, a San Mateo County inspector examined the property as required by the contract. The inspector issued a correction notice due to the interior water damage.

22. On November 7 and 8, 2024, the Homeowner hired a restoration company to assess the damage. The restoration company found excessive moisture in the walls and ceilings of seven rooms and attributed this directly to the exposed roof on October 31, 2024. The restoration company determined that the Homeowner required immediate remediation to prevent mold and to replace drywall and insulation. The restoration company's report estimated the repair costs at $175,000.

23. When the Homeowner asked Respondent Thor to repair the damage, Respondent Thor instructed the Homeowner to contact insurance instead. Respondent Thor then ceased all communication with the Homeowner.

FIRST CAUSE FOR DISCIPLINE

(Departure from Accepted Trade Standards)

24. Respondent Thor has subjected its license to disciplinary action under Code section 7109, subdivision (a), in that on the 1272 Date Street Project, Respondent Thor willfully departed from accepted trade standards for good and workmanlike construction in material respects, as set forth in paragraphs 19-23 above.

SECOND CAUSE FOR DISCIPLINE

(Failure to Complete Project for Contract Price)

25. Respondent Thor has subjected its license to disciplinary action under Code section 7113, in that Respondent Thor failed in a material respect to complete the 1272 Date Street Project for the contract price, and the property owner will be required to spend a substantial sum in excess of the contract price to complete the project in accordance with the contract, as set forth paragraphs 19-23 above.

CAUSE FOR OTHER ACTION

(Restrictions on Qualifier – Respondent Alexander Anthony Montano)

26. Pursuant to Code section 7121.5 and 7122.5, if license number 1093228, issued to Respondent Thor is revoked or suspended, Respondent Montano shall be prohibited from serving as an officer, director, associate, partner, manager, or qualifying individual of a licensee during the time the discipline is imposed, whether or not he had knowledge of or participated in the acts or omissions constituting grounds for discipline as alleged in the causes for discipline, above, and any licensee which employs, elects, or associates Respondent Montano other than as a bona fide nonsupervising employee shall be subject to disciplinary action.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Registrar issue a decision:

1. Ordering the revocation or suspension of Contractor's License Number 1093228 issued to Thor Contracting Corporation, pursuant to Code section 7090;

2. Ordering the revocation or suspension of Contractor's License Number 1093228 issued to Alexander Anthony Montano, pursuant to Code section 7090;

3. Ordering restitution of all damages according to proof suffered by S.M., as a condition of probation in the event probation is ordered for Respondent Thor Contracting Corporation and/or Respondent Alexander Anthony Montano, pursuant to Government Code section 11519, subdivision (d);

4. If revocation of Contractor's License Number 1093228, issued to Thor Contracting Corporation, is ordered, an order for restitution of all damages suffered by the Homeowner as a result of Thor Contracting Corporation conduct as a contractor, as a condition precedent to any future restoration of Contractor's License Number 1093228, or before any new license is issued;

5. Ordering Respondent Thor Contracting Corporation and Respondent Alexander Anthony Montano to pay the Registrar costs for the investigation and enforcement of the case according to proof at the hearing, pursuant to Code section 125.3;

6. Ordering Respondent Thor Contracting Corporation and Respondent Alexander Anthony Montano to provide the Registrar with a listing of all contracting projects in progress and the anticipated completion date of each, pursuant to Code section 7095;

7. Ordering that Respondent Alexander Anthony Montano is prohibited from serving as an officer, director, associate, partner, manager or qualifying individual of a licensee, pursuant to Code sections 7121.5 and 7222.5; and

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8. Taking such other and further action deemed proper.

DATED: 1/22/2026

Brian Melvin

BRIAN MELVIN
Supervising Special Investigator I
Contractors' State License Board
Department of Consumer Affairs
State of California
Complainant

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